

THE

# PARLIAMENTARY REPORTER;

CONTAINING AN ABSTRACT OF THE

## DEBATES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL AND HOUSE OF ASSEMBLY

OF

PRINCE EDWARD ISLAND,

FOR THE SESSION ENDING 1st APRIL, 1858.

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CHARLOTTETOWN, P. E. ISLAND,

# PARLIAMENTARY REPORTER.

CHARLOTTETOWN, P. E. ISLAND, FEBRUARY, 1858.

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## MEETING OF THE LEGISLATURE.

On Tuesday, the 16th day of February, 1858, the Lieut. Governor came down to the Council Chamber, and with the usual formalities, opened the Fourth Session of the Twentieth General Assembly, with the following Speech:—

*Mr. President and Honorable Gentlemen of the Legislative Council:*

*Mr. Speaker and Gentlemen of the House of Assembly:*

I have convened you, at the usual period of the year, for the consideration of the affairs of the Island, relying with full confidence that your labors will be resumed in a spirit which will attest your zeal for the public welfare.

A beneficent Providence has again blessed us with an abundant harvest; and the state of the Revenue, which exceeds in amount that of the previous year, is satisfactory.

I must not, however, omit to direct your attention to the probable diminution of Revenue in the current year, which there is but too much reason to apprehend will follow from the depression so universally experienced at present in all branches of commercial industry, and from which this community is not exempt.

*Mr. Speaker and Gentlemen of the House of Assembly:*

The accounts of the past year, and the estimates for the current year, shall be laid before you, and I rely on your readiness to grant the necessary supplies for the public service.

*Mr. President and Honorable Gentlemen of the Legislative Council:*

*Mr. Speaker and Gentlemen of the House of Assembly:*

The circumstances of the last Session having been such as to prevent Her Majesty's Government from proposing to Parliament to guarantee the Loan intended to be raised for the purchase of Lands in this Island, that measure was unavoidably postponed to the present Session of the Imperial Parliament.

A copy of a Despatch from the Principal Secretary of State for the Colonies on this subject shall be communicated to you.

The Mutiny which has so lamentably disturbed Her Majesty's East Indian possessions has already been reduced, by British valor and heroism, to a point which leaves no room to doubt its final suppression; but the unexampled atrocity by which it has been characterized has occasioned a vast amount of destitution and suffering to the surviving victims, which appeals forcibly on their behalf to the generous sympathy of their fellow subjects in all parts of Her Majesty's dominions.

I must again earnestly recommend to your consideration the adoption of more efficient means for the suppression of

illicit traffic, which there is no reason to doubt is still carried on in this Island, to the great prejudice of the morals of the people, and to the serious injury of the Revenue.

I have great pleasure in referring to the improvement which, during the past year, has been manifested in the prosecution of the fisheries, which, if hereafter continued, will doubtless add much to the welfare, and increase the wealth and prosperity of the Country.

The marked improvement in Agriculture and Farm Stock throughout this Island is, under Providence, attributable to the liberal grants made by the Legislature for the encouragement of that important branch of industry; and I have no doubt that your fostering care will still be extended to so desirable an object.

You do not, I trust, require to be assured of my ready co-operation in any measures you may entertain for the honor and advantage of the Island.

## LEGISLATIVE COUNCIL.

TUESDAY, February 16, 1858.

The Session having been opened by His Excellency the Lieutenant Governor, with the customary formalities, after the appointment of the usual Committees,

His Honor the President read a letter received from the Rev. Charles Lloyd, on the eve of his departure for England, in September last, tendering the resignation of his situation as Chaplain to the Council, and his Honor's reply thereto, when

It was resolved, that the Rev. Doctor Jenkins be appointed Chaplain, in place of Rev. C. Lloyd, who had left the Island.

WEDNESDAY, February 17, 1858.

William M. Howe, Esq., was appointed Reporter.

Mr. John S. Bremner's tender for printing the Journals, being the lowest, was accepted.

Hon. Mr. Forgan, from the Committee appointed to prepare the Address in answer to His Excellency's Speech at the opening of the Session, reported the draft of an Address, which was read a first time, and ordered to be read a second time on Friday next.

Hon. Mr. Bagnall obtained leave of absence till Friday.

FRIDAY, February 19, 1858.

House in Committee on Address to the Lieut. Governor. Address agreed to as amended.

The Hons. Messrs. Forgan, Walker and Craswell were appointed a Committee to wait upon His Excellency, and ascertain at what time he would be pleased to receive the same.

Hon. ATTORNEY GENERAL, pursuant to notice, brought in a Bill for the safe custody of insane persons charged

with capital offences, and otherwise to amend the law with respect to offenders convicted of crimes punishable with death. He explained the provisions of the Bill which had become necessary, in consequence of doubts as to the authority of Judges to retain, in safe custody, parties tried for crimes, but acquitted on the grounds of insanity. The Bill was principally a transcript of the English Act, which had been passed after Hatfield's attempt on the life of George the Third, and had been placed on the Statute Book of Nova Scotia in 1855, after the trial of Mr. Martin, of Sydney, Cape Breton, for the murder of Mr. Dodd. The want of some such Act had been recently experienced here, in the case of the convict, McNeill, who was last term found guilty of the murder of Mr. Lane. It was considered by several, that had the Court had power to consign him to imprisonment for life, the verdict might have been different. That, however, was a mere surmise; but still it was possible, in other cases, that Juries might be more inclined to convict if they anticipated the unconditional release of the offender. The Bill proposed that, in the cases to which it was intended to apply, where the accused should be acquitted on the ground of insanity at the time of the commission of the offence, the Court should have power to order him to be kept in safe custody during the pleasure of the Lieutenant Governor. It also provided that restraint may be put upon insane parties who may be considered dangerous, and, therefore, likely to commit crimes; and authorised Justices of the Peace to commit such dangerous persons, when discovered, under circumstances denoting a derangement of intellect or intention of committing crime, not to be bailed except by two Justices of the Peace, one of whom to be the committing Justice, or by one of the Justices of the Supreme Court. It also provided that the Court, or any Judge thereof, shall allow the benefit of a conditional pardon immediately on the same having been signified to it or him, and the same shall be entered of record in the Court before which the party may have been convicted; and shall be as effectual as if made originally by the Court, subject to be changed from time to time by the Lieutenant Governor in Council.

SATURDAY, 20th February.

Hon. Mr. Forgan, from the Committee appointed to wait upon His Excellency, reported that His Excellency was pleased to say that he would receive the Address of the Council this day, at 10 o'clock, p. m. The Council having attended His Excellency with the Address, on their return, His Honor the President reported that the Address having been presented, His Excellency had been pleased to reply thereto, and he read the reply, as given below.

The following is a copy of the Address:—

To His Excellency Sir DOMINICK DALY, Kt., Lieutenant Governor and Commander-in-Chief in and over Her Majesty's Island Prince Edward, and the Territories thereunto belonging, Chancellor, Vice Admiral and Ordinary of the same, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY:

We, the Members of Her Majesty's Council of Prince Edward Island, in our legislative capacity convened, respectfully request that Your Excellency will be pleased to receive our thanks for the Speech delivered by you at the opening of the present Session of the General Assembly.

We trust that the confidence which Your Excellency has been pleased to express, that our labours will be resumed in a spirit that will attest our zeal for the public welfare, will be fully realized.

We have reason to be thankful to an all-bountiful Providence in having blessed us with the late abundant harvest; and we rejoice to learn from Your Excellency that the state of the Revenue for the past year exhibits an increase in amount over that of the previous year,—at the same time, we regret to observe an apprehension, on the part of Your Excellency, that a diminution of the Revenue of this Colony in the current year may take place, consequent upon the general depression already experienced in the various branches of commercial industry in this Island and elsewhere; but we trust that that diminution will not be to any very great extent.

When the Despatch from the Principal Secretary of State for the Colonies, on the question of the proposed guarantee for a loan intended to be raised for the purchase of lands in this Island, is communicated to us by Your Excellency, it shall receive our respectful attention.

We assure Your Excellency that, in common with all Her Majesty's loyal subjects throughout Her extensive dominions, it is with extreme regret that we have heard of the mutiny which has so lamentably disturbed the possessions of Her Majesty in the East Indies, and which has been characterised by such barbaric atrocities; and we cordially concur with Your Excellency in the opinion, that it has already been so far reduced, by British valour and heroism, as that there is no room to doubt its final suppression; and we sincerely trust that the successes which, under Divine Providence, have attended the British arms will lead to the speedy establishment of peace, upon a firm, lasting and honorable foundation.

We deeply sympathise with the destitute and suffering of the survivors of this wide spread mutiny; and we trust that the generosity manifested by their fellow subjects throughout Her Majesty's Empire, will tend to alleviate their distress.

Our earnest attention shall be given to any measure which may be submitted to us, calculated to render more effectual the laws for the suppression of illicit traffic.

We are gratified in the improvement that has taken place, during the past year, in the prosecution of the fisheries; and we fully agree with Your Excellency, that if continued, this source of industry will add to the welfare and increase the resources and prosperity of the country.

We assure Your Excellency that we are much pleased to be informed of the improvement in Agriculture and Farm Stock throughout the Island, which, no doubt, under Providence, may be attributable to the liberal grants made by the Legislature for those purposes.

We thank Your Excellency for the assurance of your ready co-operation in any measure we may entertain for the honor and advantage of the Island, knowing how much Your Excellency has at heart the advancement and welfare of this loyal Colony.

The following is a copy of His Excellency's Reply:—

Mr. President and Honorable Gentlemen of the Legislative Council:

In Her Majesty's name, I thank you for this loyal and dutiful Address; and I beg to assure you that the prompt and satisfactory manner in which the Legislative Council has responded to the observations which I deemed it my duty to address to the General Assembly, on the occasion of opening its present Session, is very gratifying to me.

MONDAY, 22d February.

Hon. Mr. Aldous laid on the Table the Treasurer's account with the Government for the past fiscal year; and on his motion, the Bill for the safe custody of insane persons, &c., was read a second time, and ordered to be committed to-morrow.

HOUSE OF ASSEMBLY.

TUESDAY, February 16, 1858.

After the members of the House had returned to their own apartment, the Hon. Col. Secretary presented the Returns of the election of James O. Pope, Esq, who was elected for the Third District of Prince County, in the room of Hon. W. W. Lord.

The Hon. Mr. Montgomery and the Hon. T. H. Haviland introduced the new member, to whom the customary oaths were administered.

Mr. MUIRHEAD said, before the gentleman (Mr. Pope) took his seat, he had an unpleasant duty to perform, which was the introduction of a Resolution, written at the instance of a petition he had received from several of his constituents, the adoption of which he moved, and which was as follows:—

*Resolved*, That James O. Pope, Esq, the elected member for the Third District of Prince County, be requested to deliver to the Clerk of this House a Schedule, containing the particulars of his Qualification, conformably to the provisions of the Act of the eleventh Victoria, cap. 21, intituled "an Act to consolidate and improve the Laws for the election of members to serve in the General Assembly," and that Mr. Pope shall deliver to the said Clerk the title, deeds, documents or papers, and in which he claims title to the property in said Schedule, or true copies, duly attested.

Mr. H. HAVILAND said, before the motion was put on the Resolution just read, he thought a time should be specified in the Resolution when such Qualification should be required.

Hon. COL. SECRETARY said, he presumed the House did not wish to tie Mr. Pope down to time, and thought that, if necessary, he should have a few days given him; but, in the meantime, he has no vote on any measures before the House.

Mr. MUIRHEAD.—The statute expressly said, that on a member taking his seat he should render to the Clerk the titles, &c., of property upon which he bases his Qualification. Mr. Muirhead then read that portion of the statute alluded to, which is as follows:—

"Every member; before he assumes his seat, or shall presume to vote in the House of Assembly, if thereto required by order of the House, shall deliver to the Clerk of the House a Schedule, containing the particulars of his Qualification, conformably to this Act, and shall also deliver to the said Clerk the title, deeds, documents or papers, under which he claims title to the property in said Schedule, or true copies thereof, duly attested."

He presumed Mr. Pope had the required documents now, and was prepared to submit them.

Hon. the SPEAKER.—Is the motion seconded?

Hon. COL. TREASURER.—I second the motion.

The resolution was then put and carried, and Mr. Pope submitted to the Clerk the Schedule, &c., of his Qualification.

Hon. the SPEAKER said, the matter might be postponed until the standing Committees were appointed, and the Governor's Speech answered.

Mr. H. HAVILAND thought the suggestion of the Hon. the Speaker a good one, and that there would be plenty of time to attend to this affair when the more pressing business was gone through.

Hon. COL. SECRETARY differed from the last speaker, and said, if a week or two elapsed without action being taken upon the matter, and Mr. Pope be allowed to take his seat, under the present circumstances, the House could not make the necessary inquiry.

APPOINTMENT OF COMMITTEES.

The following committees were then appointed:—

To PROVIDE STATIONARY—Hon. Col. Treasurer, Messrs. Clark and Muirhead.

Mr. CLARK moved a committee to receive tenders for printing the Journals, and Messrs. Clark, Muirhead and McDonald were named, when—

Hon. Mr. LONGWORTH said, he thought it would be only fair to appoint a member of the minority on this committee, and would suggest that Hon. Mr. Haviland be placed upon it.

Hon. COL. SECRETARY said, as it was not a usual thing to appoint members of the minority upon standing committees, he did not see why the House should deviate from such practice in the present instance.

After some further discussion the House divided on an amendment to the original motion, that Committees be appointed by the House.

Ayes—Hons. Messrs. T. H. Haviland, Palmer, Longworth, Montgomery, Messrs. H. Haviland, Douse, Yeo, Pope, Laird and McDonald—10.

Nays—Hons. Col. Secretary, Col. Treasurer Mooney, Whelan, Wightman, Messrs. Perry, Clark, Dingwell, Muirhead, Cooper and McGill—11.

The original motion was then passed, and the committee stood as follows:—Messrs. Clark, Muirhead and H. Haviland.

COMMITTEE TO PREPARE AN ANSWER TO HIS EXCELLENCY'S SPEECH—Messrs. Cooper, McGill, McDonald, Muirhead, Laird, Perry and Hon. Mr. Whelan.

GOOD CORRESPONDENTS WITH LEGISLATIVE COUNCIL—Hons. Col. Secretary, Col. Treasurer, Wightman, Haviland, Messrs. McGill and Pope.

PRIVATE BILLS—Hon. Mr. Whelan, Messrs. Clark and Haviland.

PUBLIC ACCOUNTS—Mr. McDonald, Hons. Messrs. Haviland, Longworth, Montgomery, Messrs. McGill, Perry and Muirhead.

TO REVISE JOURNALS—Mr. Muirhead, Hons. Messrs. Mooney, Longworth, Wightman and Mr. Laird.

TO EXAMINE BILLS TO BE ENGROSSED—Messrs. Clark, McDonald, McGill, Muirhead and Hon. Mr. Longworth.

ON EXPIRING LAWS—Messrs. McDonald, Muirhead and Hon. Mr. Haviland.

The Hon. Col. Secretary moved the suspension of the standing order respecting to the introduction of bills, that he might introduce a bill relative to Fishery Reserves. The rule was suspended, the Bill read a first time ordered to be read a second time to-morrow.

On motion of Hon. Col. Secretary, it was *Ordered*—That a copy of the Journals of this House be sent to His Excellency the Lieutenant Governor, each day, as soon as may be, after the adjournment.

On motion of Hon. Col. Treasurer, it was *Ordered*, That the postage on all letters and printed papers to and from members of this House, during the Session, be charged to the contingent accounts of the House.

The time for receiving petitions was limited to March 5th. Adjourned to ten o'clock to-morrow.

WEDNESDAY, February 17, 1858.

Hon. Col. Treasurer submitted the Accounts of the Treasury for the past year.

Hon. COL. TREASURER said, in order to save time, he would move that all Road Petitions be handed in and laid on the table instead of being presented by members as heretofore. Adopted.

T. KIRWAN, Rep.

THURSDAY, February 18, 1858.

House in Committee on the draft Address in answer to His Excellency's Speech—Mr. McDonald in the chair.

The Chairman, having read the first paragraph, was about to put the question thereon, when

Mr. H. HAVILAND rose and observed, that he knew not exactly what had been the practice on previous occasions of a like nature; but, he thought, it would be better to read the whole of the Address in the first place, that, by having it so read to them, the Committee might see the connexion of the several paragraphs, and at once comprehend the tone and bearing of the whole. The paragraphs might then be read separately, and each be separately submitted to the question.

The Chairman, in compliance with the suggestion of Mr. Haviland, then read the whole Address; and, having done so, submitted the first paragraph to the vote; and the same, as follows, was agreed to *nem con*.

"We, Her Majesty's loyal subjects, the House of Assembly of Prince Edward, thank your Excellency for the Speech with

which you were pleased to open the present Session, and for having called the Legislature at the most suitable season to take into our consideration the affairs of the Colony; and your Excellency may rely upon our best endeavours being directed to promote the public welfare."

The Chairman then read the second paragraph, which is as follows:—

"We have reason to be thankful to Divine Providence for having blessed the labours of the husbandman with the abundant fruits of the earth; and for the seasonable weather with which he has been enabled to gather in the harvest; and it is gratifying to learn that the Revenue for the past year exceeds in amount that of the previous year."

And, on his putting the question thereon—

Mr. H. HAVILAND rose and said, he could not exactly concur in all that was expressed in that paragraph. It might be that he was more scrupulous or conscientious than usual; but it certainly did appear to him that the tenor of the paragraph was not just; and although he had not consulted with any of the hon. members with whom he usually voted, he could not, in justice to himself, forbear to state his objections to it. The Address itself, taken altogether, was a complete novelty of the kind—a wonderful connexion of words duly arranged without meaning—of all meaningless speeches he had ever heard it was the most unmeaning. As was once said by a celebrated member of the bar of this Island, with reference to a similar emanation, it was *vox et præterea nihil*, or, as he liberally explained it, *nothing but wind*. It was possible, contended the hon. and learned member, that the absence of all notice, in the Speech, of measures contemplated by the Government, might proceed from a desire, on the part of the framers of it, not prematurely to excite alarm on that score; but, nevertheless, it was certainly remarkable that the Speech was so little in accordance with what the party in power had so strongly insisted, before the introduction of Responsible Government, should characterize such productions, and which they had so often declared would characterize them, when once that form of Government should be established in the Colony. It contained no intimation of any contemplated measure—it pointed out nothing to be done, and afforded no clue whatever as to what was to be the ministerial policy of the day; and yet the reading of the Speech to the House had no sooner been concluded than a Bill relating to a question of a most important nature was introduced by the Hon. Colonial Secretary—a measure concerning which, notwithstanding its great importance, not one word was said in the Speech. With respect to that measure and the mode in which it had been introduced, it would almost seem that the Hon. Colonial Secretary had calculated that by taking the House by surprise he should secure a victory. As to the opinion expressed, in the paragraph under consideration, concerning the late harvest, his own did not fully coincide with it. He could not agree that the harvest was one of extraordinary abundance. It was still a question whether, after the exports of produce which had been already made, there would be enough for the supply of our own wants. The number of heavily grain-laden sleighs which had, day after day, been seen in Charlottetown afforded no proof of the abundance of the late harvest; they might rather be a proof of the indebtedness and necessities of the farmers. Some farmers, besides, may have had abundant crops, whilst more may have had very poor ones. For these reasons he could not support the sentiment of the paragraph as expressed concerning the abundance of the harvest; for it asserted more than had been, or could yet be, proved to be true. With respect to the Revenue it might be said, "the proof of the pudding is in the eating of it." The Revenue of the past year might be £45,000, but if the expenditure were £50,000, the facts would not be such as they could congratulate the country upon. The Hon. Colonial Secretary and the Hon. Treasurer might have derived some benefit from it; but the country had positively derived none. If the reports concerning the amount of the Revenue, as compared with the expenditure, were true, there was anything but reason for congratulating the country upon that score, and what was said, in the Speech, about the Revenue's exceeding in amount that of the previous year was only a lawyer's quibble. If the Government could have congratulated the country, as Sir Alexander

Bannerman had lately done the people of Newfoundland, upon a surplus of Revenue in the chest, they would have had something to boast of. But as it was, large as the Revenue had been, the country had derived no benefit from it. The Speech was meagre in another respect; it made no mention of the Municipal Corporations and the Board of Works Bill, to which their attention, in the Speech at the opening of the last Session, had been called with so much pomp and circumstance; and for not having passed which, they were somewhat sharply reprimanded, in the Speech with which the Session was closed. When the manner in which those Bills had been at first brought under their notice, and the importance which was attached to them, were considered, it certainly was a matter of surprise that the present Speech did not contain their epitaphs. Well might these Bills be supposed to call from their graves, "O save us from our friends!" The framers, the fathers of these Bills, would, on contemplating their fate, one might have thought, have had some reason to assign for it in the Speech, or have deemed it right to express therein some regret for the darkness of the country which would not enable them to see and appreciate the benefits which would arise to them from the adoption of these famous measures. If the Hon. Colonial Secretary suggested the Speech, we may fancy he had been reading endeavouring to carry into practice the opinion of a celebrated French politician, that words were given to us a means whereby to conceal our thoughts and intentions; and as a successful piece of composition in that line, the Speech was worthy of being placed in a gilt frame and hung above the Magna Charta.

Mr. YEO. The Governor had certainly been misled, by his advisers, concerning the amount and quality of the late harvest. Had His Excellency been through the country, and been able to draw his conclusions concerning it from his own personal observations, as he, Mr. Yeo, had been, he would not, by any means, have characterized the harvest as one remarkable for its abundance. The truth, on the contrary, was, that almost every man who had had personal opportunities of judging of the real facts, knew that, as respected both oats and wheat generally, the crops had failed, and that the potatoes were positively rotten. He did not accuse His Excellency of any wilful misrepresentation; but to him (Mr. Yeo) it was clear he had been led astray by his ministry; for it was a fact that for every lot in which the crops were good, there were five in which they were bad.

Hon. COLONIAL SECRETARY.—His Excellency most certainly had not been aware of the poverty-stricken state of the hon. member's (Mr. Yeo's) immediate section of the country, or perhaps he might somewhat have modified his language concerning the abundance of the harvest. As to the potatoe crop upon the whole, it was a well ascertained fact that it was a most abundant one—more abundant than that of any previous year. It was indeed true that with respect to some which had been sent to market it had proved a failure; but that could not be helped. He had not heard that there was any scarcity of oats, unless in some places in which they had failed in the spring. Some farmers had been so unfortunate as to have procured bad seed, and, on that account alone, they had had to sow a second time. As for the wheat it was certain that wherever it had not been sowed until June, the return had been an abundant one; and as for the barley, the produce was double what it had ever been known to be before. The wheat, throughout the Island was abundant in quantity and good in quality, never better in fact, where the farmers had been wise enough to be counselled and guided by the advice and practice of scientific agriculturists, and had not sown until June; but where farmers had chosen to plod on in the old way, the wheat had been destroyed by the weevil as usual; still, however, even they had had larger crops than they had had for many years before. [Hon. Mr. Montgomery. Not at New London.] Perhaps not; for they were there too wise to learn from the practice and experience of others; the lessons of science were addressed to them in vain, for they would not listen to them. The wheat, after June, grew luxuriantly, and filled well, and the harvest was doubtless abundant; and it was the bounden duty of the representatives of the people thankfully to acknowledge it. Of the last year's produce, it was a fact that there had already been sent out of

the Island more than would be sufficient to keep the whole population until another harvest. Some, however, were not satisfied: their rents had not been paid up, or their ledger accounts had not been discharged. The effects of the universal depression of trade throughout the commercial world have been felt here as elsewhere; but here, by some, due allowance had not been made for the charge, and the result was unreasonable dissatisfaction on their part. In the United States and in the neighbouring provinces, the prices for agricultural produce, owing to the present depression of trade, were not half of what they were the year before. As to the absence, in the Speech, of any notifications of measures to be introduced, by the Government, in the present session, he thought the honorable and learned member for Georgetown ought, instead of complaining, to feel thankful for the prospect that he was not likely to be troubled with any. He (the Hon. Colonial Secretary) could not see that the Government of this Colony were bound to follow the example of the President of the United States with respect to prospective government measures. It would be more natural to look to the practice, in that respect, of the Government of Great Britain, and it was well known that the Speech from the Throne, instead of particularizing every measure to be brought forward by the Government in the course of the Session, seldom contained more than one or two such notices. As to the Bill relating to the Fishery Reserves, he could assure the hon. and learned member for Georgetown, that he had no intention to frighten, or to take by surprise, either him or his friends, by its introduction. He (the Hon. Colonial Secretary) had merely brought it forward before the Address in answer to the Speech had been prepared, that there might be something before the House. He had however yet to learn why the Colonial Secretary should not be privileged, as well as every other member of the House, to bring forward a measure of himself, notwithstanding his position in the Government. The measure was one which had been under his consideration for two or three years. It was certainly a measure of great importance; and he had resolved to bring it forward on his own responsibility, although he supposed it would have the support of the other members of the Government. Nothing certainly was said about it in the Speech; yet he hoped the hon. and learned member and his friends would not object to it on that account; and meanwhile, he thought, they ought to be thankful that they were not likely to be annoyed this Session through the Government, by other measures which would be unpalatable to them.

Hon. Mr. MOONEY.—It was the first time, he believed, that so much had been said in the Assembly about the one word "abundant"; and, for his part, he could not but wonder at the perverted view of facts relative to the harvest, taken by those who were disposed to cavil about and object to the expression. He had lately been talking, concerning the late harvest, with an old farmer who told him he had thrashed out 196 bushels of wheat. He (Hon. Mr. M.) did not say from what number of bushels of seed wheat that return had been made, but the quantity was, at all events, considerable and quite satisfactory to the farmer. His (the farmer's) early wheat had been all destroyed, but the return from the late sown was such as to leave him no grounds of complaint. The honorable and learned member for Georgetown had said that the Speech gave them nothing to do. Well, he (Hon. Mr. M.) thought he (Mr. Haviland) had no reason to complain of that, as it would leave him more time to amuse both himself and the House; and he (Hon. Mr. M.), for one, was much obliged to the learned gentleman for his having roused up the House, and for the amusement which he had just afforded them by his declamation against nothing.

Hon. Mr. PALMER.—He was not disposed to quarrel with the Speech; although it certainly contained one or two paragraphs with which he could not go their whole length. He recollected that, when he belonged to the Government, it sometimes fell to his lot to draft the Speech. Into the first which he drafted, he introduced one or two measures, but it was most unmercifully attacked by the opposition party as containing no recommendation of any government measures, and their cry was that such, so meagre, and so barren, "the Speeches" would always be until they should obtain the grand panacea, responsible Government, when all measures would be sent down to

the legislature, ready cut and dry. The next time, like the old man in the fable, put his ass, [A laugh] who was desirous to please every body, he altered his plan, and introduced three or four government measures; but that was attacked more unmercifully than the first, and he was more effectually put down than before. It so happened that it fell to his lot a third time to draft "the Speech," and he then resolved, (determined to please if possible,) to introduce little or nothing about any contemplated government measures; and wonderful to tell, his last attempt, in conformity with such resolution, succeeded the best of all. [A laugh.] He thought others, now in the same prominent position in which he was then placed, had arrived at a similar conclusion; and had, therefore, abstained from putting anything into the Speech from which any inference could be drawn as to any measures contemplated by them. The course which, in that respect, had been pursued by them, suited him well enough; and he believed it would also please the country; for the measures of the government had been so peculiarly unfortunate and unacceptable to the people, that a sort of dread pervaded the country lest there should be any more forthcoming, and, judging by the working of some which they had carried and the nature of some which had failed, most people were of opinion that the fewer they brought forward the better it would be for the Colony. When the people should read the present Speech they would, he imagined, be ready to thank God that no more evils were impending over them in the shape of government measures. As respected the paragraph under consideration, he thought it went too far. He was not an agriculturist, but he had not been able to shut his eyes and ears against what he had had opportunities to see and hear concerning the late harvest; and all that he had learned in that way strongly inclined him to believe that we were not possessed of anything like abundance. Two or three days ago he had conversed with a farmer from an old settlement respecting the produce of the late harvest, and he had told him that, in that settlement there were not above two or three who would this year have grain and fodder enough to carry them through the winter and the early spring. Many, he had been assured, would have to go about buying grain wherever they could get it. He certainly was afraid that the lapse of a short time would too clearly prove that there was nothing like abundance of the fruits of the earth in the country, although some months ago all anticipated an almost superabundant ingathering of the harvest from our fields. He could not, therefore, concur in the declaration that we had had an abundant harvest, although, at the same time, he trusted he was not ungrateful to the giver of all good for what he had been pleased to bestow upon us. Unless the declaration were modified, he could not concur in the opinion of its propriety. Another paragraph also, he thought, equally required modification; but of that he would speak when it came to be separately considered.

Mr. COOPER, who was rather indistinctly heard by the Reporter, said—that he thought the expression "an abundant harvest" could not reasonably or justly be objected to, especially when a fair comparison should be made between the produce of last year's harvest and that of some immediately preceding it, when, on account of the insufficiency of the grain harvest and potatoe crop, the people throughout the whole Island had been obliged to buy, for bread, the flour and cornmeal which were imported to supply our own deficiency in that respect. The last year's harvest was certainly, when so considered, "abundant;" and the expression in the Speech, "an abundant harvest," was therefore perfectly justifiable; and, as such, ought to be responded to in the Address of the House.

Hon. Mr. WIGHTMAN.—He had no desire to indulge, as some hon. members had done, or sought to do, in a flight so excursive as would embrace at once, not only the whole of the Speech, but almost every thing, either immediate or remote, past, present or to come, which a lively imagination could, by any possibility, connect with it. He would, therefore, confine his observations to the scope of the paragraph immediately under consideration; and besides he would speak only of such facts, having relation thereto, as had come under his own particular notice. The exports of agricultural produce from the Island last year, in the fall, were so large that their great extent, alone considered, was proof sufficient that the harvest was an abundant one. From Georgetown and Charlottetown in par-

ticular, as well as from several out-ports of the Island, the exports of agricultural produce made last year, far exceeded those of two or three years before. One cause, no doubt, of such extensive exports of agricultural produce—a cause which he sought not to conceal—was the necessity under which the merchants lay, in those times of commercial difficulties and embarrassments, to call, with much greater urgency than usual, upon the farmers who, perhaps in many cases, were deeply indebted to them, to make such payments to them, in produce or in cash, as would enable them to make their own remittances to their foreign mercantile correspondents; and he would take the opportunity to say, with respect to the very extensive credit system which had so long been practised in the Island, that it had been injurious, and would always, he believed, be in the long run injurious both to merchants and their customers, as was now unfortunately both seen and felt by so many of both classes. The system of long credit induced, on the part of the merchant, imprudent and unwarrantable confidence in his customers; and, on the part of his customers, it often led to improvidence and extravagance. The continuance of such a system could not be otherwise than injurious to individuals and adverse to general prosperity. The scarcity which might follow the extensive exports of agricultural produce which had lately been made, and which appeared to be anticipated by some hon. members, with but too much reason, would, should it unfortunately occur, be attributable solely to the extensive credit system, and by no means to any deficiency in the late harvest, which, in his opinion, all were bound most thankfully to acknowledge had, on the contrary, been an abundant one.

Mr. H. HAVILAND.—He would not allow the hon. member to sit down unanswered, with respect to the imputation of unthankfulness to the giver of all good for the blessing of the late harvest, which, he thought, he had wished to cast upon him. The harvest, he (Mr. H.) thought, was not by any means an abundant one; still he was thankful for it, and would have been so even had it been much less than it was. They who pronounced it “abundant” were premature in their judgment. The time was not arrived when any truthful man, resting on the evidence of facts, could pronounce it abundant. When the crops shall be in the ground next spring, and their healthy appearance shall be cheering and encouraging, and we shall at the same time have, of the produce of last year, sufficient for the supply of our own wants, and something besides to spare, then, but not till then, the last year’s harvest may safely and confidently be pronounced to have been abundant.

Hon. COL. SECRETARY.—The argument and deduction of the hon. and learned member were not, he thought, quite logical. If, in the fall, farmers thought it advisable to convert all that they believed they could safely spare of their produce into cash, by exporting it to the United States, or to any of the neighbouring Provinces, or other places, in which they knew there was a ready money demand for it; and should, after they had committed their seed grain to the bosom of the earth in the spring, find themselves necessitated to buy imported flour or cornmeal, for bread; the latter circumstance would certainly be no conclusive proof of the insufficiency of the previous harvest, although circumstances such, as the high prices of flour, &c., might, very possibly, be such, as to shew that they had speculated imprudently, and would have done better had they kept more of the produce of their fields for their own consumption and use. In such case the farmers might be blamed for improvidence, or taxed with a want of foresight; but it would afford no grounds for saying that the previous harvest had been a poor or an insufficient one. The last year’s harvest was certainly an abundant one, and as soon as our own wheat and flour were brought to market, the price of American flour fell at once. Hon. and learned members might cavil and carp as much as they pleased about the word *abundant* as used in the Speech; but, taking the meaning of the word to be what men of common sense understood it to be, that was not sufficient merely, but *more than sufficient*, the propriety of its use in the Speech was fully established by the direct evidence of facts. It might be very true that some farmers might be found whose harvests were so insufficient that they had not produce enough for their own use; but, were strict enquiry made respecting such individuals, it would, he felt certain, be found that, with

scarcely a single exception, they were men, in the older settlements, who had obstinately refused to be benefited by the modern practice of real scientific and practical agriculturists. In such settlements, in which the farmers went plodding obstinately on in their own old unscientific way, complaints of the unproductiveness of the soil were being continually made; it was said, and truly said too, that their crops were not so abundant as formerly, and that frequently they had neither a sufficiency of grain nor of hay. The reason was that the soil was exhausted, and they had not learned to renew its fertility by liming and the use of fertilizing manures. The new, the virgin soil of the Island, was remarkably fertile and productive; and, in nearly all the new settlements, the crops, last year, were luxuriant and the harvests abundant. Without a scientific system or course of manuring, the soil was certainly liable to be quickly run out; but not only was anything like sterility always successfully obviated where real scientific practical farming prevailed, but, generally speaking, the crops were healthy and luxuriant, and the harvests abundant. Some hon. members had taken occasion to speak disparagingly and contemptuously of the measures of the present Government, and had seemed particularly to triumph in what they termed the rejection by the people of the Municipalities Bill and the Board of Works Bill. Their triumph was, however, he thought, based upon a very narrow and insufficient foundation; for it appeared to him that it chiefly rested upon such demonstrations against these Bills, as that which was lately made at New London, when six men and a half—six men and a boy—assumed themselves to be the people of Prince Edward Island, and authoritatively declared “We the people of the Island”—six men and a half—six men and a boy—in the exercise of our Sovereign power, do veto and reject the measures of the present administration, by which it was intended to establish Municipalities and a Board of Works in this Island.” [A laugh.] Such and so insignificant, he believed, were most of the popular (if they might be so called) demonstrations against those Bills which had been made. That they had not been more in number, and more numerously attended, had not been owing to any lack of misrepresentation on the part of the political enemies of the Government, for, by the effect of incessant lying upon the subject, the people had been so mystified that it was impossible for them to obtain clear views and correct notions concerning those Bills. But the time, he ventured to say, was not far distant when the mists which now obscured their mental vision would be blown away, and they would clearly perceive the great advantages which would result directly to themselves from the institution of Municipal Corporations; and in a few years, he doubted not, they would petition for their establishment. The longer their establishment should be delayed, the advantages which would result from their establishment—their necessity—would become more and more evident; and the people would be able to realize, in their minds, how much better it would be for them, in their several localities, to have the power to regulate and manage their own affairs, and direct their own local improvements, than to be dependent, as it were, on the general care and somewhat precarious provision which might be made for them by the Assembly. The Bills are before the public; and, in the end, judging of them dispassionately, they will judge of them aright. On all other points, however, it appeared, by the public meetings which had lately been held, that the people were perfectly well satisfied with the policy of the Government, which they were persuaded was in perfect harmony with the great principle of responsibility to themselves, both on the part of their representatives and of the government. With regard to the meeting at New London, he had (ridicule of its mock importance apart) certainly been told, by a respectable man from that quarter, that the number composing it were not above a dozen; and, coupled with its insignificance, it ought to be remembered that the great gun of New London himself had expressed himself strongly in favour of the establishment of Corporate Municipalities, although it now suited his purposes to oppose the institution of them. He (Hon. Col. Secretary) was, however, quite satisfied that, in the course of a few years, they would become law.

Hon. Mr. MONTGOMERY.—What the Hon. Colonial Secretary had stated concerning the meeting at New London, was not correct. The hon. gentleman had said, that he had been so informed, by a respectable

individual from the neighborhood of that place; that he (Hon. Mr. M.) did not dispute; but he did not hesitate to say that the hon. gentleman's respectable informant, if he pretended to have had an opportunity to estimate the number of individuals who constituted that meeting, had told a deliberate falsehood respecting its number; for he, (Hon. Mr. M.) having been present himself, could safely affirm that there were at least one hundred persons present; and he knew that, had it not been for the state of the roads, which were at the time very bad, there would have been many more present: amongst others, the Hon. Colonial Secretary himself, he believed; for he had been informed that he had intended to be present at it, but was prevented from attending it by the badness of the roads. As it was, however, there were several individuals present from Lots 52, 51, and 29; and the whole number comprising the meeting could not, as he had before said, fall short of one hundred. And, so far were they from approving of the policy of the present Government, that an office-holder who was present, and who moved a Resolution, expressive of confidence in the Government, could find no one to second it.

Hon. the SPEAKER rose to call upon hon. members to keep a little more closely to the question than they were doing. From the consideration of the question which was merely—Did facts justify or authorize the use of the word *abundant* as applied to the last year's harvest, or not—they had wandered off to review the merits of nearly every measure which had been either carried, or proposed, by the responsible party, since they first came into power; and, not satisfied with that digression, it seemed as if they were disposed also to review all that had been done or said, or was alleged to have been done or said, at every public or political meeting which had been recently held in the Island. With respect to the question immediately before the Committee—and to the simple consideration of which he thought it would be well that hon. members should then confine themselves—he was himself of opinion that facts, which were well known to all, and which had already been distinctly stated in the Committee, fully authorised the use of the word *abundant*, in the Speech, as applied to the late harvest.

Mr. CLARK.—He perfectly agreed with the Hon. the Speaker, so far as his remarks applied to the digressive mode in which some hon. members had been debating not exactly upon, but rather beside the question. But with respect to the harvest of last year, he did not think that it was exactly abundant, although many farmers had had much reason to be well satisfied with the returns which had been made from the seed which they had sown or planted. Could the large exports of grain and other agricultural produce which were made in the fall be taken as a certain criterion by which to judge of the late harvest, it might certainly be pronounced abundant, for those exports had assuredly been very large; but he was not certain that all the grain exported was of last year's growth; and, as was most justly observed by the hon. member from Three Rivers, it ought to be remembered that the amount of the exports was not altogether voluntary, but, in all probability, in some measure compulsory, from the pressure of commercial difficulties; and time might show that their extent had been beyond what the actual amount of grain and other agricultural produce in the country, at the close of the harvest, would of itself have justified.

Mr. MACINTOSH.—So far as, from actual observation, his own knowledge of the extent and quality of the last year's grain harvest was derived, he could truly say that the barley was abundant, and that the late sown wheat had made a ten-fold return. He was, perhaps, not so well versed in the science of political economy as the hon. member from Three Rivers, and therefore could not so speciously modify his opinion as that hon. gentleman had done his; consequently, he could merely say, that so far as his knowledge of the quantity and quality of the harvest extended, it might very justly be called abundant. He had been much pleased, and not a little amused by the very honest exposition which the hon. and learned member for Charlottetown had given them of the difficulties which he had had to encounter in his attempts, as "The Speech" maker, to please everybody; and he thought, with the hon. and learned gentleman, that the less was said and the fewer the indications which were made in those productions, the less discussion they would excite, and the more easily they would be disposed of.

Mr. YEO, in a few words which the Reporter did not distinctly hear, said—that for the House, in their Address in reply to the Speech, to assert that the last year's harvest was abundant, would be an act of deception, which might in some measure aggravate the distress which would fall upon many through the scarcity which he apprehended would be experienced in the country, before we should be blessed with another harvest.

Hon. the TREASURER.—With respect to the returns made by the last year's harvest, on Lot 11 and Tignish, that of wheat was certainly more than an average one. As respected the harvest returns on Lots 13 and 14, he could not speak so precisely; but he knew that large exports had been made from that part of the Island. He thought, but he might be wrong, that there would be no need for importations of flour and Indian meal on account of any scarcity likely to ensue this year, in any quarter of the Island. The oats were large and by no means deficient in quantity; and he believed there would be enough and to spare. Generally, speaking, the harvest was certainly abundant.

The Chairman then put the question, and the paragraph was agreed to without a division.

The third paragraph, as subjoined, was then read by the Chairman, and, no remarks being made thereon, on the question's being put, it was agreed to *nem. con.*

4th Paragraph of the Draft Address.

'We regret that any circumstance should have arisen to prevent Her Majesty's Government from proposing to Parliament to guarantee the Loan for the purchase of Lands in this Island; but we trust that the measure will not be delayed beyond the present session of the Imperial Parliament.'

'Any Despatch bearing upon this subject, which may be submitted to us, shall receive our attentive consideration.'

This paragraph having been read,

Hon. T. H. HAVILAND rose and said, It could not be expected that they, on his side of the House, who had strenuously and consistently opposed the passage of the Loan Bill, from the first to the last, should concur in any expression of regret that that Bill should not yet have become law. Were they to do so, they would, in a manner, ignore their former votes against the Bill, and stultify themselves. He had therefore prepared a modified amendment of the paragraph which had just been submitted, which he would read. The Hon. gentleman then read his amendment as follows, and moved its substitution for the original paragraph; the Hon. F. Longworth seconding the motion.

'We will give due consideration to any Despatches which Your Excellency may see fit to submit to us, explanatory of the cause which prevented Her Majesty's Government from proposing to the Imperial Parliament, in the last session, to guarantee the Loan intended to be raised for the purchase of Lands in this Island.'

Mr. PERRY thought the amendment conveyed the same meaning as the original paragraph, and asked why, (such being the case,) it was proposed to alter it.

Hon. T. H. Haviland.—To avoid, as he had already stated, the expression of regret, in which he and his friends around him could not, with any regard to consistency, concur.

Hon. E. WHELAN.—Yes, the object of the amendment was to avoid the expression of regret. It was intended to be an answer to two paragraphs of the Speech; but it most certainly was not such an answer as those two paragraphs ought to receive. This House—the majority of this House—represent the people; and, as the people's faithful representatives, they had been, and were imperatively called upon by the voice of the people to procure the passage of that Bill, the object—the sole object—of which was to raise the tenantry, from a state of degradation and serfdom, to the status of independent freeholders. It was then not only the province but the bounden duty of the House to express their regret that any circumstances had occurred to prevent Her Majesty's Government from taking those preliminary steps which it was confidently expected would lead to Her Majesty's sanction and confirmation of the great measure of justice which the Bill, as law, would confer upon the people of this Colony. He thought the least the representatives of the people could now do, with respect to the Bill, was to express their regret that circumstances had occurred which necessitated the postponement of the consideration by the Imperial Parliament, of the proposal which was to be made to them by Her Majesty's Government to guarantee the Loan intended to be raised for the purchase of Lands in this Island. The expression of regret would certainly, of itself, afford the oppressed tenantry no substantial relief; but, as an expression of sympathy with them in their distress, it could not fail to be gratifying, and, in some measure, also consolatory to them: whilst, on the contrary, should the House adopt the amendment just submitted, they would sadly fail in the discharge of what was due from them to the country.

Hon. COLONIAL SECRETARY. The reason, no doubt, why the guaranteeing of the proposed Loan was not proposed, by Her Majesty's Government, to the Imperial Parliament, in their last session, was the great anxiety felt by the Government, the Parliament, and the people of Great Britain at large, on account of the mutiny and lamentable disturbances in India, which, almost to the exclusion of all other considerations, claimed the attention of the Government and the Parliament. That it should have been postponed,



however, even under those circumstances, was much to be regretted indeed, on account of the great disappointment which the postponement had caused to a great body of struggling tenantry who anxiously looked forward to the completion of the measure for emancipation from their present state of thralldom. The postponement has had a very injurious effect upon those tenants, by unsettling their minds and turning them away from the prosecution of their proper suits. A large section of the country, of which the proprietor, in compliance with a Petition addressed to him, by the Tenants, had intended to make an offer to the Government of the Island, was now being offered, by that proprietor's agent, for sale on terms equivalent, he said to those on which it could have been offered to the tenants, by the Government had they purchased it, and this land was now so offered, the agent stated in his advertisement, because the Government were not in a position to effect the purchase of it under the Land Purchase Bill. That the Government were not now, although he confidently expected they soon would be, in a position to effect further extensive purchases of Lands, in addition to those which they have already made, from proprietors, for the benefit of the tenantry, he did not pretend to deny; but that lands would be offered, by proprietors, to their tenantry on terms as advantageous as they could and would be by the Government, should the Government become the purchasers thereof, he could with the greatest safety most positively deny. The truth of that proposition was made quite evident by the determined opposition, made by proprietors, their agents, and their friends, to the passage and final success of the Loan Bill; and members of the opposition, and their friends, it was well known, were speculating, and seeking to speculate in proprietary lands, effecting, or endeavouring to effect purchases thereof, in the whole or gross, at a cheap rate, to sell again, in smaller portions, at a dear one. That this state of things, with respect to proprietary lands in the holding of the tenantry, should have been brought about, to the harassing of the tenantry with doubts and perplexity, by the temporary postponement of the measure intended for their relief, was indeed much to be regretted; and he regretted it the more, because he was of opinion that, had the attempt been made, the measure for guaranteeing the proposed Loan might have been carried through the Imperial Parliament, in their last session, notwithstanding their attention was so much engrossed by the consideration of the momentous struggle then going on in India. The tenantry who were so anxious to convert their leaseholds into freeholds, most earnestly, desired the complete passage of the Bill; and so, he felt certain, did the majority of the House: the expression of regret at its postponement, contained in the paragraph then under consideration was, he therefore believed perfectly in unison with the sentiments upon the subject of every real friend of the tenantry in the Committee.

Hon. E. PALMER.—He had observed when last upon his legs, that he was not disposed to quarrel with the Speech; and, in the main, he certainly was not. But when he came particularly to consider the paragraph of the Address which was then immediately under their consideration, a strong objection arose in his mind to the use made, in it, of the word 'regret.' That word, he doubted not, had been significantly and artfully introduced, for the purpose of ensnaring, if possible, the opposition into something like a disavowal of their former sentiments touching the Loan Bill. Though at the first blush, it did seem to him to import much; yet, on having his attention directly drawn to the consideration of the word, as it stood in the paragraph, he became convinced that the chief object of its introduction was insidiously to draw from the opposition a pledge for their future support of the Bill, and acquiescence to its principles. No doubt it had been calculated that by the insidious use which had been made of the word, a pledge of full unanimity of regret, on the part of the House, that the Loan Bill had not yet been granted by the Imperial Parliament, would be obtained. They who had so calculated were, however, destined to have their expectation on that

head frustrated. The hon. member, the Queen's Printer, had claimed more for the majority than he was justified in doing, in saying that they, the majority, represented the whole people; for he (Hon. E. P.) believed that a majority of the people were directly adverse to the Loan Bill. The Hon. Colonial Secretary and the Hon. the Queen's Printer, did, no doubt, for reasons of their own, sincerely regret that the Loan Bill had not yet become law; and he was not surprised at either the one or the other of them raising, on that account, a wail on behalf of those whom they chose to designate the distressed tenantry. A portion of the people also, he believed, regretted that the Loan Bill had not become law; but they who did so were not a majority, for popular regret on that score was confined to four Townships. Surely the inhabitants of four townships were not to be called the people of P. E. Island. He could name four, nay perhaps four times four Townships, on which the people, either did not at all desire the complete passage and confirmation of that Bill, or were directly opposed to it because they knew, that, if it were to go into operation, they would eventually be taxed on account of it. His Excellency, it was to be observed, expressed no regret, in his Speech, that the Bill had not yet become law; but had properly abstained from the avowal of any such sentiment on his part. The amendment which had just been submitted by his hon. friend, was in perfect accordance with the prudent caution observed by His Excellency; and were the majority to adopt it, it would be a due and full response to the intimation of His Excellency, which called it forth. The amendment went quite far enough: it did not pledge the House to any specification, or to any particular views; but if adopted would leave them to act in future, with respect to the subject of it, as facts and circumstances might determine them to do. Should he agree with the original paragraph, he would be bound to go the full length with the Bill, and for that reason, he would support the modified amendment.

Hon. Mr. WHELAN.—He was not at all surprised at the opposition made by the hon. and learned member for Charlotetown, to the original paragraph, for the measure to which it had reference, had been opposed by him, from the first, with all his might; and it was perfectly reasonable that he should now give his opposition to any expression of regret, on the part of the House, for its postponement. He only wondered at his obtuseness in not at once perceiving that the use of the word "regret," in the paragraph, was intended strongly to mark the sentiment of the House, or of the majority of the House, with respect to the disappointment caused to the people by the postponement of the great measure to which it had reference. It was indeed natural that the House should express regret at the postponement of a measure upon which the people had set their hearts, which, by their repeated representations of the evils, attendant upon the tenant system of the Island, and by their bitter, but too well founded complaints against the oppression and tyranny of proprietors and their agents, they had, in a manner forced the Legislature to adopt. It was natural indeed that the true, the faithful representatives of the people should express their regret at any postponement of such measure; and it was equally natural that the hon. and learned member for Charlotetown should oppose such an expression; for his sympathies were not with the tenantry, but tended in a direction quite contrary. The hon. and learned member had said that should the Committee agree to the original paragraph, they would pledge themselves to the support of the Land Bill, should it again come under their consideration. Exactly so. Truly they who had supported the Land Bill in its passage through the House, would doubtless support it again, should it be again brought under their consideration; and, if the hon. and learned gentleman should succeed in turning the tables upon them, they would doubtless regret that he had been able to strangle it. The postponement of the measure was not, however, calculated to excite any thing like despondent feeling with respect to it, either on the part of the tenantry or of their friends in the House; and, least of all, could it afford a triumph to those who were opposed to it; for it was not

at all surprising that the Home Government and the Parliament fully occupied as they were, during the last session, with the consideration of the awful struggle then going on in India, and the unexampled atrocities which had recently been, and were then still being perpetrated there, should find no leisure to take up and prosecute a measure, which however important to the people of this Colony, could not justly be allowed to interfere with; or interrupt their deliberations upon subjects which might involve the stability of the empire. At that time, measures relating to the vital interests of British Colonies and Dependencies, much larger than that of Prince Edward Island, were, of necessity, overlooked or postponed; that this Colony then shared no better was not at all to be wondered at. But when His Excellency had called the attention of the Legislature to the postponement of the measure, the confirmation of which the people so anxiously looked for, it surely became their representatives to express their regret that it had not been consummated,—a sentiment which he was certain was truly felt by every member of the House who supported that measure two years ago.

Mr. COOPER.—It was very natural indeed that the House should express regret at the postponement of a measure, the passage of which had been supported by so large a majority, and concerning the benefits which it was calculated, if in operation, to confer upon the people, that majority still entertained the same opinion. He had voted for the Bill, because he believed that the general wish of the tenantry was that it should pass and become law, although he himself would have preferred another mode of remedying their grievances, could it have been accomplished. Nearly all with whom he had conversed concerning the postponement of the measure, regretted it; and he could not see how the amendment could be supported by those who had voted for the Bill, and whose views concerning it remained unchanged. Of the cause of the postponement, they had not yet received any official or authentic explanation; and for that they must await the sending down of the Despatch spoken of in the Speech, which they could not receive before their Address, in answer to the Speech, had been delivered to His Excellency.

Mr. T. HEATH HAVILAND.—From the excited manner in which the expression of regret in the original paragraph had been defended by the hon. member, the Queen's Printer, he inferred that it had been penned by him; and, if so, it was not surprising that he should so zealously and energetically insist upon its propriety. He (Mr. H.) however, had voted against the Bill in every stage, and as he certainly did not regret its postponement, and as certainly would not regret its miscarriage, should it ultimately prove an abortion, he would support the amendment. If the people regretted, as hon. members on the other side said they did, the postponement of the Bill and desired the effecting of a loan of £100,000, it seemed to him passing strange that they should have remained silent with respect to it, since the prorogation. Not a single meeting had been called for the purpose of addressing the Legislature concerning it, and for calling upon the representatives of the people to renew their exertions to ensure its confirmation; and yet in King's County and in Prince County, public meetings had been called by the Electors (which meetings they had invited their representatives to attend,) for the purpose of expressing their opinions concerning the Municipalities and Board of Works Bills. He could not, therefore, believe that the people would have remained silent concerning the contemplated Loan had they wished it to be effected. The great anxiety for the expression of regret, on the part of the House, for the postponement of the Bill, which was manifested by some hon. members, arose he believed, from their looking forward to the time which was fast approaching, when they would have to go before certain constituencies who desired the measure, to solicit their suffrages, and they thereby sought to propitiate them betimes. That some of the people in certain sections of the Island were in favor of the Loan, could not be denied; but it was, at the same time, well known to all, that the intelligence and wealth of the

country were opposed to it; because they clearly saw that, if the measure were carried into effect, it would most assuredly cause a tax to be laid upon industry for the benefit of laziness; and also because they were convinced that, should it be effected, the Government would make it a means whereby to rule alone, and firmly to fix their yoke upon the people. Respecting the regret which its postponement had caused, or ought to cause, its deservableness, and the happy results which might be expected from its operation, they had the opinions of certain hon. members, but none concurrent therewith from the people.

Hon. COL. SECRETARY.—When the people knew that the Bill had passed their own Legislature, what necessity could there be for their urging their representatives concerning it? That they were satisfied with what their representatives had done in furtherance of the measure, and were patiently, although anxiously, awaiting the decision of the Imperial Parliament concerning the proposed Loan, was patent to all: for, if they had changed their minds concerning it, they would, doubtless, have called upon their representatives to retrace their steps, and arrest the measure, if possible, before it should be confirmed by the action of the Imperial Parliament. And, altho' it was boldly asserted by some that the measure, if carried into effect, would lead to the imposing of a tax upon industry for the benefit of laziness, or, in other words, that the freeholders would be taxed that the tenants might be enabled to convert their leaseholds into freeholds, no public meetings had been called for the enunciation of such opinion. The reason of that, no doubt was that they who, either covertly or openly, endeavoured to propagate that opinion, generally very well knew themselves how untenable it was, and dreaded public discussion concerning it. As for the Worrell Estate it was doing much better than the most sanguine promoters of the scheme had ever anticipated it would. More had already been sold than would pay for the whole, and 45,000 acres were left on hand. Twenty per cent. had been paid down, and the land sold was security for the payment of the remainder. [Mr. T. H. Haviland.—You dare not enforce it.] The purchasers would willingly give 20 per cent. more for their farms sooner than lose them. They had ten years in which to pay the purchase moneys by fixed regular instalments; and in general, there remained due only £20 or £30 upon 100 acres; and he was certain they would strain every nerve to pay the remaining instalments as they became due. Attempts, he believed, had been made to persuade them not to pay; but they had been made in vain. Such attempts had doubtless been made with an intention to defeat the government measure for the purchase of lands, with a view to the ultimate benefit of the proprietors and their agents; but there was a rod in pickle for these gentry, of which they little dreamt. He wished his friend Mr. Davies was at hand that he might assist him in shewing the amount of Quit Rent arrears which they would yet be imperatively called upon to pay. When the Land Assessment Act was passed in 1848, the proprietary faction, having the power, were cunning enough to condition that the Crown should forego its claim to Quit Rents during the continuance of the Act, which was to be for fifteen years. Till the expiration of that period they would be quite safe on that score, but no longer; for they would then find themselves called upon to pay all arrears of Quit Rent. A Despatch of Lord Goderich to Governor Young dated 27th Jan. 1833, says expressly that "the claim to Quit Rents will revive retrospectively and prospectively, at the termination of the existing agreement" (that is the agreement embodied in the Provincial Statute 11 Geo. 4, cap. 17.) The conditions established by that Despatch to enable the Proprietors to redeem the Quit Rents are these: "During the first two years, after the expiration of the five years, for which the claim to Quit Rents has been suspended, the Quit Rents shall be redeemable at fifteen years' purchase; at all subsequent periods, they shall be redeemable at twenty years' purchase." The Hon. gentleman further read from the Despatch, "Having established these conditions, I think that the perpetual payment of all unredeemed Quit Rents ought

to be rigorously exacted;" "The common complaint respecting Prince Edward Island is, that the soil is owned by persons who are disposed to leave large tracts of land unimproved, in the expectation that the value of them will ultimately be raised by the exertions of those colonists who cultivate other and neighbouring lands;" "I must observe, that the fund arising from the regular collection of Quit Rents will be appropriated solely to objects connected with the Colony. The support of the Civil Government will, probably, be the most proper service in aid of which to expend the fund." To that end, observed the Hon. gentleman the arrears of Quit Rents, and all future Quit Rents which should become due after the expiration of the present Land Assessment Act, would be appropriated, and to that end they were expressly resigned by Her Majesty to the Colony, in the Civil List Act. The late Mr. George R. Young, whom, in the year 1838, the Proprietors employed as their Solicitor and Counsel, to advocate their wishes with respect to the payment of Quit Rents, urged upon the Home Government, at that time, in their behalf, that the payment of the Land Tax imposed upon them ought to be regarded as an equivalent for the Quit Rents in arrear, as well as accruing Quit Rents; but, in reply, he was told that the Lords Commissioners of Her Majesty's Treasury were of quite a contrary opinion; and so his advocacy of the wishes of the Proprietors ended in a rejection of them and a denial of their justice so far as the arrears went: and as the propriety of that decision had never since been questioned, or any attempt made, on behalf of the Proprietors, to set it aside, the matter as between the Proprietors and the Government of this Colony at the present time stood exactly as it did at that time between them and the Crown; and they might rely upon it that at the expiration of the present Land Assessment Act, they would find themselves imperatively called upon to pay all their Quit Rent arrears: for by the Law the arrears, as well as the accruing rent, were recoverable at the day. The local government was, and had been, for a long time, virulently assailed, because, forsooth, they were opposed to establishment of a Court of Escheat, or Court of Enquiry, as the opposition, for reasons of their own, chose to denominate it. But what did Lord Goderich, in the Despatch from which he had already read, significantly, say with reference to a measure of Escheat? It was this: "The objections which I entertain to a forfeiture of Lands under a breach of the condition requiring them to be settled with a certain number of occupants, would by no means apply to a forfeiture of them for non-payment of Quit Rents. It appears to me clearly for the interest of the Colony; that the rights of His Majesty on this latter point should be enforced with vigour." Thus it appeared that altho' Lord Goderich, in perfect accordance with the sentiments of the Home Government on the question of Escheat, both before and since his official career, did not consider that the Lands of this Colony were liable to Escheat on account of non-settlement; yet he thought quite the reverse with respect to non-payment of Quit Rents; and further declared that it appeared to him to be clearly for the interest of the Colony "that the rights of His Majesty on this latter point," now the rights of the Government of this Colony, "should be enforced with vigour." For a period of eight years, during which he had zealously endeavoured to settle this much vexed question, upon principles of justice and equity, he had been exposed to the rancorous hostility of the proprietary faction and their friends, who, not satisfied with throwing every obstacle in his way which, perhaps legitimately, they could put in operation, had also assailed him, in the most unjustifiable manner, by ascribing to him the most selfish and sinister designs, and even accusing him of the most improbable—he might say impossible—collusion with the proprietors. Escheat he had openly, honestly, and steadfastly opposed, chiefly, if not altogether, because he believed it to be unattainable—impossible. Taking a dishonest advantage of the opinions entertained, and openly declared, on that head, by his political friends and himself, the opposition—the proprietary faction—had raised a deceitful cry for the establishment of a Court of Enquiry. He said decisively, for could it be, for one moment supposed, that the opposition—composed of proprietors, proprietors' agents, and their friends—would,

should they attain the ascendant, introduce and honestly support a measure for the establishment of a Court of Enquiry; and even should such a Court be established under their auspices and government, what sort of enquiries or decisions respecting the non-fulfilment of conditions involving a forfeiture of Lands, could be expected to be made or to proceed from such a Court, when composed of such members as Messrs. Douse, Yen, & Co.? The last decision made by the Home Government concerning the Quit Rents, dated from "Treasury Chambers, 23rd July, 1838," is this:

"The Lords Commissioners of Her Majesty's Treasury, having had under their consideration the representation from Mr. Young, on the behalf of proprietors of Lands, subject to Quit Rent in Prince Edward Island, I am commanded by their Lordships to request you will acquaint Lord Glenelg, that they have not seen any sufficient grounds for altering the views in regard to the terms on which those rents are redeemable; which were stated in the letter from this Board, of the 19th March last, or for assenting to Mr. Young's proposition—the adoption of which, it appears to their Lordships, would operate as a premium to the proprietors, at the expense of the Provincial Revenues, to defer the redemption of their Rents to the close of their respective periods specified in the Earl of Ripon's Despatch of the 27th January, 1833, instead of holding out an inducement to effect the same without delay."

Signed

A. Y. SPEARMAN.

JAMES STEPHEN, Esq.

The hon. gentleman then continued: The Act for enforcing in future a due and regular payment of the Quit Rents, which passed the Legislature of this Colony, in the year 1802, and which, it appeared by Governor Smith's Proclamation of 3rd February, 1818, received the Royal Allowance, enacted in the first place, that the Receiver-General might enter upon any Lots or parts or shares of Lots and distrain, and sell, for Quit Rents in arrear and unpaid for more than one year; and with respect to proprietors resident in Great Britain and Ireland, they were allowed six months before the expiration of which to make payment in London of all Quit Rents due by them, otherwise their Lands would be liable to be proceeded against as by the Act directed. In defiance of the provisions of this Act, the proprietors allowed the Quit Rents to go on in arrear; and in like manner, they neglected and refused to comply with indulgent conditions offered to them, with respect to those Quit Rents, by the Despatch of Lord Goderich, in 1832, saying that it would better for them to put out their money at interest, than to pay it in commutation for the interest would pay the Rents. When Mr. Davies took up the enquiry concerning the amount of Quit Rent Arrears remaining due and unpaid, he estimated the amount at about £200,000: so large an amount as that might not be due; but it was quite certain that thousands were so; for Mr. Davies, in 1852, by his advice, took the steps necessary to ascertain what amount of Quit Rents, if any, had been paid, since the passing of the Act of 1802, for the enforcing in future of a due and regular payment of the Quit Rents; and the answer to his enquiries on the subject were, that nothing whatever had been paid by the Proprietors, on account of Quit Rents, since the passing of that Act. The obstinacy and folly of the proprietors which dictated their refusal either directly and regularly to pay the Quit Rents, or to comply with the easy and indulgent commutation conditions, proposed to them, had long been manifest to him; and, ere long he believed, it would, to their regret and sorrow, be fully manifest to themselves; for he faithfully promised them, that, at the expiration of the present Land Assessment Act, he would, if he lived, use every endeavour which it might be in his power to make, to compel them to pay, the arrears of Quit Rents, and they might depend upon it that, at that time, either through his exertions or those of others, similarly and equally determined with himself, they would be compelled to pay the arrears even to the uttermost farthing.

Mr. H. HAVILAND.—He could not but admire the pluck and confidence of the Hon. Colonial Secretary, and his determination respecting an event which would not occur before the year 1866.

Hon. Mr. WHELAN.—He had already spoken, and therefore would not trouble the Committee with much in addition to what he had already said; but he felt he would be justified in replying to some observations directed against him by the hon. and learned member for Georgetown. He (Hon. Mr. W.) was sorry that his hon. friend on his left (Hon. Col. Sec.) should have anticipated him so far as to have expended, not only one shot, but every shot in the locker. He should still, however, have some remarks to offer himself. The Hon. the Col. Secretary had, perhaps, spoken at greater length than the question before the Committee, might, on a first consideration, seem to warrant; but, on second thought, it would appear that all he had said had been called forth by the opposition. The proprietary class and their friends had declared the Land Purchase Bill to be a failure, and now pretended to desire the establishment of a Court of Enquiry. This, from the first, they had done, and still continued to do, most deceptively, for no other purpose than the creation of political capital. Little success, if any, however, had attended their hypocritical endeavours in that line. The people well knew, that, were they in earnest to advocate the establishment of such a Court—a Court which, if duly constituted, might, in the exercise of sound judgment and unswerving integrity, pronounce the forfeiture of many of their estates—they would, by so doing, give the lie to all their former practices and professions; and, therefore, erroneous as their practice, and false as their professions had been, the people could not believe that, from having become, either more enlightened or more conscientious, they would ever honestly seek to establish such a Court; and, almost with one consent, they refused to be cajoled and inveigled by them. In fact, if the party who now pretended to desire the establishment of a Court of Enquiry, as they facetiously styled it, should come to have the majority in the Assembly, they would be the foremost and the most determined in opposition to the establishment of such a Court. In that case, it would immediately be found that, although, whilst endeavouring to win golden opinions among the electors, they had kept the word of promise to the ear, they had no sooner obtained the object of their long disappointed ambition, the reins of the government, than they were prepared to break it to the hope. They knew that the Home Government were opposed to the establishment of any Court, either of Enquiry or of Escheat; and that, therefore, they would be well prepared, were they in power to evade, seemingly on that account alone, the passing of a measure which they had never, for one moment, entertained a purpose to carry. He had freely stated his opinions upon this subject, at different times, at public meetings of his constituents; and told them that should such a measure ever be brought forward in the Assembly, whilst he had a seat in it, it should have his hearty support; and he now promised the minority, that should they ever become the majority and introduce such a measure, and he, at the same time, be a member of the House, he would cheerfully give them his vote in its behalf; but well he knew that, if it came to an issue, they would be the first to oppose it. The hon. and learned member for Georgetown had thought proper to tax him with having spoken with undue warmth and excitement. He was quite willing to plead guilty in some measure to the charge. He had certainly spoken earnestly and warmly, perhaps even with some degree of excitement in support of the original paragraph; and as one of the Committee who had prepared the draft Address, it was quite natural he should do so; and he could, he believed, safely put it to the honor, the honesty, the candour of the hon. and learned member, whether he, himself, if similarly situated, would not have done the same. The hon. and learned member had said, it was strange that the people should remain silent upon the subject, if they desired to see the Loan Bill become law, and, in support of his assertions, he had alluded to the public meetings which the people had held, in different sections of the Island, to give expression to their sentiments concerning the Municipal Corporations and the Board of Works Bills. But he begged leave to tell the hon. and learned member that no analogy between the consideration of the Loan Bill, and the consideration of the other two measures, could be established; and the reason that there could not, was that the Municipal Corporations and Board of Works Bills were not law. Those

two Bills had been introduced, and carried through the House, in order that, in due legislative form, they might be submitted to the opinion and judgment of the people. The people's having held public meetings to consider and ascertain what might appear to them to be the merits or demerits of those Bills, and pass judgment upon them accordingly, was nothing more than the majority of the House had desired and expected they would do. The Loan Bill, on the contrary, was not referred to public opinion: the framers, the promoters of it, the majority of the House, knew that such reference was needless, being well assured that it was in accordance with the views and wishes of a vast majority of the country. And that such assurance was well founded was made quite evident by the silence of the people concerning it. "Silence gives consent," was an old adage, perhaps not always justly applied, but most assuredly so with respect to the silence of the people concerning that Bill; for it was certainly tantamount to an expression of satisfaction not only with the Bill, but with the Government. The hon. and learned member for Charlottetown had said, that if the country were polled for the purpose of ascertaining the opinions of the people concerning it, there would be seventy against it out of every hundred. If such were the sentiments of the people generally concerning it, petitions from every quarter of the Island would have been sent up to the Legislature against it; but it was notorious that there was not one against it. It was not surprising that the expression of regret should be opposed by those who had opposed the Bill, and who had generally opposed every measure which had had for its object the enfranchising and elevation of the people. Neither, on the contrary, was it surprising that they who had supported the Bill—they who had uniformly advocated the adoption of every measure for enlarging the sphere of popular freedom and happiness—they who desired the purchase of the proprietary lands by the Government, with a view to the abolishment of the feudal system and the bondage worse than Russian serfdom, in which the tenantry were held—yes, neither, on the contrary, he said was it surprising that they—men who knew that the real prosperity and happiness of a country did not consist in the advantages enjoyed by a few, but in the universality of those enjoyments, and that contentedness which should ever be the reward of honest perseverance and industry—should feel sincere regret, and desire to express their regret at the postponement of a measure which they believed would, in all probability, if carried into operation, bring about such a state of things in this country. How reasonable it was to entertain such an expectation, was clearly proved by the present condition of some of his own constituents upon the Worrell Estate, now that, under the operation of the Land Purchase Bill, they had become freeholders, as compared with their former condition thereon. When tenants—no, not even tenants—they had scarcely a local habitation or a name—but now they have independent homesteads, and the improvements which they have made around them, give satisfactory evidence that they are rapidly advancing on the way to prosperity. And such, before this time, would have been the condition of many more, who were still in the galling state of tenant vassals, had free scope been wisely given to the measures desired for their relief. In consequence of these measures, however, lands still in proprietary possession, for which 40s. were formerly asked, were now being offered for 30s. and 25s. an acre. The reduction was considerable; but the price still was very much above that which the Government had been able to fix upon the lands which they had purchased for the benefit of the people, which was from 7s. 6d. to 12s. 6d. an acre; and, at that price, Sir Hunt Walsh's and the Worrell Estate had been sold to the settlers thereon, who had, by that means, been converted, from discontented tenants, into prosperous and contented freeholders. The Loan Bill having been, as he had said before, introduced and passed at the instance of the people, it was surely the duty of their representatives, the majority of the House, who had carried the measure, to express their regret at its postponement, on having that postponement brought immediately under their notice as it was by the Speech.

Mr. DINGWELL.—Were he to follow the example of some of the hon. members who had spoken before him, he would have to travel over a much more extensive field of remark, than

he felt at all disposed to review. With one exception, therefore, he would confine himself to the paragraph immediately under consideration. The exception was to the objections made to the use of the word "abundant," applied to the late harvest, in the paragraph of which they had just disposed. He had indeed been surprised at the very earnest, the very eager manner, in which some hon. members objected to that word—members who, he almost thought, were disposed to disregard and altogether set aside the evidence of their own senses, when that evidence, if admitted, would be likely to thwart them in the opposition course which they were determined, right or wrong, to pursue. That the harvest had been abundant, most of them knew from their own personal observation; and, besides, the moderate prices of provisions of all kinds, and the very large exports of grain and other agricultural produce which were made in the fall, left none who were willing to take a candid view of the question, any room to doubt it. With respect to the expression of regret for the postponement of the Loan Bill, contained in the paragraph then immediately under consideration, that expression was, he believed, justly called for. Every member of that House who supported that Bill, did so, he believed, from a thorough conviction that, should it become law, it would afford the friends of the tenantry, whose province it would be to carry it into operation; a certain means of conferring upon them great and lasting advantages. Was it not then right, was it not natural for them, to feel and express their regret that any untoward circumstances should have occurred to prevent, for a season, its receiving the sanction of the Imperial Parliament and the Royal allowance? It was so; and, with that conviction, he would vote for the original paragraph.

Mr. YEO, in very strong language, denounced both the Land Purchase and the Loan Bill. The object of the scheme, as propounded by its concoctors and their friends, was the relief of the oppressed tenantry, as they called them, and wonderfully, they were told, would its operation, in a very short time, improve the condition of the people, and accelerate the growth of the Island's prosperity. Such was the language used, such were the promises made, by the members of the government and their party. Their motives, their intentions, according to their own showing, were the most pure, honorable, and patriotic. But in all they boasted of, in all the merit they claimed, they were no better than a set of mountebanks, blowing their own trumpet. The benefits which might result from the operation of their scheme would be limited to a small number indeed. It might fill their own pockets and wallets, but it would not benefit the country at large. The Hon. the Treasurer and the Hon. the Queen's Printer had, doubtless, very substantial reasons to be satisfied with the working of the grand scheme; but the case would be the very reverse, not only with the small land owners throughout the Colony, but with many,—with the majority—of those whom they were told it would at once, almost miraculously, raise from a state of poverty, to one of wealth and independence. The money which had been expended by the government, in the purchase of proprietary lands, particularly the £1700 paid for Lot 11, would never be repaid by the settlers thereon, now styled freeholders. Than the people resident upon Lot 61, a portion of the Selkirk Estate, a poorer set could scarcely be found anywhere. How could they rationally be expected to pay for their farms, when it was well known they could scarcely pay for any thing, not even for the most common necessities. As for the people of Belfast, he certainly knew them and their condition more by repute, than by any intercourse or dealings which he had had with them, but he believed they were as little able to pay for their farms as any class of tenantry on the island; and if the government should ultimately succeed in purchasing the Selkirk Estate, and in selling it to the tenantry, the purchase money, he ventured to predict, would never be paid, unless it were made good by means of taxation; in which case the small freeholders would most unjustly have to bear a burthen imposed upon them wholly for the benefit of others, and they, generally speaking, the most undeserving portion of the farming population. Had Lot 11 been allowed to remain in the hands of its late proprietor, it might have been so managed as at once to benefit the agent, his children, and the whole country around; but now, given up, abandoned as it was to the management of improvident men, men greatly deficient

both in skill and industry, the result would be, not only loss to the country, but embarrassment and misery to those very men and their families themselves. If, concluded the hon. member, we represent the country, let us do it honestly, and give up the prosecution of all such nefarious schemes as the Loan Bill.

Mr. J. O. POPE.—Although a new member he could not give a silent vote on the paragraph then before the Committee, relating as it did to an Act which affected the vital interests of the Colony. He was one of those who did say and believed that the Loan Bill was a very bad one; and that, if it were to go into effect to the full extent contemplated by its supporters, it would involve the country in debt and ruin. The experience of the past was the only guarantee for the future. Last year, a majority of the House voted for that Bill, but they were told, by its immediate supporters, that it would be self-sustaining; and that even the Worrel Estate would pay; but a year's experience had proved that such was not the case; for that Estate had not paid even the working expenses and interest. [Where are your proofs? from several members of the ministerial side of the House.] He was aware that when the Land Accounts should be laid before the House there would appear a small balance of something like £415, in favor of the Estate; but those accounts were untrue so far as there appeared in them about £380 received from Crown Lands which had no business there. Add to that the interest of £3000, which the Government acknowledged to be due to the sellers of that Estate and it would shew a balance of about £115 against the Estate. The Colonial Secretary and Queen's Printer had made themselves very busy, at the time of his election, in the Electoral District which he represented, where they had right to interfere. [Hon. E. Whelan. They had done no more than they might perhaps do again.] Well all he could say, that even should he again wish to have a seat in the House of Assembly, he should like nothing better than the opposition of the Queen's Printer, the Colonial Secretary, and the supporters of the Government; for it would effectually secure his return without any effort on his part. The very fact of his then having a seat in the House proved that, and that the people of the District which he represented were opposed to the Bill. The Committee were told, by the Colonial Secretary, that, on the expiration of the Land Tax Act, which would not be until the year 1863, he would enforce from the Proprietors arrears of Quit Rent amounting to £200,000. But how did he know where he would be at that time? His (Mr. Pope's) own opinion was that, unless he altered his course, he would be riding in "the political death-horse" spoken of, by an Hon. member in the other end of the building, some time since. The Queen's Printer had asked, who would benefit by the Land Purchase Bill? Why he (Mr. P.) would reply, the Queen's Printer himself and his friends; and, so long as they represented the Districts where the lands had been purchased by the Government, so long would they be afraid to enforce the payment of the purchase money; knowing right well that, if they did, they would be turned out. He would support the amendment.

Hon. Mr. MOONEY.—He never dreams anything else. [A laugh.] He was delighted that he could congratulate the hon. member upon the bold, unflinching manner in which he had come out in his maiden speech. He had given undeniable proof of his courage in at once taking the bull by the horns—he had grappled with the public accounts, and threatened the country with ruin if the Loan Bill should become law. He seemed to be imbued with a spirit of the same character as that of the hon. member from Port Hill, Mr. Yeo. He (Mr. Mooney) well remembered that in 1847, at the time he was but a young member, his being startled by Mr. Yeo's reiterated declaration, "It will ruin the country—it will ruin the country," and so deep was the impression made upon him by that declaration, that it had rung in his ears occasionally ever since; and when the frogs commenced their croaking in spring, he fancied they croaked nothing but "ruin the country—ruin the country." The Loan Bill was kicked about the House for two Sessions; but when it passed, it doubtlessly passed in accordance with the wishes of the great majority of the people. He had talked with many persons in the country concerning it; but he had never met with any man who told him that its operation would be ruinous to the country. If the young member had a wish to dictate and hector, he was in the wrong place for indulging his humor. Men soon found their proper level on the floor of the Assembly. He might perhaps descend to his hearth's content in a ship-yard; but in the Assembly he would find that all were equal—that Jack was as good as his master. A little experience in the House would teach him that legislating was a very different trade

non ship-building; and, if not pleased with it, he might then go back to the ship-yard. (Mr. Pope. And you to the mill, Hon. R. Mooney, &c., and you to the tar-pot.)

Mr. PERRY.—Hon. members, he thought, had gone strangely astray. They had lost sight, almost entirely, both of the original paragraph and of the amendment. The question under the consideration of the Committee, or rather that which ought to be under their consideration, was simply: Should the Committee be justified, or should they not, in retaining in the Address the expression of regret at the postponement of the Loan Bill? The amendment, he thought, did not greatly differ from the original paragraph; but he could not support it, especially as they who did so wished it to be understood, and to go forth to the public, that their idea of the measure was, that, should it become law its operation would be ruinous to the country. He entertained a very different opinion concerning it, and so did the people in his part of the country: He would, therefore, support the original paragraph.

Hon. Mr. PALMER.—He had observed that the party of which the Hon. the Colonial Secretary was the leader, when the dissolution of the House was at hand, always devised some political nest-egg, which, in the shape of some scheme or measure, was to be effected or brought forward for the benefit of the country, when a new House should be elected. A few evenings ago, he happened to be in company, when the conversation took a political turn, and the prospects of the present Government and their friends, having come under consideration, a question was started as to what would probably be their next nest-egg at the approaching crisis of a new-election. There was an end, it was said, of any hopes of popularity to be derived from the Municipal Corporations and the Board of Works Bills; for these Bills, instead of increasing their favor among the people, had greatly damaged it; and, as for the Loan Bill, it was likely to prove anything but a means whereby they might secure to themselves a continuance of their power. It was therefore concluded that no feasible project could be proposed by them, in their present damaged position, to serve them as a nest-egg. The announcement which the Hon. Colonial Secretary had just made of his views and intentions concerning Quit Rent Arrears, to be carried into effect in the year 1863, was a clear proof of the straits to which he and his party were driven. He had given the House to understand that, if the Loan Bill should not become law, he had a rod in pickle for the backs of the proprietors: with which he would salt them for all the days of their lives; and, by means of which, all who could not be provided with free lands through a Loan, would be fully compensated. But, seriously, did he mean to say that the enactment of the Quit Rent Arrears would benefit the people? Supposing that, the Quit Rent Arrears could be enacted, which, however, he was pretty certain they could not, two questions rather difficult of solution would arise. The first was, Who would have to pay them? and the second would be, For whose benefit were they to be enacted and paid? There was something so truly preposterous in the proposition, as almost irresistibly to provoke ridicule and contempt. He was sorry that a certain individual formerly a member of the Assembly had been alluded to in connection with the Quit Rent Arrears; for it brought to mind the ridicule which that gentleman had drawn down upon himself, by his laboured disputation of the amount of Quit Rent Arrears due by the proprietors. That gentleman had, at the expense of much time and labor to himself, prepared a statement of those arrears, concerning which he had carried his investigations so far back, as almost to have reached the year one; and his calculations, set forth in red ink ruled columns of long and seemly array of figures, he had laid before, and pressed upon the notice of the House; and what was the result? what did he effect thereby? Nothing but to make himself ridiculous, and, by some, to be accounted mad. Now really, when the Hon. Colonial Secretary was reduced to the necessity of having recourse to the revival of so absurd and hopeless a scheme, he must be persuaded that he would have but a poor chance at the next election.

Hon. COLONIAL SECRETARY.—If the Hon. and learned member for Charlotteown had only as good a nest-egg against the next election, he would be well satisfied with his prospects of success. His (Hon. Mr. Palmer's) nest eggs were an Elective Council and vote by ballot. With respect to an Elective Council, he himself was quite as favorable as the hon. and learned member himself; perhaps more favorable: with respect to the vote by ballot, the people were, he believed so indifferent about it; and so little did they relish the regulations which would be attendant upon it, so little was the made in accordance with the spirit and predilections of truly independent freemen, that, were it made law, he believed not one-half of the electors would take the trouble to register themselves. The advocacy of these two measures then would render but little service to the hon. and learned member at the next election. The Hon. gentleman then again briefly adverted to the Land Assessment Act and the Despatches to which he had previously referred, and which he had in part read; and concluded by saying, now we have got a despatch which tells us that not one penny of Quit Rents has been paid for thirty years; and, though we were once fools enough to abandon our claim to those rents for a space, we will not, when the proper time comes to revive it, act in so foolish a manner again.

The Chairman then put the question upon the amendment submitted by the Hon. T. H. Haviland; and the Committee divided thereby:

Ayes—Hons. Messrs. Haviland, Palmer, Longworth and Montgomery, Messrs. H. Haviland, Bee and Pope—1.

Nays—Hons. Col. Secretary, Col. Treasurer, J. Nightman, E. Whelan

and R. Mooney, Messrs. Cooper, Dingwall, Munné, Clark, Muirhead, Perry, Laird, McIntosh and McGill—15.

The Chairman then put the question on the original paragraph, which was agreed to.

The remaining paragraphs of the Address, which are simply affirmative responses to the corresponding paragraphs of the Speech, were then put *seriatim*, and severally agreed to *non con.*

#### HOUSE RESUMED.

The Address in answer to "the Speech" was then reported agreed to in Committee, without any amendment. Before the question of concurrence was put thereon, the Hon. T. H. Haviland moved the amendment; and on the question's being put thereon, the House divided as in the Committee; and the Ayes and Nays were as above given, save that the name of Mr. McDonald took the place of that of the Hon. the Speaker, among the Nays.

The Address, as reported, was then adopted by the House.

DEBATE ON THE DRAFT ADDRESS, 19th Feb., '58.—Errata in the report of the speech of the Hon. D. MONTGOMERY.

1st. Through oversight, in extending his notes, the Reporter omitted to transcribe the following passage of the hon. gentleman's speech:—"We certainly ought to be thankful for the blessing conferred upon us by the late harvest; but my knowledge of its quantity and quality does not enable me to concur in the propriety of calling it abundant. The Hon. Colonial Secretary has taken occasion to speak in most disparaging terms of the agricultural skill and practice of the New London farmers. There was a time, however; I may remind him, when they seemed to stand much higher in his estimation than they do now. But, how much sorer they may have fallen in the hon. gentleman's regard, I can assure him; he has fallen quite as much in theirs."

2nd. The numbers of the Townships, now corrected, in the report of the following passage as already published, incorrectly given:—"The hon. gentleman, after having stated, "that he could safely affirm that there were at least one hundred persons present" [i. e. at a late public meeting at New London] "and he knew that, had it not been for the state of the roads, which were, at that time, very bad, there would have been many more present," added, "As it was, there were several individuals present from Lots 20, 21, 22 and 67."

3rd. And, through misapprehension of the words of the hon. gentleman, the Reporter has improperly made him say, "And, so far were they from approving of the policy of the present Government, that an office-holder who was present, and who moved a Resolution, expressive of confidence in the Government, could find no one to second it." The words in *Italics* should have been—"in favor of the Board of Works Bill."

FRIDAY, FEB. 19, 1858.

#### QUALIFICATION OF J. C. POPE, Esq.

Mr. MUIRHEAD rose and stated, That, having, on the first day of the session, in compliance with a petition which had been sent to him, moved a resolution, to the effect that James C. Pope, Esq., should, in compliance with a requirement of the Election Law, lay a Schedule of his Qualification upon the Clerk's table; and his resolution having been carried and complied with, he had afterwards made the necessary investigation in the Register's Office, and found that a certain Deed of Settlement, which, if in force, might have invalidated Mr. Pope's Qualification, had been revoked by him; and as he (Mr. M.) had no further instructions from the Petitioners concerning the matter, he presumed that the Clerk ought to be instructed to return to Mr. Pope, his Title Deeds and other papers which, in compliance with a requirement of the Law, he had laid upon the table.

Ordered accordingly.

Hon. Col. SECRETARY thought it would be necessary for the Clerk of the House to keep a copy of Mr. Pope's revocation.

#### CONDENSED DEBATE.

House in Committee on the Report of the Special Committee on Expiring Laws: Mr. McDonald in the Chair.

#### An Act to provide a summary remedy for Females in certain cases of seduction.

Hon. Mr. PALMER.—The propriety of continuing this Act in its present form, admitted of some question; but there was no question, in his mind, respecting the propriety of providing some remedy for the wrong which too often was sustained by females, of whose weakness or confidence, men were found so unprincipled and licentious as basely to take advantage. There was no Bastardy Law, or any other laws in this Colony, such as were in operation in Great Britain and other countries.

calculated to afford relief to the injured, and to repress sexual immorality by the infliction of penalties upon evident and notorious offenders against chastity. But where such laws did exist, they were very far from being satisfactory or efficient; and, very often to—as had most certainly been the case here, under the operation of the expiring law then under consideration—they operated rather as an incentive than a discouragement, to the crime which they were intended to repress: and the remedy provided by the law was seldom sought by such females as had been really and truly the victims of seduction; for such naturally shrunk, in their modesty and shame, from the further exposure and publicity which would be consequent upon their putting the law in operation against their callous-hearted and licentious seducers; whilst, on the other hand, females, who were positively rather the seducers than the seduced, and others notorious for their profligacy, and vice of almost every kind, found in the law a bounty or premium provided for their immorality; and came forward, blushing and boldly, to claim compensation for the injuries alleged to have been sustained by them; when in fact, they were much more deserving of punishment for their open and shameless profligacy, than of any compensation for wrong inflicted upon them. So much respecting the unwholesome operation of the Act, was he, in candour, bound to say, although the measure had originated with himself. The question concerning the propriety of its reenactment or continuance, was certainly very perplexing and difficult. Whilst all admitted the propriety of providing some remedy for the injuries sustained by females who had been, in reality, heartlessly deceived, if remedy there could be in such cases; and whilst all who were influenced by feelings of humanity, saw and admitted the necessity of providing and enforcing, where it was possible, from the fathers, some support for illegitimate children, how shameless and abandoned soever their mothers might be; they were completely at a loss how to devise any measure which, whilst, in its operation, it should afford some relief to the injured, and inflict some penalty on the injurer, should not, at the same time, by an encouragement to women of an abandoned character to practise their meretricious arts upon such thoughtless, unwary, and it might be reckless, individuals of the other sex, as were in such a position or in such circumstances of life, as might warrant their expectation of being able to extract money from them, either through their dread of the exposure which would ensue upon an action sustained in the open Court, or also by positive operation of the law so enforced. The expiring law had also been found to operate, in another way, highly injurious to the morals of the youth of the Colony, through the disgusting disclosures which were frequently made, in open Court, when cases of seduction were being tried therein. It had been found that, on such occasions, the Court was crowded by youths, and others, of depraved appetites of vicious inclinations, whose ears eagerly drank in the offensive and loathsome details which were frequently made; and then went forth, with their corrupt appetites newly whetted, and their evil inclinations more confirmed, to spread more widely the contamination which adhered to themselves, by the frequent relation of the disgusting disclosures which they had heard in Court. For the lessening of this evil, it was supposed some restrictive measure might be devised. To that end, it was proposed, he had heard, to constitute, in each of the Counties, a Bench of Magistrates before whom such cases should be brought, and whose duty it would be to hear and decide thereon, with as much secrecy as should be compatible with a fair hearing of both parties. In justice to the Judges of the Supreme Court, he felt bound to say, that they were not by any means favorable to the reenactment of the law as it then stood; and none could deprecate more than they, the filthy and polluting disclosures which such cases too generally produced in Court. The Judges, however, knew nothing of any such cases but those which were brought under their cognizance in Court: they heard nothing of the numerous cases which were laid before the individual barristers of the Court, some of which were settled through the operation of compunctious or conscientious feelings on the part of the offending men, who agreed to make such compensation to the complainants as they were willing to receive; and by other means of seducers making such offers, as, in all likelihood, they would

not make were the present law not in force. The necessity of some such was practically acknowledged in every well governed country; and, should it be determined that the present law bearing upon seduction should not be reenacted on account of the very serious objections which existed to its continuance, in every well regulated mind in the community, it would yet, be apprehended, be positively necessary to enact some other measure in lieu of it, for the just consideration of the cruel wrongs so often sustained by too credulous and confiding women; and the voice of humanity imperatively demanded that some provision should be made for the support of illegitimate children; perhaps most, especially for the support of those helpless beings who would, otherwise, be altogether abandoned, not to the care, but to the neglect of the most deeply impoverished and the most unnatural mothers. But none more than he, would be more anxious, in the framing of any new law upon the subject of seduction, intended to supersede the present one, that it should hold out no inducements to females of loose inclinations, or of open profligacy, for the practice of their deceptive and seductive arts; but yet he would say, that, should such Courts, as he had alluded to, composed of Benches of Magistrates, be established, it would be necessary, whilst guarding against injuries and demoralizing publicity, to make such legal provisions for the regulation of the proceedings therein, as would afford an equal measure of justice to each party, by allowing each to be heard, both in person and by witnesses. He himself had no alteration to propose in the present law; but he would be very willing to concede full power to hear, investigate, and decide, in cases of seduction, to Magistrates who might be judiciously selected to compose such tribunals as he had alluded to, and so regulated as he had presumed to intimate they ought to be; reserving, at the same time, the right of appeal to the Supreme Court, to either party who might feel aggrieved by the magisterial decision. He might further observe, that he also apprehended if such Courts were established, it would be necessary to recognize, to a certain extent, in the Act intended to constitute them, the principles of the Bastardy Law of England; by which, in each particular case, a Bond was required to be given, by the father of the illegitimate child, that it should not, in its infancy, become a burthen on the community; and, by which Bond, he was bound to make a suitable weekly allowance to the mother for the support of the child. Of this he was certain, that it would be impolitic, unjust, and inhuman, to allow the present Act to expire, without passing some other measures by which provision for the support of the helpless and unoffending offspring, could be enforced from the father, and not allowing the helpless little beings to be left to the care of heartless and reckless mothers. It was not his wish, more than it could be that of any other member of the House, to inflict, upon the father, greater punishment than should be justified by the wrong which he had done; but common sense and common justice alike demanded that a man should, at the least, be more responsible, for the maintenance of a child which had been brought into the world through his gratification of his irregular desires. He knew that, to avoid such disgusting and contaminating disclosures as he had spoken of, the Judges desired the creation, by the Legislature, of magisterial tribunals, before which might be brought for decision, all such cases of either real or alleged seduction, as had, since the passing of the Act under review, been tried in the Supreme Court. The institution of such tribunals, under proper regulations, would, no doubt, to some extent, lessen the publicity which was given to the disgusting details of many such cases, when heard in the Supreme Court; and, in that way it might lessen the provocatives to immorality arising therefrom; but he was certain that, instead of diminishing, it would rather increase the number of those cases; because individuals of prurient desires would be relieved, by the comparative secrecy of such tribunals, from much of the wholesome dread imposed upon them by a trial, open to the public, in the Supreme Court. Almost every day, at least every month, many such cases were laid before the individual members of the Bar; but, numerous as they were, under the existing law, they would, he apprehended, be still more numerous, were private Courts to be established for the hearing of them: there the parties would not be afraid to fight it out,

how disgraceful and disgusting soever the details by which the trial might be attended; and, after all, many cases might there terminate in an appeal to the Supreme Court.

Hon. Col. SECRETARY.—The Act, well intended, as it had, no doubt, been, on the part of the hon. and learned gentleman with whom it had originated, had certainly, he thought, rather given encouragement to loose women to throw themselves in the way of young men, than operated as a check to immoral intercourse between the sexes. There were, unhappily, in the community, many such female characters as would, merely with a view to the extracting of £20 or £30 from the pocket of a thoughtless young man, or from those of his friends, pursue and beset him with every vicious enticement which they could practice; and when they had succeeded in effectually inveigling and entrapping him, almost any lawyer, no doubt, to whom they might apply would professionally do his best to enable them to extract the coveted plunder from their victims. He perfectly agreed with the hon. and learned member for Charlottetown, in all that he had said concerning the immoral consequences resulting from the trial of seduction cases, in the Supreme Court, in Charlottetown; for, on all such occasions, the Court was, in a manner, filled with the disorderly boys and all the worst characters of the town; their inducement to be there, proceeding from nothing but the delight with which they were ready to listen to such disclosures of indecencies, as would be truly disgusting to every mind, even only moderately influenced by feelings of morality and decency; and which could not but be painful to every individual of undemoralized character who was compelled to listen to them. The best way, he thought, to remedy the chief evil arising from the operation of the Act, would be to provide that affiliation should be made before a duly constituted Bench of Magistrates, giving the Bench authority to bind the father to make a due allowance for the support of his child, but giving nothing at all to the mother. If the father by imputation should deny his paternity of the child, alleging that the mother had sworn falsely against him, and should desire an appeal to the Supreme Court, it should be granted in the usual way. The great evil in the Act was that the pecuniary penalty inflicted upon the father went to the mother of the child. Nothing whatever to go to her, unless it were a moderate allowance during the period of her confinement, for two or three weeks perhaps: the pecuniary penalty now imposed upon the father, would then no longer operate as a bounty to loose characters for the practice of sensual immorality.

Hon. the SPEAKER.—He was certainly not at all inclined to support the existing Act; but, should any measure be brought forward, so conceived as to give reasonable expectation that its operation (should it become law) would not be productive of those gross and glaring evils, which had proceeded from the operation of the expiring Act, and would at the same time, afford such redress, with respect to cases to which it was intended to apply, as sound policy, justice, and humanity seemed to demand, it should have his concurrence and support. To such Courts as those spoken of by the hon. and learned member for Charlottetown, if composed of truly intelligent and competent persons, but not appointed indiscriminately from the roll of magistrates, who, as he had sometimes said, were as thick as blackberries throughout the country, might very properly, he thought, be entrusted—under the government and guidance of an Act, all the provisions of which shall be well digested and fully guarded—the hearing investigation, and decision of all such cases as those which had of late come within the scope of the expiring Act. Of such Courts it might very well and easily be made a rule to exclude the public, and to admit none into them but the parties immediately concerned and their witnesses. It was a duty, incumbent upon the Legislature, to devise a measure whereby to do away with the immoral and disgusting disclosures, made, in open Court, under the operation of the Act relating to seduction. It was a fact, of which his position in the Supreme Court, when sitting in Georgetown, enabled him to speak distinctly and positively, that when a seduction case was to be tried, there were two or three hundred persons in Court; whereas, had the cases been only of the ordinary kind, there

would not have been more than about twenty or thirty persons congregated to hear them. The same morbid and discreditable curiosity was exhibited, in other countries, not only by the male but, to a very great extent, by the female sex also. Here, however, he felt happy in being able to say, that females, with respect to such exposures of immorality, evinced much more modesty and self-respect; for it was positively difficult to get them into Court, on such occasions, even when their presence was necessary: but were the present legal practice, in the Supreme Court, to be continued with respect to cases of seduction, that sense of modesty and decorum which now withheld them from appearing in Court when such trials were going on, might, perhaps, as the population of the Colony increased, be in a great measure lost; for it was well known that individuals who would hesitate or decline to shew themselves amongst a few, where their appearance might injure their reputation, were frequently not so guarded and circumspect when they thought they could shelter themselves from observation in a crowd. When the late Mr. Lowell was a member of the Assembly, he introduced a measure relating to such cases as those to which the Act under their consideration referred: one of its provisions directed the pecuniary penalty, imposed upon the father, to be placed in the hands of two or three magistrates, to be paid or appropriated by them, according to certain directions therein contained; but the whole was so complicated, that it could not be carried into operation. Should such Courts as those which had just been spoke of, be established, the enquiries made therein should be conducted in as secret a manner as could be made compatible with the ends of justice; and should any cases be carried from them by appeal to the Supreme Court, the necessary enquiries, even there, should be prosecuted in the greatest seclusion possible. The acts of immorality which the Act under consideration had been intended to prevent or lessen, had, unfortunately, greatly increased in the country since it came into operation; increased, perhaps, both by a kind of certainty with respect to an award of damages, which reconciled some females to the prospect of the loss of character, and induced others of abandoned lives to seek out individuals of whom they might make a prey; and also by the incitements given by cases of seduction tried in the Supreme Court, to the immodest and licentious disposed who flock to hear their details, and afterwards, delight to repeat them, to the further demoralizing of themselves and of all whom they find willing listeners to their relation of them. Should the hon. and learned member for Charlottetown think proper to prepare an amendment to the expiring Act, in conformity with the views entertained by himself and the Judges, and lay it before the House, he (the Hon. the Speaker) believed it would be readily taken up by them, with a view to render it as just and efficient a measure as possible. It was not then however necessary, he thought to go into details.

Hon. COLONIAL TREASURER.—He was of opinion that it would be best to allow the Act to expire altogether. He had not been present when the discussion upon it commenced, and therefore could not tell what might be the precise views respecting it of some of the hon. members who might already have given expression to them in the Committee. The trials of seduction cases in the Supreme Court, had a direct tendency to increase their number by the bad impressions which they made upon the minds of the youth who eagerly thronged to the Court to hear them; and the minds of mere boys were contaminated by their details. In consequence of the existence of the Act, women whose characters were so bad that they could establish not even the most unimportant fact, by their own evidence, had sought to derive pecuniary advantages from it. He certainly did not wish to prevent the action of the Legislature with respect to such peculiar cases as those which the Act was originally intended in some measure to remedy; and he freely admitted that the motives, which had induced the hon. and learned member for Charlottetown to introduce the measure, were highly praiseworthy. Still, however, the fact that, since the Act had come into operation, the



heads which it was intended to prevent had increased a hundred fold, was one which he thought, must be admitted by all to be very discouraging to such legislation.

Mr. Yeo was of opinion that with respect to some females, the prospect of compensation held out to them, by the Act, had made them much less guarded than they would, otherwise have been; and that, as regards others, it had made them much bolder and more calculating than they were before. The fact was that whilst it afforded but little or no compensation to truly unfortunate females who were insidiously wronged and betrayed; it operated with respect both to the less worthy and the most abandoned of the sex, as a premium offered for the encouragement of looseness and immorality. That the fathers of illegitimate children should, if possible, be compelled to make allowances for their maintenance, for a certain number of years, was nothing but just and proper; but that the mothers of such children, should, at the same time, be entitled to receive certain sums of money, as a sort of premium for their immorality, was certainly, in the great majority of cases, very wrong. The hon. member then briefly adverted to the nature and working of the Bastardy Law, in England, by which he stated that a labouring man was compelled if an illegitimate child was legally fathered upon him to allow 1s or 2s a week, out of his earnings for its support; but he was not compelled to allow or pay anything to the mother, except a small sum, commonly called the lying-in money, which might support her for two or three weeks. And besides, said the hon. member, by the authority of that law, the parish officers had it in their power, to cause a woman to be imprisoned when she had a second illegitimate child, if she could give no guarantee that neither she, by a continuance in her immoral practices, nor her child would become burthensome to the parish; and if the father of a duly affiliated child, for whose support it had been ordered, by the authorities, that he should make a certain weekly allowance, failed to make payment of it, he also was liable to imprisonment for the default.

Mr. McIntosh did not think that the law should be allowed to expire; for although with respect to some females it did or might operate as a bounty to immorality; yet, as respected others of more correct principles, who, nevertheless, had unfortunately been seduced, it was beneficial, by affording them a compensation, to which both justice and humanity declared them to be fairly entitled. If it was admitted that the law operated as an incitement to evil in some; it ought, at the same time, to be allowed that it inspired others with an awe which withheld them from the indulgence of irregular desire. He heartily approved of all that had been suggested by hon. members with respect to the establishment of private Courts, wherein all enquiries necessary to be made in all cases of seduction which might be referred to them, might be prosecuted with as much secrecy as possible, and every care be taken to guard against publicity of details. Such enquiries could certainly be quite as well and as fully prosecuted, in such private Courts, composed of magistrates judiciously appointed thereto, as in the Supreme Court; and the avoidance of public scandal, through indelicate disclosures, would, thereby, be almost fully ensured; a thing which it would be impossible to attain in the Supreme Court. He could not think that the law ought to be allowed wholly to die; but he did think, that it might easily be greatly amended, by carrying into effect the suggestions which had been so wisely made concerning the establishment of private Courts.

Hon. the SPEAKER then rose and submitted the following Resolution:

Resolved, That the Act, 15th Vic., cap. 23, intituled "An Act to provide a summary remedy for females in certain cases of Seduction," be continued and amended.

Mr. CLARK. He would certainly much rather that the Act should be allowed to expire, than be continued on the Statute Book in its present form. In its operation, notwithstanding the praiseworthiness of its object, it had certainly increased the evil which it was intended to lessen. The Judges, as had been stated by the hon. and learned member for Charlottetown, and as he himself had heard one of them say, were so little favorable to the law as it now

stood, that they would gladly see it superseded by the establishment of such private Courts as had already, with sufficient fulness for the present occasion, been adverted to by different hon. members. For himself, he would almost rather do anything than consent to the reenactment of the law as it then stood; for, in its operation, it had been found to afford direct encouragement to vice.

Mr. LAIRD.—He perfectly agreed with all that had been said, by hon. members, in favor of the institution of private Courts, composed of magistrates judiciously selected, for the hearing and determining of seduction cases. If a measure for the establishment of such Courts, were introduced, and sustained by the majority of the House, it might be passed for a short period to try how it would work; and, if it did not work well, perhaps, at the expiration of that period, a better measure might be devised and enacted in lieu of it.

Mr. DINGWELL.—That the operation of the Act, had been productive of evil rather than good, was, he believed, a fact evident to all; and that fact afforded another evidence, confirmatory of the sound sense and truth of the oft repeated saying, that it was impossible to make men moral by the agency of laws. The law was, no doubt, humanely intended, as its title imported, to afford relief to females in certain cases of seduction; but according to the testimony of every hon. member who had spoken in Committee concerning it, it had, in that respect, most signally failed; for, as nearly all knew, it had rather induced females of loose morals, and, at the same time of calculating minds, to throw themselves opportunely in the way of young men, from whom, in case of mishap, they might reasonably expect to draw a sum of money, under the name of 'compensation' for their alleged seduction. He again observed, that nothing but the right moral training of children on the part of parents, could afford anything like a reasonable guarantee that they should, when they grew up, be proof against seductions and temptations to vice; although it was mortifying and painful to be obliged to admit, that, even in many instances, in which that had been most carefully attended to, the expectations of good results had been most lamentably disappointed. The law then under the consideration of the Committee, was intended to apply to adults, to individuals capable of judging and choosing for themselves; and proof sufficient had been afforded, that it had, in no way, acted as a salutary restraint upon evil inclinations, or operated for the benefit of the really injured, who were justly entitled to compensation for the wrong which had been done to them; but that it had positively, on the contrary, afforded encouragement to vice. He would, therefore say, with respect to those for whose benefit the law had been framed and enacted, and also with respect to all whom it directly affected,—they were of age, they were arrived at years of discretion, and were capable of judging and choosing for themselves; and, therefore, if they choose amiss, they ought to abide the consequences, and could have no claim to compensation for injuries which they had rather courted, than avoided.

Hon. D. MONTGOMERY.—He approved of the Resolution, submitted by the hon. the Speaker. The law ought not to be allowed to expire, although it had not produced the good effects which, it had been expected, would result from its operation. Its defects, or wrong working had been manifest by experience; and he thought that by the institution of such Courts as had been recommended, and by other judicious amendments, the Act might yet be made to effect much good. Whether compensation should generally be allowed to females, in such cases as those to which the Act was intended to apply, might be a question; but, certainly, that could be none respecting the propriety of compelling the father of illegitimate children to make some provision for their support, especially as many mothers of such children were so poor as to be unable to provide for them themselves. Such unfortunate children should not certainly be allowed to perish for want; that ought carefully and positively to be guarded against. He would support the Resolution.

The Resolution of the Hon. the Speaker, as above given, was then submitted, and agreed to *nem. con.*

CENTRAL ACADEMY, PUBLISHING OF PUBLIC SERVICE NOTICES, & REVENUE ACTS.

Hon. the Treasurer, severally moved the following Resolutions which were agreed to by the Committee, without any opposition:—

*Resolved*, That the Act, 15 Vict., cap. 29, intituled an Act to alter and amend an Act, passed in the sixth year of the reign of Her present Majesty, intituled an Act to alter and amend the Act for the establishment of an Academy in Charlestown, be continued.

*Resolved*, That the Act, 15 Vict., cap. 31, intituled an Act to regulate the publishing of Notices and Advertisements relating to the Public Service, be continued.

*Resolved*, That the Act, 20 Vict., cap. 1, intituled an Act for raising a Revenue, be continued and amended.

HOUSE RESUMED.

The Resolutions agreed to in Committee of the whole House, as above given, were then reported, by Mr. McDonald, Chairman of the Committee; and the question of concurrence therein being put, by the Hon. the Speaker, it was without any opposition, received and adopted by the House.

The following Committees were then appointed to prepare and bring in Bills, pursuant to the foregoing Resolutions: 1st, Seduction Cases Bill:—

Honbles. E. Palmer, D. Montgomery, and the Colonial Secretary, Messrs. McIntosh and Yeo.

2nd, Central Academy:—Honbles. the Col. Secretary, J. Wightman, and F. Longworth.

3rd, Public Service Notices:—The same as that for the Central Academy Act.

4th, Revenue Act.—The Hon. Col. Treasurer moved the appointment of a Committee; but the matter was allowed to stand over.

PETITIONS PRESENTED THIS DAY.

By the Hon. E. Whelan—A Petition of James Walsh and others praying aid to repair a Road.

By the Hon. the Col. Treasurer—A Petition of divers inhabitants of Township No. 12, praying aid to complete a Road.

*Ordered*, That the said Petitions do lie on the Table.

R. B. IAVING, Reporter.

SATURDAY, February 20, 1858.

Hon. Mr. Mooney moved that a Committee of twelve (one from each district) be appointed, to whom shall be referred all petitions relative to Lunatics and Paupers.

The following gentlemen were appointed the said Committee:—Hons. Messrs. Mooney, Montgomery and Wightman, Messrs. Yeo, Perry, Pope, Munro, McIntosh, Laird, Dingwell and McDonald.

Hon. Mr. Whelan presented a petition of inhabitants of Head of Hillsborough River, praying aid to repair and rebuild bridge, and improve a road leading to the settlement of the Back Farms. Laid on the table.

The House then went up to His Excellency the Lieutenant Governor, and presented him with the Address of the House in answer to his Speech at the opening of the Session, to which His Excellency was pleased to make the following reply:—

*Mr. Speaker and Gentlemen of the House of Assembly:*

I thank you, in Her Majesty's name, for your dutiful and loyal Address.

It is highly gratifying to me to receive this assurance of your co-operation; and I look forward with confidence to an honorable and successful termination of the business of the Session.

The Hon. Col. Secretary presented a copy of the following Despatch, from the Secretary of State for the Colonies, relative to the Loan Bill, passed at the last Session of this House:—

DOWNING STREET, 14th August, 1857.

SIR,—I have received your Despatch of the 13th July, forwarding some of the information required by the Lords Commissioners of the Treasury, in reference to the proposed

Loan to Prince Edward Island, and I have transmitted a copy thereof to their Lordships.

I take this opportunity of assuring you, that the circumstances of the present Session have been such as to prevent Her Majesty's Government from proposing to Parliament to guarantee the Loan intended to be raised for the purchase of Lands in the Island.

I beg to assure you of my regret at this unavoidable postponement of the measure, and to add the expression of my hope that we may have it in our power to take the necessary steps for its introduction in the next Session. As you mention in your Despatch that some time must necessarily be occupied in the verification of plans, and in other arrangements preliminary to any purchase of Lands under the Colonial Act, I trust that this postponement of the Imperial measure will not be without its advantages, as the interval will enable you to have these arrangements made.

I have, &c.,

(Signed) H. LABOUCHERE.

Lieut. Governor Sir D. DALY,

&c., &c., &c.,

Prince Edward Island.

The Hon. Col. Secretary also presented Despatches, transmitting an order in Council, leaving certain Acts passed at last Session, to their operation.

The Hon. Col. Secretary also presented to the House the Returns of the Commissioner of Public Lands, from 1st February, 1857, to 31st January, 1858, inclusive, viz:—

- Report of Commissioner.
- Detail of each Township.
- Summary and Abstract, with profit and loss account.
- List of Bonds, and amounts due thereon.
- List of Deeds of Conveyance, and amounts due.
- List of amounts due for Stampage, Disbursements of office, in detail. Referred to the Committee on Public Accounts.

The Hon. Col. Treasurer presented to the House the Classified Public Accounts, for the year ending 31st January, 1858. Referred to Committee on Public Accounts.

Leave of absence was given to Mr. McDonald till Tuesday. Adjourned to Monday.

T. KIRWAN, Reporter.

AFTERNOON SITTING.

Hon. E. Whelan presented a Petition from divers Inhabitants of Head of Hillsborough River, praying aid to rebuild a Bridge and improve a Road, leading to the settlement of the Back Farms. The same was received and read. *Ordered* that the said Petitions do lie on the Table.

MONDAY, FEB. 22, 1858.

Hon. the Col. Secretary presented the Royal Correspondent's Accounts, which were received, and ordered to be laid upon the Table.

Hon. the Col. Secretary, from the Committee appointed to prepare and bring in a Bill, pursuant to a Resolution of the House, to continue the Act regulating the publishing of Notices and Advertisements, relating to the Public Service, presented a Bill, which was read the first time, and ordered to be read a second time to-morrow.

Hon. the Col. Secretary, from the Committee appointed to prepare and bring in a Bill, to continue the Academy Act, presented a Bill, which was read the first time, and ordered to be read a second time to-morrow.

CORPORATION MUNICIPALITIES BILL.

Hon. the Treasurer rose for the purpose of presenting a petition of inhabitants of Kildare and places adjacent, praying that the Legislature will not pass the Bill for the establishment of Municipal Authorities.

Hon. the TREASURER, with reference to the petition which he held in his hand, said, he was free to admit that throughout the country there had sprung up a feeling inimical to the passage of the Board of Works and Municipalities Bill;

but he imagined the popular hostility to those Bills, which had been manifested in different sections of the Island, in his own district, as well as in others, arose not so much from any radical defects or injurious tendencies of any of the provisions of the Bills, as to a misconception of their real nature and design—a misconception, on the part of many of the people, which had very dishonestly been taken advantage of, by the ever watchful and active political enemies of the Government, to excite, in the minds of these innocently misconceiving the nature, scope, and objects of the Bills, as perfect a dread of those measures—particularly of the Municipalities Bill—as if they were fraught with the greatest evils which could be inflicted upon a country. By the Municipalities Bill, which was, through out, in perfect accordance with the grand principle on which the present constitution of the Colony was based, it was intended to give, to every man, in his own district or locality, an opportunity to carry out the principles of self-government, in everything relating to the management of local affairs. In fact the sum and substance of that Bill was to give the people, in their several districts, the entire control and management of their own local affairs. Laying no tax upon them, or imposing upon them any disabilities whatsoever, it left them to choose men from among themselves, to carry into execution whatever designs, of merely local application, a majority of them might agree upon, as likely to prove beneficial and conducive to their common weal. It gave them power to make by-laws to do away, if they thought fit so to do, with Statute Labour, and to impose a tax, not exceeding 5s., one very 100 acres, by means of which they might compel proprietors of wilderness lands to bear a share of their local burthens. All this, however, had been so strangely misunderstood by some, and so mischievously misrepresented by others, that many of the people had been induced to believe, that, if the Bill became law, no money would, in future, be appropriated to local purposes by the Legislature, and that the cost to themselves of carrying into effect the provisions of the Bill, would amount to 20s. or 30s. the 100 acres. By rejecting the measure, the people have refused the power of securing to themselves many local advantages, which it was not always in the power of the Legislature to confer upon them. In new settlements, the allowing of pigs to run at large was a great benefit to the inhabitants; but, from the inhabitants of old settlements, in which the lands were mostly under cultivation, and where the running at large of pigs would, generally speaking, be very injurious, petitions were sent up to the Legislature, praying for a prohibition of such liberty, as from St. Eleanor's for instance. With respect to his own locality, he might mention also, as a case in point, that he had a bull—a fine animal of the kind was not in the country—which he had allowed to go at large for the benefit of the people of the settlement; but, so little was the benefit offered from being appreciated, that his neighbours kept inferior animals, on each side of him, to the manifest detriment of the settlement. Now he would observe, that the running at large of bulls, as well as of swine, might be petitioned against; and, while such prohibitions might be advantageous to some, they might be the reverse to others; but if the people were exercising self-government, in Corporate Municipalities, they could, without difficulty, arrange all such matters among themselves, as should be most for the general good. With respect to that Bill—which was, at present, he believed, misunderstood by many of the people, who, therefore, were opposed to its becoming law—he, individually, thought that it would be best to wait until a better understanding of the measure should prevail throughout the country—a time which would certainly arrive—when it might be again introduced, and carried through the Legislature with a certainty of its being acceptable to the people.

Mr. COOPER.—He had conversed with many concerning the probable effects of the Municipalities Bill; and he had found, generally, that great apprehension was entertained of the expenses which the working out of its several provisions would entail upon each municipality. They perfectly well understood that, by the Bill, they would be enabled to choose their own officers, to carry into effect whatever local designs or measures they might agree upon, as likely to conduce to their common good; but they did not quite so well understand how such officers were to be paid, for discharging the duties imposed upon

them, perhaps at a great expense of time and trouble on their part. They clearly saw that, in the appointment of such officers, would be involved the necessity of paying them for their official services; and the doing of that, in conjunction with other outlays which would be consequent upon the full working of the measure, would, they were afraid, impose upon them an expenditure of money which the municipalities would be unwilling, if not unable, to bear; and, therefore, they apprehended that, even should the Bill become law, it would, by some municipalities, be allowed to remain as a dead letter upon the Statute Book. The necessity for going before a magistrate, imposed upon those who should be appointed officers of the municipalities, as if thereby to have the authority conferred upon them by the people confirmed, was also objected to; as was likewise the necessity of laying their by-laws before the Government, for their allowance. In reply to some of their objections, he had said, that should the measure be again brought before the Legislature, and proper representations, by, or on behalf of, the people, be made concerning any details which were reasonably objected to by them, he thought it very likely that the Government would agree to make such modifications and alterations in the Bill, as might render the measure generally acceptable to them. The Corporation Municipalities and the Board of Works Bills were measures which, however, he should not feel himself at liberty to support, until he should be satisfied that they were required by the people.

Hon. COLONIAL SECRETARY.—The trouble of going before a magistrate, to be sworn into office, was certainly not a very great one; but it was one which was wisely imposed upon all appointed to the discharge of important or responsible public duties, even upon magistrates themselves, as well as upon others who had, by provisions of law, to be sworn in by them, and ought not to be dispensed with. The necessity, imposed upon municipalities, by the Bill, of laying their by-laws, before the Government, for their approval and sanction, was also a very necessary one; for it was not to be supposed that, in every municipality, there would be resident a competent lawyer, to whom the corporation could refer their by-laws, for the purpose of ascertaining whether or not they were in accordance with the general tenor and bearing of the laws of the Colony; and unless they were so, it was clear they ought not to be adopted. But, when their by-laws should be sent in to the Government, for their approval or sanction, the Government could refer them to the law-officers of the Colony; and, by their opinions, they might be governed as to the propriety of confirming or disallowing them. Nor was the necessity of supervision of the by-laws of Corporate Municipalities, an introduction of any new principle into the Bill intended to constitute them. The by-laws of the Corporation of Charlottetown, had, in like manner, to be submitted to the Government, for their confirmation or disallowance. Such objections as these with which he had just dealt, might well be accounted futile or groundless. It was not exactly so, however, with respect to another objection which had been made to the Bill as it at present stood. That objection was to the great extent of the municipalities, which were made co-equal with the electoral districts. It had been suggested, out of doors, perhaps very justly, that it would be better a municipality should be confined to two townships, than that it should comprise the whole of an electoral district. That, however, was only a matter of detail, and, on further legislative discussion, might have been altered.

The Petition was then read by the Clerk.

Hon. F. LONG WORTH.—The Municipalities and Board of Works Bills had been introduced to the consideration of the Legislature in the Speech with which His Excellency opened the Session of 1857, and therefore it was clear that they were sanctioned by the Government. That the Government should now cease to urge the passage of those Bills, for the adoption of which, by the Legislature, as measures eminently calculated to benefit the country, they had once been so earnest, evinced but little stability of purpose on their part. It was certainly by no means creditable to them so easily to abandon and shelve measures which they had once lauded so highly; and to shaker themselves from the charge of vacillation, which might, much to their annoyance, be justly preferred against them, by attributing their abandonment of them to the misunderstanding of

the Bills common throughout the country; and, as the Hon. Colonial Secretary had said, to the people's having therefore vetoed them. [Hon. Col. Secretary. I did not say that the people vetoed the Bills.] He had certainly said that, as the Bills were misunderstood by the people, it was not intended that they should now be brought forward again; but that he believed their enactment would ultimately be called for by the people. The Municipalities Bill might be, and probably was, very well in principle; but that was not sufficient to satisfy the people, for they clearly saw that the working of it would increase, instead of lessening the weight of the public burthens. They saw that, whilst all the general taxes would remain as before, they would have, in their several municipalities, to lay additional taxes upon themselves for the working of or the carrying out of the provisions of the Bill, should it become law. They knew very well that men could not be found to serve the public, in any official capacity, for nothing; and that if municipal officers were to be appointed, they would have to be paid by the people—that was by those who appointed them. The people had done wisely in opposing the intentions of the Government with respect to the Municipalities and Board of Works Bills; but the Government, he thought, had given them the go-by in a manner very discreditably to themselves. The hon. member for the first district of King's County (Mr. Cooper) had said that he had told persons, with whom he had spoken concerning the Municipalities Bill, that it was probable the Governor would agree to some alterations therein. [No! not the Governor.] Well, it mattered not. He, however, was well pleased that the further prosecution of the Bills was abandoned. To say the least, they were by no means called for in the present state of the Colony.

Hon. COLONIAL SECRETARY.—The hon. member for Charlottetown had fallen into the very same mistake which had caused many out of doors to oppose the Bill; which was, that it would increase the public burthens of the people, in the shape of taxation. There could not possibly be a greater mistake with respect to the Bill than that; for, as it stood, it did not impose one penny in the shape of taxation upon the people. The hon. member had said the Bills were Government measures; and whilst, at the same time, stating that the people were opposed to them, he found very serious fault with the Government for not persisting in an attempt to carry them, in opposition to the people. His reason for finding fault with, and railing at the Government, on the present occasion, was certainly a very strange one. He (Hon. Colonial Secretary) could not see that a government could justly be blamed for desiring to frame their legislative measures in accordance with the wishes of the people; and most persons, he thought, would be inclined to say that that government which deferred to the wishes of the people, reasonably and calmly urged, must be a good government. The hon. member for Charlottetown had steadfastly opposed the Bills in their progress through the House, and therefore he ought to be well satisfied that the government did not now press them.

Mr. Laird presented three petitions against the Municipalities and the Board of Works Bills: the first from Inhabitants of the North Section of the First Electoral District of Queen's County; the second from Inhabitants of Township 23; and the third from Electors of the Second Electoral District of Queen's County.

Hon. Mr. WIGHTMAN.—He could not agree with the hon. member for Charlottetown (Hon. F. Longworth) that, because the measures had been recommended in his Excellency's Speech, it was the duty of the majority of the House to pass them when they found that their constituents were opposed to their becoming law. The Municipalities Bill was, so far as it went, the very essence of self-government: it put the management of their own local affairs immediately into the hands of the people; and, in fact, there could be no real self-government where such measures were not in operation. His hon. colleague (the Hon. the Speaker) and himself had called a public meeting at Murray Harbour, for the purpose of explaining to the people of that quarter the principles of the Municipalities Bill, and of shewing them how advantageously it might be made to work for the promotion of their local interests; but they found the minds of the majority of those who composed the meeting so pre-occupied by misconceptions and prejudices concerning the

measure, that his hon. colleague and himself found it to be quite in vain to persevere in their endeavors to undeceive them, and impart to them just views concerning it. So sedulously and successfully had some individuals, who positively knew nothing of the real principles and intended mode of operation of the Bill, should it become law, laboured to prejudice the people against it, that they found the prevailing notion among those who attended the meeting, was, that the Bill, if it became law, would increase taxation. So grossly had they been deceived concerning it, that they positively believed the carrying of the measure into effect would necessitate a tax upon tenants and small freeholders, whilst large proprietors would be allowed to go scot-free. Seeing that these ideas, and others equally erroneous and absurd, concerning the measure, had taken fast hold of their minds, we concluded that it was useless to persist in our attempts to undeceive them; and we, therefore, desisted and left them to express their opinions relative to the Bill, in accordance with their misconceptions of it. We in vain endeavored to convince the meeting of the great advantages which would result to the people from the operation of the Bill, through their having it wholly in their own power to regulate and direct their own local works; and in vain did we assure them that they would not be deprived of the assistance afforded for works of public utility by legislative grants; for they were, seemingly, determined not to be convinced how much they had been deceived concerning the nature and policy of the measure.

Mr. MCINTOSH.—He had conversed with many who entertained very erroneous opinions concerning the real nature and principles of the Municipalities Bill. What such persons most apprehended, was the possibility—many of them believed the certainty of the necessity, which the operation of the Bill, should it become law, would lay the people under of submitting to the imposition of further taxation. He had honestly endeavored to shew those persons that the Bill imposed no taxes whatever, but, at the same time, it left it at their own option to tax themselves, or not, for local improvements or works which they might desire to effect. One thing, however, was quite certain that, without the voluntary imposition of taxation, to a greater or less extent, the provisions of the Bill could not be carried out. Without suitable remuneration, men would not perform the duties which their appointment to municipal offices would impose upon them; and, to provide such remuneration, positive taxation would be necessary. Under all circumstances and under every view of the measure, it certainly appeared that the people would, at the present time at least, rather do without it. The Government, he believed, understood this; and they had very wisely concluded that, therefore, they would not be justified in again endeavoring to carry either the Municipal or the Board of Works Bill, whilst the people were so decidedly opposed to them. Wise legislation should have for its object, not only the bettering of the people's condition, but the conciliation of their good will; and he thought that both these objects would be more easily attainable, were greater unanimity to prevail among their representatives in the Legislature. So long as the House of Assembly continued, as at present, divided into two parties, ever ready to oppose and assail each another, the progress of good legislation would be greatly retarded. For his own part, he sincerely wished that party asperities should cease, and that all could cordially unite in the devising and perfecting of such measures as might appear most likely, not only to benefit, but to satisfy the people. The two political parties, into which the Assembly is divided, have warred upon each other too long: it is now time for them to amalgamate; and, by something like unity of sentiment and purpose, to endeavour to confer substantial and lasting benefits upon the country.

Hon. Mr. MOONEY.—If the majority of the people were really as much opposed to the Municipalities Bill as set forth in the petitions sent up to the House against it, a great change had come over their minds. He himself had never been wedded to the measure, although convinced that, as conferring upon the people the immediate management and control of their own local affairs, it would be at once beneficial and acceptable to them. They, among the people, however, who were most decidedly opposed to it, were such as had been led astray, by busy and interested partisans, not only as to the real principles

and scope of the measure, but also with respect to the intentions of the Government. Hon. members of the opposition seemed disposed to quarrel with His Excellency because he had not again recommended the prosecution of the two Bills which had seemed so obnoxious to them. That disposition of theirs, he could not exactly understand; for, he thought, they ought rather to have been satisfied with His Excellency's silence with respect to them; as they might have very well inferred from it that they would not again, at least in the present session, have to exert themselves in opposition to them. He thought the Municipalities Bill might have operated for the benefit of the people, in their several localities; but, as they seemed to have no desire for it; and as he had never been wedded to the measure; he was well contented that, for the present, it should be abandoned. He was not one of those who would seek to force, upon the people, any measure, concerning which they were of opinion, that the advantages which it was calculated to confer upon them, would be overbalanced by attendant disadvantages.

Mr. YEO.—No public meetings had been held in his place for the purpose of giving expression to popular sentiment concerning the Municipal and the Board of Works Bill; but he had frequently conversed with the people resident there concerning them, and had almost invariably found that their opinions, with reference to them, coincided with his own, which were from the first adverse to them. They clearly understood that, if the Municipalities Bill were to become law, and they were to agree to carry its provisions into effect, it would, in the first place, be necessary for them to erect a suitable building wherein to meet for the purpose of deliberating upon, and deciding concerning, their local affairs; for at present there is no public building in the district which could be made available for such a purpose. And, the expense of that erection provided for, they further perceived that, for the due working of the measure, it would further be necessary that they should annually tax themselves to pay the several municipal officers for their public services; and that, in fact, in which way soever they viewed it, it was beset with taxation. Such were the views of the people in his part of the country, concerning the Municipalities Bill; to which he had added his own opinion, that it appeared as if it were really the intention of the Government to keep the public revenue as much as possible within their own grasp, for their own individual benefit, and to leave the people to make such provision for the effecting of local improvements as, by immediate self-taxation, they might choose to make. He told them besides, however, that he did not think the Bill was to be brought forward again; and that, therefore, there was no occasion for any public expression of opinion against it, on their part; but that, if, on his coming to town, at the opening of the Legislature, he should find that it was to be re-introduced, he would duly apprise them of such intention of the Government; and they might then petition against it, if they thought it right to do so.

Hon. COL. TREASURER.—He knew very well that the people had been greatly misinformed, both with regard to the real nature and principles of the Bill, and, at the same time, as respected the intentions of the Government. They had been told that if the Bill should become law, all the moneys which had been usually applied to the construction and the repairing of roads and bridges, would, under the direction of the Government, be appropriated to other purposes; and that they would have to tax themselves for the construction and repairs of such public works, as had formerly been provided for by legislative grants. That men, knowing better, could be found so dishonest as to make such false misrepresentations to the people concerning a legislative measure, was certainly surprising; but that so many should have allowed themselves to be deceived by their fabulous and ridiculous statements was still more so. The Bill gave the people the power to tax themselves for local purposes, without at all depriving them of the legislative grants which had been usually made in aid of such purposes; but it gave them besides, with respect to such grants, the power to apply the moneys as they should themselves think fit, not leaving it to be expended by Road Commissioners. That system had been found to be a very bad one; and many and strong representations had been made against it. Commissioners having large districts under their superintendence could not possibly be so well acquainted with every local want within their pre-

cinets, as always to be able to apply the moneys at their disposal aright; and neither could members of the Assembly be supposed to have such minute knowledge of the local improvements required throughout the Districts, severally represented by them, as always to be able to apportion and direct aright the application of such amounts of road-service money as fell to their several Districts; but, were all moneys intended for local improvements, whether raised by voluntary, taxation, or being legislative grants, to be at the immediate disposal of the people, not only would they be applied where most wanted, but be much more economically expended.

R. B. Iving, Reporter.

LEGISLATIVE COUNCIL.

TUESDAY, 23rd February.

Hon. Attorney General, by command, laid on the table copies of despatches from the Secretary of State for the Colonies, leaving to their operation several Acts passed during the last Session, and one stating the reasons which prevented the introduction into the Imperial Parliament of the Bill guaranteeing the proposed Loan.

On motion of the Hon. the Attorney General, the Bill relating to the safe custody of offenders, &c., was committed, and agreed to, with an amendment authorizing Justices before whom parties may be brought, as being dangerous, to obtain the aid of physicians' or surgeons' opinions as to the state of mind of such persons.

Hon. Attorney General reported from the committee on expiring laws.

WEDNESDAY, 24th February.

The Bill for safe custody of offenders, &c., was, on motion of the Hon. Attorney General, read third time and passed.

Hon. Col. Secretary, brought a message from the House of Assembly, announcing the appointment of a committee of good correspondence. On the part of the Council, Hons. Messrs. Aldous, Craswell and Attorney General, were appointed a committee on the same subject;

The following committees were appointed, viz:—

• ROADS BRIDGES AND WHARVES.—Hons. Messrs. Aldous, Dingwell and Wright.

EDUCATION.—Hons. Col. Swabey, Messrs. Forgan and Aldous.

AGRICULTURE.—Hons. Mr. Craswell, Col. Swabey and Mr. Bagnall.

PAUPERS.—Hons. Messrs. Walker, Bagnall, and Forgan.

ON MISCELLANEOUS PETITIONS.—Hon. Attorney General and Hon. Mr. Forgan.

Hon. Mr. Aldous, presented a petition from certain inhabitants, of Lot 12, praying aid towards the completion of a new line of roads; referred to committee on Roads, Bridges and Wharves. Also, from John Graham, Cascumpeq, praying support. Referred to committee on paupers.

Hon. COL. SWABEY, would observe, that the subject of legislative aid to indigent individuals, had been frequently discussed in the Council, yet no positive line of action had been adopted. He could assure their Honors that there existed in Charlottetown, an amount of misery and destitution, of which they had very inadequate conception. He was acquainted with some instances of extreme poverty, from the circumstance of the parties having been relieved by members of his own family. He instanced the case of one poor man, who lived in a garret, with no fuel but that which casual charity furnished. He was not in favor of legalizing a system of relief to paupers, as he had seen sufficient of the practical working of the poor laws in England, to induce him to object to the adoption of a similar system here. He was strongly

of opinion that a sum should be placed at the disposal of the Executive, the application of which to cases of necessity could be guarded against fraudulent misrepresentations of parties, which at present were of very frequent occurrence. Under the present depressed state of the commercial community, it was unreasonable to suppose that private benevolence could alleviate all the suffering and misery which existed in our midst, and it was unfair to tax the benevolent dispositions of charitable individuals to that extent.

Hon. Mr. ALDOUS, laid upon the table a summary of the accounts of the Commissioners of Public Lands. His Honor spoke to the following effect: In submitting this abstract, I wish to call your Honors' attention to one fact of a very gratifying nature connected with the business of the Public Land office. I allude to the steadily progressive increase in the number of sales, which goes far to prove that the working of the Land Purchase Bill will not be attended with results so disastrous to the country as the opponents of the Government have so unceasingly asserted. During the last year, no less a quantity than 10,000 acres of land have been sold at an average price of nine shillings per acre; the receipts for the same period amount to £2000; and I am satisfied that, had it not been for the heavy outlay which the farmers had to incur in the purchase of supplies, at least £500 more would have been received. Yet, when it is considered that during a year of such unparalleled commercial depression, so large an amount as £2000 has been paid by farmers towards the purchase of freehold properties, it cannot be doubted for an instant that the people generally are anxious and determined to avail themselves of the benefits offered to them by the Land Purchase Bill, the satisfactory working of which is clearly established by the statement before your Honors. That shews, with reference to the Worrell Estate, there are

Due on account sales,	£14,226 10 0
Bonds, (amount really due, and acknowledged by the obligors themselves.)	775 7 1
Notes of hand for stampage, &c.,	66 17 4
	<hr/>
	£15,068 14 5

Now this amount, deducted from £20,550, being the amount paid for the property, leaves a balance against it of £5,481 5s. 7d., to meet which we have 45,503½ acres; and this land at the low estimate of six shillings per acre would produce £13,620 19s. 6d. This, I think your Honors will agree with me in considering the best evidence of the satisfactory working of the Estate; and, although it was confidently stated last year that all the good lands had been then disposed of, the fact that, since that time, 10,000 acres had been sold for £4,500, thus averaging nine shillings per acre affords the best refutation of the assertion which can be given. Even the much derided swamp land, which in the minds of the opponents of the Government never had, nor ever would have, an appreciable value, had in a great many instances, found ready purchasers, who were anxious to unite portions of it to the more valuable land of their farms. From all the information which my official relation to the property has enabled me to obtain, I see no reason to believe that the proportion of unproductive or unsaleable land on the estate will be found to be of sufficient magnitude to render the final and speedy settlement a matter of the slightest difficulty or doubt; and the first return of prosperity to the business of the Island will increase the amount of sales in a ratio beyond the experience of former years. I may mention here that the Surveyor General has surveyed and staked out roads through the wilderness lands, which have been laid off

in blocks of 50 acres, and there is no question that, when once these roads shall have been opened out, the lands will be rapidly taken up. The numerous applications for land which have been received from parties resident in other districts, prove conclusively the general desire of the parties to become freeholders, on the favorable terms offered by the Government.

Hon. COL. SWABEY congratulated the Hon. Commissioner of Public Lands on the satisfactory character of the statement he had submitted. It was apparent from that statement, that the balance against the Worrell Estate was but £5481 5s. 7d., to meet which there were no less than 45,000 acres of land. Under these circumstances, he would ask what could justify the outcry that had been got up against the management of the property? It was not expected that purchasers would pay the full amounts of their purchase money at once; and the Legislature acted on that view when they provided the periods of credit in the Land Purchase Bill.

His Honor the PRESIDENT.—The observations which have been made have had reference solely to the affairs of the Worrell Estate, and we all participate in the satisfaction which has been expressed at the state in which the property has been represented to be. But I will ask your Honors' attention to the general state of our finances, with a view of shewing that the Island is not so badly off in a financial point of view as has been represented, and as might appear from the classified accounts, as received from the Auditors. Those officers represent the balance against the Colony as being £29,870 4s. 4½d. This, however, is not the balance actually due, as it embraces the amount of £18,000 paid for the Worrell Estate, and £2000 or £3000 paid for Lot 11, while the Auditors have not given credit for the assets, which the accounts of the Land Office shew, amount to £15,002 1s. 1d.; that amount deducted from the alleged debt would leave £14,868 3s. 3½d., from which, if the amount of Treasury Notes not bearing interest, viz: £11,500, there would appear as the balance, bearing interest, but £3368 3s. 3½d. The Auditors were requested by the Government to examine the vouchers and securities in the Land Office, with a view of furnishing a proper credit and debit account of the business of that department. This they refused to do, and embodied their reason for such refusal in this note, at the bottom of one of the pages in the classified accounts:—

"The Auditors, since making up the above statement, have been directed by His Excellency the Lieutenant Governor in Council to place at the credit of the Colony the amount of balances appearing in the books of the Commissioner of Public Lands. On attending at that office, the Auditors find the larger portion of said balances unrepresented by any document, bond or agreement, or other security, and do not think the same should be credited by them as assets. The total amount of said balances is £15,002 1s. 1d."

Now, your Honors, the Government says that this amount is secured as safely as bonds in the Treasury; nay, more so, as the lands on which partial payments have been made still remained as security for the future instalments. It is easy to shew that the finances of the Island are not in so bad a condition as has been represented. Now, your Honors, although the Auditors represent the public debt as being £29,870 4s. 4½d., if from that amount there be deducted the value of the securities in the Land Office, £15,002 1s. 1d., the balance will be £14,868 3s. 3½d.; of this item the proportion of Treasury Notes not bearing interest is £11,500; so that the actual debt on which we are paying interest is £3368 3s. 3½d. But I ask your Honors' attention to the security the Government holds for the debt, including the Treasury Notes. It appears, from the statement of the Hon. the Commissioner of Public Lands, that the Government

own 45,000 acres of land, which, at the low estimate of six shillings per acre, would realize £13,500, thus reducing the actual debt to the trifling sum of £1368 3s. 3 $\frac{1}{2}$ d.; but it is not to be supposed that the future sales of the public estate will not realize a higher price than I have supposed, but I based my calculation on the lowest estimate, but I believe that it will realize more, after deducting all charges for management. A gratifying proof of the financial position and resources of the Colony is to be found in the public records, since the introduction of Responsible Government in the year 1851. At that time the Island was in debt to the amount of £28,579 11s. 0 $\frac{1}{2}$ d., and there were no public lands. In the first year of the system of Responsible Government the public debt had been reduced to £17,938 17s. 4 $\frac{1}{2}$ d.; in 1853 it amounted to but £8940 8s. 6d.; remained about the same in 1854; in the following year it amounted to £9898 5s. 8 $\frac{1}{2}$ d.; while it was in 1856 £18,101 18s. 1 $\frac{1}{2}$ d. Now, your Honors, this statement shews, when we consider the steadily increasing amounts of the annual appropriations for the periods to which I have referred, that under the system of Responsible Government, the public resources have been wisely administered; and when we contemplate the large sum paid for the Worrell Estate, and the legislative contribution to the Patriotic Fund, we can claim for the Government the credit of having reduced the public burdens to a mere trifle, and no reasonable man can doubt that the lands held by the Government will be sold and settled in a few years, without loss to the Treasury, and with great advantage to the people who have shewn so lively an appreciation of the benefits to arise from the Land Purchase Bill. In proof of our increased appropriations for the public services, I will only mention that in the year 1850, while the old party held the reins of power, and before the concession of Responsible Government, the appropriation for the road services was only £4266 12s. 9d.; for education but £2068 7s. 1 $\frac{1}{2}$ d. In 1852 the grant for roads was £5978 3s. 2d.; that for education £2861 14s. 10d.; while for the last year we disbursed for roads £9690 4s. 11 $\frac{1}{2}$ d.; and for education no less a sum than £13,982 0s. 9 $\frac{1}{2}$ d.

Hon. Mr. ALDOUS.—I desire to submit to your Honors a few observations relative to the statement of the Auditors, to which your attention has been drawn by his Honor the President. About the middle of last month, in an interview with one of those gentlemen, a conversation as to the auditing of the public accounts occurred; and it was agreed to audit the same at any time before the commencement of the Session. Upon the attendance at the Land Office of one of the Auditors, for the purpose of examining into the correctness of the accounts submitted, and which, I believe, afforded satisfaction, and proved to be correct, a question was submitted to me, whether the amount of balance due, as shown by the statement, was secured by deeds. I explained fully, and as I considered, satisfactorily, from the balances due in ledgers, that the amounts were fully secured by the fact that 25 per cent. having been paid by purchasers, and the Commissioner being enabled, by virtue of the Land Purchase Act, to re-enter and sell, in case of non-payment. There could be no question as to the value of the balances due on the public lands; and upon such representation, I made no doubt that the Government would receive credit for the amount. Really, your Honors, the conduct of those gentlemen is, to me, inexplicable. Do they consider the land on which near £6000 have been paid, will be relinquished? and if so, has it deteriorated so much in value that it is not worth 25 per cent. less than it was two years ago? But to prove that the purchasers are desirous of possessing their deeds of conveyance, I may mention that their issue the past year has doubled, and no objection is ever

made to their receiving the same as soon as they are prepared. The balances now due on deeds issued is £4000. I trust your Honors will credit my statement, when I declare that, considering the sums paid, I consider the balances unsecured equally as valuable; and, I feel assured, more secure and *bona fide* assets could not be placed to the credit of the Government.

## HOUSE OF ASSEMBLY.

TUESDAY, Feb. 23, 1858.

### CONDENSED DEBATE.

#### COLLECTION OF THE IMPOST REVENUE.

Hon. COLONIAL SECRETARY, by command of His Excellency the Lieutenant Governor, presented to the House the following Message:

D. DALY, Lieutenant Governor.

The Lieut. Governor deems it his duty to bring the system that has hitherto been in operation in this Island for the collection of the Impost Revenue, under the special notice of the House of Assembly, with a view to its revision.

Bonds at a long date, not bearing interest, are deposited, in the Colonial Treasury, in payment of duties; whilst the money warrants, issued by the Government for the public service, and bearing interest, are not convertible into money, except at a discount.

The manifest injustice thus inflicted on the holders of the Government securities does not end here, as the parties in whose hands the public revenue is permitted to remain, are enabled to avail themselves of the depreciated Government warrants, obtained at a discount, to meet their Bonds at the Treasury as they fall due, and frequently at a further sacrifice of the interests of the public creditor, when warrants, that have not been issued more than a few hours, are received as cash in the Treasury, and thus obtain precedence in liquidation, over those that may have been issued as many months, and still remain unconvertible.

The Lieut. Governor is far from desiring to restrict, in any degree, such encouragement as can properly be given, by the Legislature, to legitimate enterprise, in all its branches; but he trusts the House of Assembly will concur with him in regarding the importance of maintaining the public credit, and the integrity of the Government transactions, to be paramount to every other consideration, as vitally affecting the honor and interest of the Island.

Government House, Feb. 23, 1858.

Mr. H. HAVILAND.—The sending of such a Message to the House was certainly a most extraordinary proceeding on the part of the Queen's Representative; and was altogether unprecedented, either here, or elsewhere. If there was any thing particularly under the control of the House, it was undoubtedly the Colonial Revenue; and any interference with their especial prerogative on that head, came with a very bad grace from His Excellency. It was for them, the Representatives of the people, to say how the Impost Revenue was to be collected, how secured, and how applied. Such a Message from the Lieut. Governor was of a most insidious character, and if the breach of their privileges, to which it certainly amounted, were acquiesced in by its reception, it might prove a precedent fatal to their independence with respect to the most important trust confided to them by the people. He was surprised that the Colonial Secretary, either as a representative of the people, or as the leader of the Government, or as the leader of the majority, as he loved to be styled, should undertake to bring down such a Message to the House. He ought to be ashamed of the position in which he had thereby placed himself. Was he afraid to propose an alteration in the system of collecting the Impost Revenue, in either capacity? Was he afraid to assume the responsibility of the recommendation, on account of the hostility which it might arouse against him, on the part of those who would naturally be opposed to it? It certainly seemed so; and that he timidly sought to make a breast plate for his defence of His Excellency's Message.

What, did he suppose that the House would tamely surrender their privilege on so important a point, and traitorously submit to the authority and dictation thereof, of an individual from the old country, of a stranger in the Colony, thereby yielding up the most effective safeguard of the liberties of themselves and of the people? If the Government deemed it necessary or advisable that regulations for collecting and securing the Revenue, less indulgent to importers, should be made, let them come forward of themselves, in an honest and fearless manner, and, not meanly seeking to shelter themselves, behind a Message of His Excellency, from the responsibility, or the hostility to themselves which it might occasion, declare at once that such a change was necessary and that they were determined to introduce a Bill to that effect.

HON. COLONIAL SECRETARY.—A more frothy, windy and babbling declamation, than that which the hon. and learned member had just delivered, he had never heard. He had always given him credit for good sense, discernment, and moderation till now; but were he to judge of him by the obtuse, bombastic, and intemperate remarks which he had just made, he would at once conclude that he had suddenly been divested of everything like sound judgement, discernment, and moderation. There was not a word on His Excellency's Message in which he (Hon. Colonial Secretary) did not fully concur, and of which he would not most willingly, if it were necessary, assume the full responsibility. The Lieutenant Governor had not by his Message dictated to the House in any way whatever. He had merely brought under their notice the injurious manner in which the present system of collecting the Impost Duties affected the public credit, and, in so doing, had expressed a hope that the House would concur with him in regarding the importance of maintaining the public credit, and the integrity of the Government transactions, to be paramount to every other consideration. It was impossible for a message to be conceived in a spirit less arbitrary, or conveyed in language, less assuming, and less dictatorial. His Excellency, confining himself to the most brief explication possible of the evils which arose from the present system of collecting and securing the Impost Duties, presumed not, either to dictate in what manner they ought to be collected or secured, or even to suggest, by the most distant hint, what alterations might be made in the law affecting those particulars. No statement intimating the necessity of a change, could be more explicit, less authoritative, or even more respectfully. As to the Colonial Secretary's being in the majority, to which the hon. and learned member had thought proper to advert, in what he meant to be an ironical, if not a doubting, manner, he had had, even in the present session, evidence enough to convince him that he was so indeed, and in a large majority too. However, if he really entertained a doubt, as to whether the Colonial Secretary was in a majority or not, he would advise him, to put it to the test by moving, that the Message be not received: the result would effectually dispel his doubts. To seem to dispute or question an evident fact was merely ridiculous; but to speak of the Lieutenant Governor, Her Majesty's representative, who was, in himself, a branch of the Legislature, as an individual from the old country, as a stranger in the Colony, was, to say the least of it, highly improper and indecorous; nay, altogether indefensible. With even less propriety might members of the Assembly, recently elected to it, be called strangers, than the personage representing Her Majesty in the Colony, and filling her place in the Legislature.

MR. COOPER.—In the newspapers, he had seen it stated, that individuals, who had moneys to pay into the Treasury, in the shape of impost duties, had bought up Treasury Warrants at various, but considerable rates of discount; and then paid the same into the Treasury, as cash, in liquidation of their duties. This, it was very clear, was a practice which directly tended to diminish the money in the Treasury, or keep it at so low an ebb, as to render it difficult for the Government to keep faith with public creditors. This state of things, and the evils consequent upon it, were pretty clearly set forth in the Message of His Excellency; and, when they

had become known to the Administrator of the Government, he could not see that he was to be held deserving of censure, for bringing the subject directly under the consideration of the House of Assembly, with whom alone it rested to devise a remedy. The system which, in its operation, had thus given one class of men an unfair advantage over another class, ought certainly to be revised by the Assembly, with a view to amendment; and that necessity, he took it, was all that was intimated by the Message of His Excellency.

MR. H. HAVILAND.—He had never expected to hear the great appeal of Eachus,—him who had clamoured so loudly and so long for the establishment of the rights of the people; and the redress of their wrongs, whether real or imaginary,—raise his voice in defence of a direct intrusion of their rights; for such he (Mr. H.) held the Message of the Lieut. Governor to be, as it amounted to nothing less than a breach of the privileges of the representatives of the people. I, continued the hon. and learned member, speak as independently as any member of this House can speak; and I care not if, after the close of this session, my voice as a member of the Assembly, be never heard in this Chamber again. For the ten years during which I have had the honor of a seat in the Assembly, I have never compromised my independence; I have never, on any account, truckled to any man, or to any body of men. I have sought no favors; I have craved no appointment. I care not for office; and I hold my independence too dearly, to part with it for a petty salary of £300 or £400 a year. I say that, if the Government contemplated the introduction of a Bill for the amendment or alteration of the present mode of the Impost Revenue, their intention should have been intimated through the medium of His Excellency's Speech, in which there was room enough for such intimation, and more; for, God knows, it was stilted and meagre enough. Even under the old *regime*, which the party at present in power so unsparingly and virulently assailed, until they had established their own rule upon its overthrow, nothing so unconstitutional, nothing so directly tending to a subversion of the rights and privileges of this House, had ever proceeded from the Head of the Government, as the Message which has just been delivered to this House by the Hon. the Colonial Secretary. When the Government proposed the introduction of any measure of public importance, it had always, hitherto, been the practice to intimate the intention, by means of the Speech. What new light has arisen here, or has proceeded from the other side of the Atlantic, by which His Excellency and his advisers, have thought proper to be guided in their departure from the old, established, and constitutional mode of calling the attention of this House to any subject, concerning which they wished to induce legislation, I know not; yet I am at liberty, I presume to conjecture the reasons which may have caused them to recommend, to His Excellency, the adoption of the unprecedented and unconstitutional mode which he has pursued on the present occasion. It seems to me that the Hon. the Colonial Secretary and other members of the Government, having seats in this House, may have advised His Excellency to the course which he has pursued, in order that, should they be disappointed in their expectation of inducing the House to take up the subject in such a way as they desire they should, they may be able seemingly, to preserve their credit, and escape the shame of a defeat, by having it in their power in a manner to disavow any responsibility concerning the measure; and, with apparent unconcern, to say they had taken up the subject merely in acquiescence with a wish of His Excellency, conveyed to the House by a Message; but it was not a measure the introduction of which they had seriously contemplated and resolved upon, before the opening of the session, or, otherwise, it would have been noticed in the speech. Such an unconstitutional assumption of absolute authority, on the part of a Governor, would not, even in the days when the Executive Council were merely the nominees of the Crown, have been so surprising as it is now, now when we are told that the Government—the Executive Council—are, through the operation of the principles of Responsible Government, chosen and constituted by the people themselves. Of their being so constituted, this proceeding of His Excellency gives however, only a negative proof; for, if they really represented the people in the Executive Council, they would oppose any contemplated act of the Lieut. Governor, which, like the Message which has just been delivered by the Colonial Secretary, would be a direct violation of the privileges of the people's representatives. Their having acquiesced in His Excellency's presumption of the propriety of sending this Message is an undeniable proof that, although they may not, in all respects, be the submissive servants of His Excellency, they certainly are not the faithful servants or representatives of the people in the Executive



Council. The tendency of the present system of government, as it is made to work by those now in power, is, certainly, not towards responsibility, but irresponsibility; not towards freedom, but rather towards absolutism.

**Hon. R. MOORE.**—The hon. and learned member who had just sat down, had certainly afforded the House much amusement by the uncalculated display of indignation, zeal, and excitement, real or pretended, with which he had taken upon him to declaim against an unconstitutional assumption of power, as he styled it, which had no existence, save in his own imagination; and of patriotic determination to defend the legislative rights and privileges of the House, when neither invaded, nor threatened with invasion, from any quarter. Whilst he acknowledged himself amused by the highly excited and determined manner, in which the hon. and learned member had repelled a shadow, conjured up by himself, he could not but, at the same time, confess the concern, the apprehension, which he felt, lest the very energetic manner, in which he had acquitted himself of his assumed part, should prove too much for his natural powers of endurance; and that to-morrow, he might find himself unfit for legislative duty. The object the hon. and learned member seemed to have in view was to coax the House into a quarrel, and to create a rout about nothing. If such really was his object, he would surely be disappointed. The majority of the House had quite as much regard for their legislative rights and privileges, as the hon. and learned member could possibly have, but they saw no occasion to take up arms in their defence, so long as they were satisfied that they were perfectly secure. The necessity for the House's taking into consideration the system for the collection of the Impost Revenue which has hitherto been in operation, has been very properly brought under the notice of the House, by His Excellency's Message; and he had no doubt it would be received and responded to in such a manner as would, not only be expressive of due respect for Her Majesty's Representative, but afford a proof that neither the Government nor the majority of the House were afraid to take up questions, however ticklish, and to prosecute them to such issues as would prove their regard for their general good.

**Hon. Col. TREASURER.**—Notwithstanding all that had been uttered, by the hon. and learned member for Georgetown, with so much vehemence and intemperance of declamation, against the means which had been adopted, by his Excellency, for bringing under the consideration of the House the present mode of collecting the Impost Revenue, he (Hon. Col. Treasurer) thought it a very proper one. It was, in fact, a carrying out of one of the principles of Responsible Government, which required that notice should be given, to the Legislature, of any new measure which the Government were of opinion ought to be introduced and passed; or that by timely intimation their attention should be particularly called to the consideration of any established measure, the operation of which had not been altogether so satisfactory, or quite so conducive to the general good, as it had been intended to be; and, to him, it certainly appeared to be a matter of no moment whatever, whether such notice, or such intimation should be made by "the Speech," or by Message; since, in either way, the governing principle was observed; and there was not, and could not be, in a Message, so conceived and so expressed as was that which the Hon. the Col. Secretary had just delivered from His Excellency, any thing more dictatorial and authoritative, than there would have been in conveying to the House, or the Legislature, by means of "the Speech," what is merely an intimation, on the part of His Excellency, of the evils, affecting public credit, and the integrity of the Government, which have been found to arise from the operation of an existing system, and a perfectly respectful expression of a trust,—as far as possible from having any semblance of a command,—that the House will concur with him, in regarding a subject, vitally affecting the honor and interest of the Colony, as deserving their most serious consideration. From his position both in the Treasury and in the Government, than he, no one could be more fully aware of the evils arising from the system at present in operation for the collection of the Impost Revenue; and of the difficulties which might attend the progress of any legislative measure which might be devised, with a view to the remedying of the defects of the system,

in such a way as, whilst it would effectually provide for and secure the payment of impost duties to meet the exigencies of the Government, would, at the same time, afford due encouragement to legitimate enterprise. If he might have his own way, he would entirely do away with the present system of collecting, and securing payment of the Impost Revenue; and all duties chargeable and payable upon imported goods, should, as in most other countries, be paid at once. In Halifax such was the practice; and payment of the duties was not made, or received in Notes, but in specie. [Hon. J. WIGHTMAN.—There, they have bonded warehouses.] Yes; and so ought there to be here, in Charlottetown; and securities for the payment of duties upon imported goods, should be taken only on account of those which were landed at the outports. The hon. and learned member for Georgetown had said, that the Government had been afraid to assume the responsibility of a measure for the alteration of the present system of collecting and securing the payment of Impost Duties, and had, therefore, sought to shelter themselves beneath a Message from His Excellency; but he could tell that hon. and learned member, that he, (the Hon. Col. Treasurer) for one, was not afraid, as a member of the Government, to assume his full share of any responsibility which could attach to the introduction of such a measure, and neither did he think any one of the Government in the House was so. The present was not, perhaps, the fit time for him to enter into any particular explanations of his views either concerning the evils attendant upon the operation of the present system, or of the alterations therein, by which he conceived they might be remedied; but he would be prepared to state them when a proper opportunity for doing so should arrive.

**Hon. Col. SECRETARY.**—The hon. and learned member for Georgetown, not satisfied with giving vent to the indignation, with which, he would have it to be believed, His Excellency's Message has filled him, has taken occasion not only to boast of his independence, but to threaten his constituents at Georgetown with something like a determination, on his part, never again to solicit the honor of representing them in the Assembly. Alas! for the people of Georgetown! What will become of them, if they should be so deserted! Who then, with guardian care, will watch over them, and zealously seek to advance all their interests! Their situation if so forsaken, will be pitiable indeed. In all the exuberance of a self-congratulating and boastful spirit, the hon. and learned member has told us, that he covets not office, and looks with indifference, if not with positive contempt, upon a paltry salary of £300 or £400 a year; intending, thereby, no doubt, insidiously to cast disparaging reflections upon some who are in the receipt of such official salaries. [Mr. H. HAVILAND.—Whoever thinks the cap will fit him, is at liberty to put it on.] The hon. and learned member was however the very last person who could in any way feel himself at liberty to sneer at, or reproach any with love of office or its emoluments, after his having so long held and so unwillingly relinquished an office, certainly one of the most paltry in the Colony, and besides an almost perfect sinecure, with the paltry salary of £100 a year attached to it. If he intends his observations to apply to me, I beg leave to tell him, I can live quite as independently without office as he can; yes, and more independently. There was indeed but little independence manifested by him; the other day, in his eagerness to obtain so paltry an office, as a petty agency. [Mr. H. HAVILAND.—I never sought it; I never applied for it.] That may be; but if a friend of the hon. member made an application for it, on his behalf, it was much the same as if he had applied for it himself. The hon. and learned member has argued that every proposed measure of the Government should be in the Lieut. Governor's Speech. Why, if such a practice as that were adopted, the Speech might be made almost as long as that of the President of the United States. Measures in contemplation may certainly be occasionally omitted without any impropriety, or the least abandonment of established principles; and their omission supplied by Message, or Messages, in due season; and, to the full, quite as courteously as if they had been noticed in the Speech. I have already said, and I say again that I am most willing to sustain my full share of the responsibility which

attached to the intimation made to the House by the Message. The hon. and learned member has said that we (meaning the members of the Government) are afraid to bring forward any measure for changing the present system of collecting and securing the payment of impost duties; but I take leave to tell him that we are not so, and that we have never yet been afraid to introduce any measure which we were convinced was requisite either for the maintenance or the furtherance of the best interests of the country. The hon. and learned member has, most indecorously, called His Excellency a stranger, in his warmth, forgetting that the Lieut. Governor is as essentially a part of the Legislature as we ourselves are. Persons are always most apt to be betrayed into indecorum of language when they find themselves unfortunately engaged in the serious maintenance of some proposition as absurd, that they cannot, by any course of calm and just reasoning, sustain it; and, in such a position, the hon. and learned member finds himself, as the use of language so unjustifiable as that which he has applied to His Excellency, fully proves.

Mr. H. HAVILAND, on his again rising to speak, was reminded that, as there was no motion before the House, he was out of order. The hon. and learned member then said, I will make a motion. I move that the Message be not received.

Hon. the SPEAKER, looking around the House, observed, the motion is not seconded.

Hon. the COL. TREASURER.—Well, that the hon. and learned member may be afforded an opportunity to pour out the remainder of his indignation, I second the motion.

Mr. H. HAVILAND.—I do not return the fire of small batteries; I think it sufficient to answer great ones. If the Executive Council are under the immediate control of the Lieut. Governor, and he under the control of the Secretary of State for the Colonies at home, as, from time to time, it is made pretty evident we are; what is called our local Government is a mere automaton, set in motion, by the power of strangers: it exists only in name, and in reality we have no government of our own. What the hon. member (hon. Col. Secretary) has been pleased to say ironically concerning a possible severance of the political ties, by which I am at present bound to the constituency of Georgetown, I regard not. I allow it to pass for what it is worth; and that is little. But what I said before I repeat: as a member of this House, I am as thoroughly independent as any gentleman who has the honor of a seat in it; and I again say, I care not whether, after the approaching dissolution of it, I ever again raise my voice here, either as a representative of Georgetown, or of any other constituency in the Island. And, notwithstanding the high-toned rebuke, which the Hon. Col. Secretary has assumed to himself the right to bestow upon me, for my freedom of speech concerning His Excellency's Message, I repeat, the Message is unconstitutional and indelicate; and directly trenches upon our privileges, as the representatives of the people. It is an undue meddling and interference with a matter the arrangement of which, properly and wholly belongs to us at all times. Any and every portion of the public revenue, we should be left perfectly at liberty to collect, secure and expend as we may think best. With respect to the agency, concerning which the Colonial Secretary has thought it fit to taunt me, I say that if he asserts that I applied for it, he asserts what is not correct. I tell him, to his teeth, that I never applied for it; and that, whatever agency I hold, and business I transact, I owe it to my personal character that the one has been conferred upon me, and the other entrusted to my management. I have no wish to sound my own trumpet; but, thanks be to goodness, I can tell the Hon. Colonial Secretary and others, whatever they may say, that I have never solicited, by a single line of writing, or otherwise, any agency, emolument, or business, and that all that has fallen to me, I owe to nothing but my personal reputation. With respect to the change in the system of collecting the Impost Revenue, which the Government have in contemplation, they all say that the duties should be paid at once, as in Nova Scotia. [Hon. Col. Secretary—I did not say so.] The hon. Col. Secretary did; and one should answer for all,

if not, the Government was a queer one. For the present, however, let that pass. The necessity of making an alteration in the system of collecting the Impost Revenue, which they pretend to have discovered, is not; however, so much attributable to any original defects in that system, as it is owing to their own wasteful and lavish expenditure, and their unwarrantable appropriations of Revenue; by which extravagance, notwithstanding the very large amount of the Revenue, they have destroyed public credit, and brought themselves to the very verge of bankruptcy; and very glad are they at being able to persuade themselves, that, by laying their present pecuniary difficulties and embarrassments to the charge of the unfortunate working of the system for the collection of the Impost Revenue, they may probably ward off some of the public indignation which the consideration of their beggary condition has aroused throughout the country.

Hon. COL. TREASURER rose to explain: I said that if I might have my own way, that I would cause the impost duties to be paid at once; and so prevent persons from trading in public monies.

Hon. COL. SECRETARY.—The fate of the hon. and learned member's motion will best explain the opinion, respecting the propriety of His Excellency's Message, entertained by the House. I shall, therefore, say nothing more concerning it in that light. The hon. and learned member has said that the fault is not in the system, but rather in the improvidence of the Government. I, on the contrary, say it is in the system, and the remedy can be found only in a reformation of the system. The system gives a credit of from 3 to 15 months, to general merchants and other importers. How then, I ask, when so long a credit is given, can the Government, can the Treasury be prepared to meet the demands made upon them, on account of the public service. If the public service cost nothing; or if it involved but little or no expenditure of moneys, then the existence of such a system of collecting impost duties, as that which is now in operation, might be tolerated; but, when it is found that the supplies for the public service, which should be duly derived from the impost duties, came into the Treasury so slowly and inopportune, in consequence of the long credits given for the payment of them, that the exigencies of the public service cannot be duly provided for; it is surely high time to think of amending the system; either by shortening the periods of credit, given to importers, for the payment of duties; or, perhaps, in some instances, by doing away with the credit system altogether. Vague and indefinite charges of lavish and wasteful expenditure, such as the hon. and learned member has preferred against the Government, he himself must be very well aware prove nothing; and still less effective is the use of coarse appellations, except in so far as they serve to damage the arguments and the oratory of him who has recourse to them. If, however, when the public accounts shall be before the House, the hon. and learned member shall prefer any specific charges of lavish or unwarrantable expenditure, against the Government, I trust we shall be found well prepared to repel and disprove them. Until then, his accusations may well be allowed to rest without further notice, on the part of any member of the Government. With respect to his land agency of the hon. and learned member, I do not know that I said he applied for it; and he says he did not; but still that does not prevent my thinking that a friend of his may have made the application for him, of which, as it proved successful, I doubt not he was very glad; and I beg leave to congratulate him upon its success; although, if some speak truly concerning their land agencies, they are not quite so fat as they appear to be. Without any further observations from me, the House will decide on the hon. and learned member's motion, to what degree of respect His Excellency's Message is entitled.

Hon. F. LONGWORTH.—I cannot support the motion of the hon. and learned member for Georgetown. All Messages of the Lieut. Governor should be received with respect; but I think that, under Responsible Government, nothing in reality affecting, or even only seemingly affecting, the

dependent legislative action or deliberations of this House, ought to proceed from His Excellency. If His Excellency and his Government thought proper, last year, to sanction the measure now in operation for the collecting of the Impost Revenue, may it not be asked, why are they not prepared to sanction it now? and, what peculiarity of circumstances has arisen, except of their own creating, to demand or make necessary any alteration in the system now? At all events, the necessity which it is supposed there exists for its alteration or amendment, should not, in my opinion, have been intimated in the way in which it has been suggested to the House. If it was thought necessary to bring the subject immediately under our notice, it should, I think, have been recommended to our consideration in "the Speech;" but I am sorry that the hon. and learned member for Georgetown has proceeded so far as to move the rejection of His Excellency's Message concerning it. That it is the duty of the House to receive respectfully every Message of the Lieut. Governor, has been urged with perfect propriety; but with what propriety it can be said, as it has been, by the Hon. Colonial Secretary, that we may be accounted strangers, rather than His Excellency, I am wholly at a loss to imagine. [Hon. Col. Secretary—I said nothing of the kind.] Well, then, I must have quite misunderstood him. Last year, when the Revenue Bill was under our consideration, the House, on this side, wished for the establishment of a bonded warehouse, in which all imported liquors might be deposited, to be taken out when and as sold, on direct payment of the duties thereon; and all the opposition made to the proposal proceeded, I believe, from the other side.

Hon. J. WIGHTMAN.—The remarks made by the hon. and learned member for Georgetown, and the motion which he has made, relative to the Lieut. Governor's Message, seem to me, to have been conceived in a spirit of derision, and to have been made with the intention of throwing contempt upon His Excellency. No instance is on record, I believe, of such an act of discourtesy, by a Legislative body, towards a representative of Majesty, as that which has just been proposed by that hon. and learned member; and ill indeed it became him, for certainly he ought to have known better. His Excellency's Message does not in any way border upon, or savour of dictation; it merely points out, and invites our attention to a necessity, of the existence of which every member of this House, who is as well acquainted with the financial details of the Colony as he ought to be, cannot but be fully aware. All know that, by the Revenue Act of last year, when the duties, to be paid by any importer, amounts to more than £100, credit for the payment thereof is given for 12 months, and, with a further indulgence of 3 months, the credit amounts to 15 months. Now, in consequence of this credit and indulgence, it unfortunately happened that when money for the Road service was required, it could not be obtained; and the Bank would not accommodate the Government with a loan of £1000, even on the best security which could be given. Such a loan however would not have been required, had the duties been made payable at the end of 6 months. If so, at the end of that time, moneys sufficient would have been collected to meet all demands, both on account of the road service and of the free schools. The emergencies of the Government, in consequence, certainly became pressing and embarrassing; but they were very far from having brought it to the verge of bankruptcy or beggary, the state in which the hon. and learned member for Georgetown has said they were in. The embarrassment experienced by the Government was not occasioned, either by lavish expenditure, or unwarrantable appropriations, such as they have been vaguely charged with, by that hon. and learned member, but were solely attributable to the long credit given for the larger amounts of duties. From their temporary embarrassment, the Bank however might easily have relieved them; and that too without suffering any loss, but securing an advantage. Still, however, as desirous to encourage legitimate commercial enterprise, I am an advocate for credits of due length for the payment of impost duties; and, unless our mode of doing business be completely revolutionized throughout

the Island, long credits must be given. If a man imports goods to a considerable amount, it is very well known that he cannot, according to our present mode of doing business, raise sufficient by sales thereof in 3 months, to pay the duties at the expiration of that period. His principal payments, for the goods sold, will, in all probability, be in produce; which he will have to ship; and before he can realize money in return, he will have to wait some, perhaps a considerable time. The subject is one which imperatively demands the most serious consideration of this House, for the vital interests of the country are involved therein. Such a Message as that of His Excellency was certainly called for; and ought to be respectfully received by the House, even although, as we are in Session, it may appear to some that the intimation which it contains would have been better given, had it been conveyed to us, at another time, and in another way. I cannot agree with the hon. the Treasurer, that all Impost duties should be made payable immediately. Should they be made so, the effect would be a circumscribing of the legitimate trade and commerce of the country. Credits of 3, 6 and 9 months, according to the different amounts of duties to be paid, might, I think, be very advantageously given; but, at the same time, I think, we cannot guard too carefully against making any such provisions in the Revenue Act, as afford encouragement and facilities to flying and dishonest adventurers, to come in and injure or ruin the fair and settled trader; and also, perhaps, a certain public institution, concerning the principles which appear to govern some of their transactions, it might not be quite becoming in me now to speak; but of which, an approaching meeting may very probably call forth some surprising disclosures. As for bonded warehouses, it is quite clear that only one could be provided, and that in Charlottetown; and that, therefore, as it could not afford requisite accommodation to all the country, its erection would be objectionable on the most evident principles of justice; but the present system of collecting and securing the impost duties may, I think, be greatly and most advantageously amended, by limiting the credit periods to 3, 6 and 9 months.

Mr. H. HAVILAND.—It would appear, on this occasion, as if I had no friends, either on my right hand or on my left; still, I regret not having made the motion, from the supporting of which my old political friends appear to shrink; and, although on a division thereon I may stand alone, I shall not be ashamed of my position. It will, at least, be evident that I am not actuated by party motives. I say we have not Responsible Government when we have not the benefits which such a system should confer upon us. If we had real Responsible Government would the Lieut. Governor conceive himself privileged to send, or would the Colonial Secretary, the leader of the Government in this House, consent to bring down such a message as that now under our consideration? No; and that the country is mocked by a name, and deceived by a shadow, put forth instead of a reality, is clearly proved by the fact that the Lieutenant Governor has conceived himself at liberty to send, and the Colonial Secretary—I beg his pardon, the Premier, for so, I believe, he loves to be called—has not hesitated to present to this House, the representatives of the people, a message which directly strikes at their chief fundamental privilege. So obvious, indeed, is the unconstitutional character of the message, that a member of the Government (the Hon. Mr. Wightman), has admitted its impropriety, by demurring to the regularity of sending it to the House whilst actually in session. Of the correctness of my own view of the message, I, however, needed not his testimony to be convinced; but I am glad of it, because it shews that there is a want of unanimity in the Government, and pleasingly recalls to my mind the declaration, that a house divided against itself cannot stand, but must fall. The same hon. member has said that I have treated His Excellency's message with derision. I say I have not; for I consider it to be far too serious a matter for laughter. I say that it is a dictatorial and unconstitutional message, and as positively a breach of

the privileges of the House. In this there is little food for merriment; for, if we submit to it, our occupation will soon be gone, and we shall shortly become, as has been said of another chamber, little better than a Court of Record; and our legislative functions be narrowed down and confined to the mere enrolling of the decrees of the Government. If once we allow the small end of the wedge to be introduced, it will not be found a very difficult business to drive it so effectually home as thereby to effect the complete disruption of our constitution. We should then soon find ourselves completely under the insolent domination of a selfish oligarchy. Would to God that we had here the Government of Canada! There freedom, there responsibility to the people, appear to be fully understood. There it has been decreed that no one having any connection with the collecting of the revenue shall have a seat in the House of Assembly; and, by the exclusion of impost collectors and other office-holders therefrom, and by denying, to revenue officers, even the privilege of voting at the elections of parliamentary representatives of the people, the Canadian House of Assembly have secured to themselves perfect legislative freedom; and the consequences, it cannot be doubted, will be acts of pure and unselfish legislation for the general good of the people. I certainly do not wish to treat His Excellency the Lieutenant Governor, Her Majesty's representative, with any disrespect; but I will not forgo my right of freedom of speech concerning any act tending to a breach of our privileges, whencesoever it may proceed. The act, the message in question has, I believe, been concocted at the Council Board; but, even did I look upon it as wholly and directly proceeding from His Excellency alone, that consideration would not make me in any way more guarded in my condemnation of it; and yet no one can be actuated by stronger feelings of loyalty than myself. If, on a division, I stand alone, I shall not be ashamed of my position.

Mr. COOPER.—What I think ought to be taken notice of is, that, under such circumstances as those to which the Message alludes, an individual to whom a Treasury Warrant may have been granted, wants the money which it ought to represent; but, owing to a deficiency in the Treasury, caused by the long credit system in operation with respect to the payment of impost duties, he cannot procure cash for his warrant at the Treasury; and, in order that he may procure money for the relief of his immediate necessities, he is obliged to part with it, at a large discount, for cash. Now some measures ought to be taken, whereby security could be afforded that Treasury Warrants, on presentation at the Treasury, would be paid at once. There was a time when they, to whom Treasury Warrants were granted, were generally satisfied to have them endorsed for interest; but, owing to the great depression of trade and the scarcity of money, that was not the case last summer; when individuals having contracts were obliged, in order to procure money to pay their workmen, to part with their warrants, at heavy rates of discount, to merchants having duties to pay into the Treasury; and who, thereby, obtained an unfair advantage over *bona fide* public creditors; as the warrants so procured by them, at discount, were received, in payment of duties, for their full facial value at the Treasury. I hope this will be an efficient warning to cause such arrangements to be made as shall cause Treasury Warrants, in future, to be paid in due rotation.

Mr. YEO.—I think that shortening the time allowed for the payment of impost duties would not be a public benefit; it would only be a throwing of stumbling-blocks in way of legitimate traders. But, at the same time, I think that the manner in which irregular and unsettled traders, from the facilities afforded them by the present system, fill different parts of the country with their wares, and carry off nearly all the ready money, is a very serious evil, and one for which it is our duty to provide an immediate remedy, if possible. As for bonded ware-houses, it is impossible to establish them at all the out-ports; for the payment of the numerous officers, who would be required to superintend them, would be an evil almost as serious as any arising from the system which we are now called upon to amend. I do not speak as one concerned

on his own account; for I do not care about importing any more goods myself; but I see very clearly that some improvement is required, either as regards the mode of collecting the impost revenue, or as respects the manner in which it is expended. Contractors for public works, schoolmasters and others, who want their money and cannot afford to lie out of it, should not be made to suffer for the benefit of others, by the continuance of an ill-working system for the collecting and securing of impost duties. Bonded ware-houses would be too expensive; but I think the system might be improved by making all small amounts of duties payable at once; and by giving credit, for a reasonable length of time, for the payment of duties, amounting to such sums as £300 or £400; and strictly providing that when they became due, they should be paid at once. Amendment, I am convinced, is certainly much needed; although in what way it is to be obtained I cannot tell. Than the financial results of the working of the present system, hardly any could be worse. Such matters may be in a very bad state in Cape Breton; but they can scarcely be worse than they are here.

Hon. COL. SECRETARY.—It appears to me that the hon. member has been speaking against himself. The bringing in of a large assortment of goods by irregular or non-resident traders, and there being granted to them long credits for the payment of the duties, affords them opportunities to sell off their goods at comparatively low prices; and, with the moneys thus realized, to leave the Island, and return again with new supplies, to be quickly sold off again, in the same way, whilst the duties upon both importations remain unpaid, to the injury of the resident established traders; and, in the end, perhaps, either the Government or their securities are defrauded of the amounts of imposts due from them. But, perhaps, this is wandering from the question. To return to it: the hon. and learned member for Georgetown has said that the communication made by the Message before us, ought to have been made in the Speech. Now, by reading a passage from a constitutional lawyer,—from May, on the law, privileges, proceedings and usage of Parliament—an authority to which, perhaps, that hon. and learned member will modestly defer,—I will show him that Messages, such as that of which he has, contrary to parliamentary usage, moved the rejection, ought to be regarded as mere supplements to “the Speech.” The hon. gentleman then read as follows:—

“The subjects of such messages are usually communications in regard to important public events which require the attention of Parliament; the prerogatives or property of the Crown; provision for the royal family; and various matters in which the Executive seeks for pecuniary aid from Parliament. They may be regarded, in short, as additions to the royal speech, at the commencement of the Session, submitting other matters to the deliberation of Parliament, besides the causes of summons previously declared. This analogy between a royal speech, and a message under the sign manual, is supported by several circumstances common to both. A speech is delivered to both Houses, and every message under the sign manual should also be sent, if practicable, to both Houses; but, when they are accompanied by original papers, they have occasionally been sent to one House only.”

Mr. H. HAVILAND.—As the subject of the Message is in no way adverted to in “the Speech,” the Message can hardly be accounted a supplement, or an addition to it; and neither can the Message be justly regarded as submitting another matter to our deliberation, besides those for the due consideration of which we have been called together; for the collection of the revenue is our chief object in every Session. Although I find no support amongst hon. members with whom I almost uniformly act, I still adhere to the opinions which I have expressed concerning the Message; but it must be very clear, standing alone as I do, with respect to my motion, that I have not made it to serve any party purpose.

Hon. COLONIAL SECRETARY.—The hon. and learned member did not know, until after he had made his motion, that it would not be supported by any of his friends; but, made wise by experience, he now sees it best to disclaim his being actuated by any party purpose. Pleased in his attempts to damage the Government, on account of the present Message, he has, two or three times, changed both the object and the mode of his attack. He first rudely assailed the Lieutenant

Governor; but, finding himself unable to establish anything personally against His Excellency, he turned upon the Government, and accused them of lavish and wasteful expenditure. Not having succeeded, however, in making good that charge either, he changed his mode of assault; next stigmatising the Government as oligarchical and tyrannical; and, finally, finding himself repulsed at every point, he fell back, and gave way to a longing desire for the sweets of liberty enjoyed in Canada; whose Government, he seems to regard as nothing less than a perfect emanation from the spirit of freedom; and, if his desire be sincere, I know not why I may not wish that he may be able soon to realize it. The hon. and learned member's motion was, I believe, out of order; for I think the Message was received before he moved its rejection.

Mr. H. HAVILAND.—I made my motion only that, by doing so, I might have an opportunity to express my opinion of the Message; for I was satisfied it would be ordered that it do lie on the Table.

Hon. Mr. PALMER.—The message is certainly of some consequence; but I am not prepared any more than others appear to be, to speak definitely concerning the suggestion which is conveyed by it; and neither, perhaps, is this the proper time to enter upon any discussion of it. A day, I presume, will be named for taking it into especial consideration; and the individual members will be better prepared to state their views concerning the system, and any alteration or amendment of it which may be proposed. As to the Message itself, I must say I see nothing unconstitutional in it; and I am persuaded that the hon. and learned member for Georgetown would not have moved its rejection, could he, otherwise, consistently with the rules of the House, have had an opportunity of expressing himself, concerning the subject of it; which is indeed one which demands our grave consideration. Perhaps His Excellency thinks that, under responsible rule, the revenue ought not to be over-run; and that the Government ought not to get into debt. He may, perhaps, see the present alarming state of affairs; the immense amount of Treasury Warrants issued; and the injury done to the Colony by the incapacity of those who are entrusted with the management of public business. He may have been directed or instructed from Home, to look more narrowly, both after the collection and the expenditure of the revenue. The Blue Book goes Home—the celebrated Blue Book—and he may have had hints that things are not going on well under his Government; that their securities have been refused; and that they are getting into bad repute; and for this and many other reasons, he may have deemed it right to bring the subject of the Message under our immediate notice. The question arising out of it may be taken up and duly discussed when the House shall be in Committee on ways and means, or at some other time.

Hon. the SPEAKER.—There are two motions before the House; the first is, That the Message do lie on the Table; and the other is an amendment, that the Message be not received. I shall proceed to put the question on the motion of amendment.

Mr. H. HAVILAND.—I have been told that, in moving my amendment, I was out of order; and I have, therefore, no desire to press it. It was then ordered that Mr. Haviland have leave to withdraw his motion.

The question being then put on the main motion, it was agreed to by the House, and ordered accordingly. R. B. Iving, Reporter.

WEDNESDAY, February 24th, 1858.

FORENOON SESSION.

House in Committee on Supply, Hon. Col. Treasurer in the chair.

Hon. Mr. Wightman presented the following resolution, which was agreed to:—

*Resolved*, That the sum of £6,375, being the amount provided by Statute as salaries to the public officers, be granted and paid to the several public officers entitled to receive the same.

Hon. Mr. Wightman also moved the following resolution:—

*Resolved*, That the sum of six thousand pounds be granted for the service of Roads, Bridges and Wharfs, for the present year; and that out of such grant the following sums be apportioned to each County, for the general service of Roads, Bridges and Wharfs, viz:—Queen's County, £2,000; Prince County, £1,850; Kings County, £1,850; Charlottetown Royal, £300.

Mr. PERRY.—Mr. Chairman, I am disappointed to find the resolution constructed on such exclusive principles, and consider that a fairer distribution could be made, by which Prince County would share in a more equal degree the money appropriated for roads and Bridges, than it would by the present resolution. Prince County is not only larger in extent, but is intersected with as great an extent of Roads as Queen's County, and considering this, I do not see why it is that it should not be entitled to as large a share as Queen's. Last year there was a sum of £7,000 granted for the service of Roads and Bridges, of which Queen's County had a very large proportion, and why the same this year? I consider the portion given to

Prince County unfair in the extreme; I consider it is entitled to a larger proportion, and I hope its just claims will receive the consideration they merit.

Hon. Mr. WIGHTMAN.—I am surprised to hear the hon. member from Prince County, express himself in terms of so much dissatisfaction at the division made in the resolution just read. I consider the division the most fair and equitable one that could be made under the circumstances, and so far from being in any way partial, to be of the most liberal description towards Prince County. It is hard to please all hon. members. No objection was anticipated when the scale was made; but instead of the large proportion given to Queen's County, out of last year's appropriation as insinuated by the hon. member (Mr. Perry) there was only about £400 more than the appropriation to each of the other Counties.

Hon. COL. SECRETARY.—Hon. members may be dissatisfied with the present division of the money for the road service, and complain that the amount is small and inadequate to the purpose for which it is intended; but I remember that, six years ago, the money appropriated to a like purpose was not more than £3,000. Now the amount has actually doubled, and latterly has been further increased by special grants for new wharfs and bridges, while the amounts required for the support of public education has so far swelled the volume of expenditure that the revenue (although it has increased rapidly) has been unable to keep pace with it. Why, the Education Act, instead of requiring only about £7,000, as was at first supposed, has actually increased to the amount of £14,000, and together with the amount required for the service of Roads and Bridges amounts to about £20,000. Now, the reason why a reduction has been made in the amount for the Road Service this year as compared with last, is the falling off in the Revenue, owing to the depression in foreign, colonial, and home markets, which has prevented the sending off of much produce, and the importation of the usual quantities of goods and merchandize. It is all very well for hon. members to complain of the inadequacy of the money appropriated to their several counties; but if Statute Labor were to be brought more into requisition, and enforced with rigor, it would not only render unnecessary the outlay of so much money on the roads; but in many districts would be the means of precluding the necessity of laying out one penny of the money appropriated on the public highways. In fact, the money appropriated to the road service benefits only a few persons—the contractors while the money given for education is not confined to the benefit of the few, but is for the good of the many. If hon. members will turn their attention to the state of the revenue for the past year, they will find that £6,000 is a large sum to appropriate to such a branch of the public service, as that of Roads and Bridges, when there are so many important undertakings to be completed. But, why will hon. members complain that the division is an unfair one, when in the other counties there is not one twentieth part of the travel there is in Queen's County? Even if there were fewer roads (which is not the case), still, the travel being greater, a larger amount of money is required to keep them in repair.

Mr. MACINTOSH.—Mr. Chairman, it is my opinion that, upon account of the great increase in the amount required for education, we must levy an additional tax, or retrench the expenditure in other branches of the public service; and the sooner such tax is levied, or such retrenchment made, the better it will be for the Colony. I have always been in favour of the advancement of our public works, so long as it was consistent with the state of the revenue; but if we continue to vote so much of the public money away upon services that do not actually require such large amounts, we will find that the Island may become bankrupt. With respect to the present division of money for the road service, among the different Counties, I am fully satisfied with it, for the same reasons given by other hon. members, and think Queen's County well entitled to the larger amount.

Mr. MUIRHEAD.—The Hon. Col. Secretary seems fond of attributing motives; and in the present instance I think his allusion to contractors for public works being the sole persons benefited by the money appropriated for the road service, is uncalled for. Are the persons employed by the contractors not benefited by such contracts as much as the contractors them-

selves? And, if the money is expended upon the Island, is it not of as much benefit to the people as a like amount given for education? Why, sir, there is nearly as much expended in and about Charlottetown as in the whole of the other parts of Queen's County.

Hon. COLONIAL SECRETARY.—The hon. member mistake the tenor of my remarks with regard to contractors. What I said was simply that the money given for contracts is not so generally distributed throughout the Island as that given for education.

Mr. DOUSE.—I do not think it is the disposition of any hon. member from Queen's County to impose upon the members of any other County, by an unequal division of the money appropriated for the road service. Such a spirit would not be worthy the representatives of the people, and would be shabby in the extreme. But, sir, when hon. members complain of the injustice and inequality of the grant to Queen's County, they should remember that whatever is expended in Queen's County is as much for their advantage as it is for the inhabitants of the latter County. Besides, sir, the difference in the amount for Queen's County, when compared with those of the other Counties, is not so great as hon. members would have us suppose—it being only £150 more. [An hon. member—£450.] I do not include the sum granted for the Royalty. Then, sir, let us compare the population of this County with that of the others, and the amount of travel, and we will see that the difference is nothing in comparison to what is required. Besides, the roads in this Island, from the lightness of the soil, do not require any thing like the amount of labour to keep them in repair that is required on the roads in Nova Scotia and New Brunswick. In fact, when we consider that fifty carts and carriages pass on the roads of this County for the one on the roads of the other Counties, a grant of £2500 would be little enough, and a fairer proportion than the present one. Allusion has been made to the large and growing amount required for education; and, indeed, if some new method of meeting the expenses incurred by the working of the Free Education Act is not adopted, it will not be able to sustain itself; and for the purpose of making it more efficient, a tax should be imposed upon all cultivated lands. Until some such method be adopted, public education can never be properly sustained, and the business of a schoolmaster will not be sought after, nor will the candidate for such an office take the pains to make himself properly qualified for the delicate and arduous task of instructing youth. I have always, with this view, been an advocate of an increase of pay to, and a higher standard of qualification in, the schoolmaster; for he is the poorest paid servant of the public, and deserves more consideration at their hands than is extended to him.

Mr. YEO.—Although I do not think a fair consideration has been given to the claims of Prince County, yet I do not object to the division of the grant for roads and bridges. Still, sir, Prince County is unfortunate in having one of the worst roads in the Island to keep in repair. I allude to the western road, the greater portion of which runs through soft and swampy lands, and is almost impassable at certain seasons of the year. But I do not consider the present appropriation inadequate. It is as much as the country can afford, when we take into consideration the falling off in the revenue, owing to the depression in the trade of other countries. Allusion has been made to the fact that contractors for roads have the benefit of these grants; but I thought the money thus appropriated was for the benefit of the County and not men, and I believe that if it is not laid out better than heretofore, it should be done away with altogether, and the money given to purchase bread for the people. Why, sir, if the statute labor was better performed little of the money would be needed on the roads, and could be expended in the erection of substantial bridges, and keeping the same in repair; but, sir, the statute labor is a hoax. (Here the hon. member was interrupted by cries of "No!" "No!" and laughter) I repeat it, sir,—statute labor is a hoax, and to my own knowledge, not one out of every ten men, liable to work on the roads have performed their work. I speak from what cause under my own observation in the neighborhood where I reside. Unless some steps are taken to enforce the performance of statute labor, it is better to buy bread with the money appropriated for roads and bridges than have it so misapplied.

Mr. PERRY.—I think the Western Road is one that requires more attention and money than all the other Roads in Prince County put together. In spring and fall it is so impassable that persons travelling are pleased to take the lower road, a resource that is anything but pleasant when we take into consideration the delays at ferries, which are numerous on that side. And, instead of there being enough money granted for the service of Prince County, the whole appropriation would be insufficient to make a continuous line for travel on the lower road, by causing bridges to be erected, the absence of which has been severely felt. The hon. member who spoke last (Mr. Yeo) seems to entertain a very erroneous opinion with respect to the efficacy of statute labor. Now, sir, I do not think the statute labor is performed in such an ill manner as the hon. member would have us believe. I can state that, so far as my knowledge extends with respect to this matter, in my district not one shilling of the appropriated money has been expended on the roads; but they have been kept in good repair by statute labor alone. It is argued that because Queen's County has more roads, that, consequently, the appropriation should be larger; but, sir, if Queen's County has more roads to keep in repair than Prince County, it has also a greater amount of population, and if the statute labor be rigidly enforced no more will be required by one county than another. Hon. members are very fond of scouting at the idea of labor on the public roads; but I do not think it ought to be despised. Under proper direction it works well, and is found in many places amply sufficient for all the purposes of ensuring good travel.

After a few other remarks from some hon. members, which partook more of conversation than anything else, the resolution, as reported was agreed to.

The House resumed. The Chairman reported progress, and asked leave to sit again, which was granted.

A message was received from the Legislative Council, informing the House that their Honors had appointed a committee of good correspondence, to join a committee appointed for a like purpose by the House.

Also, that their Honors had passed a bill to provide for the safe custody of insane persons, &c., and praying the concurrence of the House to the same, which was read a first time and ordered to be read a second time to-morrow.

The House again resolved itself into a committee of supply. Hon. Col. Treasurer in the Chair.

Hon. Mr. Wighman presented the following resolutions, which were severally read and agreed to:—

3. RESOLVED, That the following sums be granted and placed at the disposal of the Lieutenant Governor and Council, for the services herein mentioned, viz:—

For Roads opened under the Compensation Act,	£200 0 0
For the contingent repairs of Roads, Bridges, and Wharfs, to be equally divided between the three Counties,	300 0 0
4. RESOLVED, That the following salaries and allowances, not provided by Statute, be paid for the following services, viz:—	
Education, a sum sufficient,	
Summer and Winter Mails, a sum sufficient,	
Inland Mails,	900 0 0
Public Postage,	140 0 0
Georgetown and Picton Sailing Packet,	100 0 0
Bedeque and Shediac Sailing Packet, should the same be required,	100 0 0
Private Secretary,	100 0 0
Commissioners for issuing Treasury Notes,	40 0 0
Two Auditors of Public Accounts,	60 0 0
Superintendent Public Work,	75 0 0
Assayer of Weights and Measures for Queen's County,	10 0 0
Land Waiters and Preventive Officers,	400 0 0
Medical Attendant Queen's County Jail,	10 0 0
Medical Attendant Prince County Jail,	4 0 0
Medical Attendant King's County Jail,	4 0 0
Keeper of Queen's County Jail,	40 0 0
Keeper of Prince County Jail,	30 0 0
Keeper of King's County Jail,	30 0 0
Matron of Queen's County Jail,	15 0 0

Keeper of Colonial Building,	80	0	0
Expenses of three County Jails,	700	0	0
Messenger to the Public Offices,	20	0	0
Messenger to the Executive Council,	20	0	0
Guard at Government House and Signal Station,	200	0	0
Market Clerk Georgetown,	5	0	0
Indians,	40	0	0
Paupers,	650	0	0
Boards of Health,	50	0	0
Block House Light and Attendant,	70	0	0
Colonial Building,	50	0	0
Buoy and Beacons,	140	0	0
Protection of Fisheries,	25	0	0
Public Surveys,	100	0	0
Public Printing and Stationery,	900	0	0
Interest on Debentures,	1000	0	0
Interest on Warrants,	1000	0	0

T. KIRWAN, Reporter.

#### AFTERNOON SESSION.

##### MODEL FARM.

House in Committee on the Memorial of the Committee of the Royal Agricultural Society. Mr. McDonald in the Chair.

The Chairman read the Memorial which sets forth, that, in consequence of the great losses sustained in the stock imported for their farm, and the great cost of the stock, the farm had become seriously involved; and that, to meet its liabilities, a sum larger than they could hope to obtain from the House, would be necessary; that, in consequence of the large amount of money voted by the House, they did not think it proper to sell the stock, crop, &c., to liquidate their liabilities, until the matter had received the sanction of the House; that £1,500 will be required to pay the debt, replace the stock lost, and carry on the farm; and praying the House to take the matter into consideration, so that, if the necessary funds for carrying it on be not granted, the Committee may take measures for closing the concern at an early day.

Mr. H. HAVILAND, on rising to address the Chairman, thought it necessary to explain how the Memorial happened to be put into his hands for presentation to the honorable House. I was, said the hon. and learned member, the only member in the House, when the Officers of the Society entered it, for the purpose of placing their Memorial in the hands of some member of the House for presentation; and so, for that purpose, it happened to fall into mine. At the time, continued the hon. and learned member, when the Model Farm was about to be undertaken, we were almost all in favor of it; for then it was confidently asserted, and generally believed, that the concern would prove a self-sustaining one; but now the accounts of the managers, like those of some other public concerns, show a balance on the wrong side. It rests with the House to say, on consideration of their Memorial, their accounts and inventory valuation of stock, crop and implements on their farm, whether they shall receive such assistance out of the public purse, as will enable them to carry on the farm; or whether it shall be recommended to them to sell off their stock, crop and implements, to liquidate their liabilities, and close the concern. If the House is of opinion that the country receives little or no benefit from the Model Farm, the sooner the Society shall sell off the better. That is the question to be decided to-night. And should the House determine to grant the Society no farther assistance, on account of their farm, there will arise another question, which this House, I think, should also decide: and that is, whether the whole of the stock, which is a most valuable one indeed, shall be sold off upon the farm; or whether it shall be equally and fairly divided into three parts; one-third to be sold on the farm, one-third at Georgetown, and one-third at St. Eleanor's. I would myself say that the fairest way would be to assign one-third, for sale, in each of the Counties; but I would not confine the sales, in each County, to residents of the County. The object will be to secure as large a return as possible; and, therefore, the greater the competition at the sales, the better.

Hon. Mr. WIGHTMAN.—I very much regret that after this House has manifested, by the liberality of its grants, so

strong a desire for the establishment and success of the Model Farm, that, in two years, it should have incurred debts and losses to so serious an amount as £1,500. This is certainly enough to disgust the Legislature, and to raise an outcry, throughout the country, against the public support of a concern, from which the people derive no adequate return or benefit. It certainly could not have been expected that the farm would, in one or two years, become self-sustaining; and, had not the concern incurred so large a debt, in so short a time, there would, in all likelihood, have existed, in the House, a disposition so favorable to the experiment, as would have induced the continuance of legislative aid, for a year or two longer, with a view to the ensuring of its final success. Its early involvement, it ought not, however, to be forgotten, is, by no means, attributable to any neglect or mismanagement on the part of the directors of the concern, or of those to whom the details of its management were more immediately entrusted; but, wholly and solely, to unavoidable losses of stock, sustained at sea; and to the fact that greater expenses were, at the beginning, incurred in the working of the farm, than, in the previous estimate thereof, had been calculated upon. It is also very clear that, before the expiration of two or three years, there could not be stock raised upon the farm, for distribution throughout the country; but now, in consequence of the apparently irretrievable involvement of the concern, to such eventual advantage, we can no longer look forward; and the undertaking must, I think, be at once abandoned; for certainly this House would not be justified in granting to the Society, after the large amount formerly granted to them, such further aid—no less than £1,500—as would relieve them from their present embarrassments. I went out, to-day, with other members of the Legislature, to look at the stock upon the farm; and I venture to say of it, that I do not think a finer stock, whether of sheep, horned cattle, or horses, can be found upon any one farm in any country. I believe that if the stock were to be kept upon the farm and duly advertised to be sold thereon, after the opening of the navigation, many individuals would come over from Nova Scotia, with the intention of becoming purchasers of some of the choice animals of which it is composed; and, by thus extending the sale to the agriculturists of the neighbouring provinces, a much larger sum might be realized by it, than if it were confined to the Island. But certainly it would be much wiser, much better to confine it to the Island; for then, what might be lost in one way, would be gained in another; less money might be realized by the sales, but the animals of superior breed which have been imported, for the benefit of the Colony, would be preserved to it. As for dividing the stock into three equal parts, one to be sold in each of the counties, I think that would not answer the purpose of those most immediately concerned, who, no doubt, naturally wish to raise as much by the sale of it as possible; for we all very well know, that, if sold on the Farm, or in Charlottetown, all the animals—the more desirable ones especially—would bring much larger prices, than if they were distributed, for sale, at different places. Wherever it is certain there can be ensured the greatest competition amongst purchasers, that certainly ought to be the place of sale; and we must all agree, that that place is Charlottetown. The desire of some, anxious to become purchasers, would, doubtless, be to keep down the prices, with a view to their own individual benefit; but if the whole stock be sold at one place and time, all anxious to purchase, and having means to do so, will attend there and then; and, through a fair and open spirit of competition, the highest prices will be realized. Sold, however, even in Charlottetown, where the interests of the Society certainly require that it should be sold, the stock, at this time of general pecuniary embarrassment, when money is so very scarce, will not, in my opinion, bring, in all, more than about £500 or £600; although, at a time of greater prosperity, a much larger amount, no doubt, would be realized by its sale; for it is, unquestionably, a most valuable stock, in all respects. The mare is certainly a splendid animal: she may be a little too large for this country; but, by crossing the breed, many very fine and suitable horses may be derived from her. And, as for the pigs, they are exactly the kind we ought to have here; easy to be fed and brought to market. I, for one, certainly do not wish that the experiment of the farm should be continued; and I

think the best thing that can now be done with the concern, is to sell off everything, and close it immediately. In thus expressing myself I speak not only my own sentiments, but also those of my constituents, who have instructed me to oppose any further grants to the Model Farm, should any be proposed.

**Mr. MURHEAD.**—I think it would be unfair to confine the sales of the stock, to the farm or Charlottetown. The people in and about Charlottetown, engaged in agricultural pursuits, have had too many similar advantages extended to them; at the expense of the other parts of the Island. The stock upon the farm is, strictly speaking, the property of the people; for it has been purchased with the people's money; and therefore, no disposal of it could be just, unless it were equally divided, for sale, among the three counties.

**Hon. Mr. WHELAN.**—I was also, at first, inclined to think that the fairest way of disposing of the stock, would be to allot equal shares of it, for sale, to each of the counties; but, on reflection, it now appears to me that that would not be the best way; for the chief object, under the insuspicious circumstances which necessitate the sale of the stock, must be the realizing of as much money by it as possible; and, judging from our experience of the past, we must be well aware that the sending of any of the animals, into King's County, or Prince's County, for sale, would cause a diminution in price. If the stock is to be disposed of to the best advantage, that is, for the highest prices which can be obtained, it must be sold in Charlottetown; and, in order to secure the very highest prices, I think it would be well so to order the sale, that an opportunity might be afforded to some of the moneyed, practical, and enterprising agriculturists of Nova Scotia, to compete for the purchase of some of the animals, with the like class of our Island farmers.

**Mr. FERRY.**—Hon. members have taken up the question as to the most advisable way of selling the stock, before they have determined that it shall be sold. The first question, I think, which we have to decide, is, shall the stock be sold, or will this House agree to relieve the Society from its pecuniary embarrassments, by granting them such a sum as would be sufficient to enable them, at least, to pay off their debts. If we decide that we will not grant them such relief, and that, therefore, the stock must be sold; it will then, perhaps, be proper for us to enquire in what way it will be most advisable to sell it.

**Mr. CLARK.**—The stock, in my opinion, cannot be disposed of for its real value, unless it be sold in Charlottetown; and, therefore, under present circumstances, when it so desirable that as much as possible should be realized by the sale of it, I think it would be wrong to allot any part of it for sale, to any other part of the country. The persons, wherever they reside, who really want to purchase any part of it, will attend the sale, wherever it may take place; and certainly it ought to be sold where it will bring the most. The concern is a losing one, and the sooner we have done with it the better; but, at the same time, it is our duty to see that as much as possible shall be made out of it at its close. Whilst on my legs, I will take leave to say, that I have always been opposed to bounties, on the principle that if a concern or business, when properly managed, is not found to be remunerative it ought at once to be abandoned; and the Model Farm is a case in point. I have, it is true, sometimes been induced to forego my own judgment, and to swerve from this principle, through deference to the opinions of others; but, with respect to all such cases, the results have proved to me, that I would have done right, had I acted in accordance with my own unbiased judgment.

**Hon. the SPEAKER.**—We are certainly with undue haste, jumping to a conclusion at once; forgetting that, before we take up the consideration, whether we ought to sanction, or recommend, to the Royal Agricultural Society, any particular mode of sale, when the stock on their Farm shall come to be disposed of, we are called upon to decide in the first place, whether we will consent, by a further legislative pecuniary grant, to help them out of their present embarrassments, or not. For my own part, I am fully prepared to oppose the making of any further grant, to the Society, for the support of the Model Farm. The experiment has,

unfortunately, proved a failure; and should we agree to make any further pecuniary grants for its support, we would, I believe, in doing so, be actually contravening the declared wishes of our constituents. I, therefore, think that few, if any of the members of this House, will be inclined to take any other view of that primary question, than that which I entertain myself, which is simply, that, whether we regard the ill success, in which all the laudable efforts of the Society and of this House to render the experiment prosperous, have terminated, or bear in mind the provisions which we are bound to make out of the revenue, for more legitimate objects of public service; or consider it to be our duty to conform to the wishes or instructions of our constituents, we cannot feel that we should be justified in making any further appropriation of moneys, at this time, for the purpose of sustaining the Model Farm. Besides, the Society themselves, whilst acknowledging the past liberality of this House, towards them, say that they cannot, at this time, reasonably expect any further legislative aid to be extended to them, with a view to enabling them to carry on the Model Farm. The deciding of this question cannot, then, I think, be a subject of much difficulty. Having disposed of it, we may, in the next place, consider how far it is our duty to sanction or direct any particular mode of the sale of the stock, which must ensue after the refusal of any further legislative aid shall have been communicated to the Society. Anticipating that sale, I cannot, however, even whilst recognizing the necessity of securing the largest returns which can prudently be realized by it, agree with the hon. member for King's County, (Hon. E. Whelan,) that, for the sake of enhancing the prices, it would be well to afford an opportunity to the enterprising agriculturists of Nova Scotia, to become purchasers of some of the fine animals constituting the live stock upon the Model Farm. I agree with that hon. member, that, were such an opportunity to be afforded, it is very likely that some of the moneyed, enterprising, and scientific agriculturists of Nova Scotia, might become competitors at the sale, and, most probably, purchasers, at high prices, of a portion of the stock; but I submit, that to allow strangers from other Colonies to purchase, even at the very highest prices, and carry out of the Island some of the best, or perhaps the very best, of the fine animals which have, with so much care, been selected in the old country, and, at so great an outlay, purchased and imported by us, would be very bad policy indeed. Let us, on no account, consent that any of these animals shall be taken out of the Island; the enhanced prices which might be received for them, would be prodigiously overbalanced by the loss, which, by their exportation, would be sustained by our immediate agricultural interests. And neither do I think that any of the male animals, purchased into one county, should be allowed to pass from it into another county. Some restrictive obligations to this effect, should be enforced upon purchasers at the general sale; that the closing of the concern may be made to impart and secure to the country as much certain and direct benefit, as can possibly be derived from it. It is certainly very much to be regretted that so complete a failure should be experienced in an undertaking, from which we were all most willing to expect results most beneficial to the country. I am very far from intending to cast condemnatory reflections, upon any who have had, either the direction, or the immediate management, of the concerns of the Model Farm; but it certainly seems as if some fatality had attended its progress, from its very commencement; and, really, when we consider that no such losses at sea, in the importation of stock, as we have twice, of late, sustained, had been experienced by the people of Nova Scotia, or occurred formerly, with respect to



stock imported by Mr. Yeo; and, when we take into account the time and pains, the fostering care, bestowed upon the Model Farm, by its founder—(I need not, through an affection of delinquency, refrain from naming him; for it is well known that Judge Peters was the founder of the Farm)—and, I say, when we take into account the time and pains bestowed upon the concern, by that gentleman, himself, not only a scientific, but a practical agriculturist, as well as similar well-directed exertions, on the part of other members of the Royal Agricultural Society, to ensure its success; that the results should be so unsatisfactory and discouraging, as to demand that it shall be immediately discontinued, is truly astonishing. I agree with the hon. member for King's County (Hon. E. Whelan) and also with the hon. member for Prince County (Mr. Clark) that if the stock be distributed for sale, amongst the three counties,—one third to each,—it will not realize one third as much as if sold on the Farm, or in Charlotetown; for there is not, generally speaking, money enough amongst the farmers in the country, to enable them to give the full value for animals of superior breeds. I would, therefore, say let the stock be sold here. Our refusing to make a further grant in aid of the Model Farm, does not, I need scarcely say, shut out the Royal Agricultural Society, from our usual favorable consideration, with respect to its more general objects; but that will be determined upon when the House shall be in Committee on Supplies.

Hon. Mr. MOONEY.—It is very well known that I have never been favorable to the large grants which have been annually made to the Agricultural Society; for I have always thought and maintained that the benefits thereby conferred upon the country, were but very partially experienced; and that the general good effected by them, but very inadequately compensated the people for the large appropriations of their money to that Society; and as for the Model Farm, I was, from the first, disposed, like the hon. member for Prince County, (Mr. Clark) to sing its requiem; and now, the result of the experiment fully verifies my prediction concerning it. I agree with those hon. members who have spoken against our allowing any of the stock imported by the Agricultural Society, to be taken out of the country, that such obligations should be imposed upon purchasers, of any and every part of such stock, as would provide for its being kept in the country. For the moneys which we have, from time to time, so largely granted for the encouragement of agriculture, we have had but very inadequate returns made to us, through the operations of the Agricultural Society, I, therefore, think it will be wise in us to keep what valuable animals we have got, by their importations, and not allow them to be taken away, either to any of the neighbouring provinces, or to the United States.

Hon. COLONIAL TREASURER.—I quite agree with the Hon. the Speaker, that we cannot, with any show of propriety, agree to make any further grant in aid of the Model Farm; and that, as it has no resources within itself, whereby its present pecuniary embarrassments can be got rid of, and its future progress ensured, we must, however reluctantly, abandon the concern to its fate; and acquiesce in the propriety of closing it immediately, as suggested to us by the committee of the Society, in their Memorial now before us. And I also, further, agree, with the Hon. the Speaker, that, if the stock be apportioned for sale, one third to each of the counties, a very serious loss will be consequent on the sale of such animals as may be sold in Prince and King's Counties; and, in the correctness of this opinion, my own individual experience fully bears me out. I certainly would be very glad if such a partition and apportioning of the stock amongst the counties, as has been spoken of, could be prudently and

warrantably made; but, as we all know that it would greatly depreciate the sales, I cannot think that it will be seriously insisted upon in this House. However, I do not conceive that, if we take a right view of the subject, we shall find that we have any right to debate the Society, where, or in what way, they shall dispose of the stock now on their farm. That stock, it is true, was purchased with money granted by this House; but the stock, nevertheless is theirs, and not ours. They applied to us for a grant of money to enable them to carry out certain purposes; and, with a view to the ultimate benefit of the country, we thought proper to accede to their application; the grant was made for the specified purpose, and certain stock was purchased with it, and placed upon their farm; and that stock is positively the property of the Society; and although they have very properly considered that, as this House granted them the money to buy their stock, they were bound, at the least, to consult us about the selling of it, their having done so does not, as I apprehend it, place the stock entirely at our disposal. We may, however, with great propriety, consider, and determine, how the stock may be disposed of to the best advantage; and, having done so, our views on that subject, communicated to them, will, doubtless, mainly, if not wholly, influence them with respect to the sale thereof. Now, that the giving up of the Model Farm and the abandonment of the public benefits which were expected ultimately to be realized by its operation, in the rearing of animals of the best and most valued breeds, seems inevitable, the main object is the distribution throughout the country, of the valuable stock; and if that could be properly effected, even by giving the animals away, it would confer a most important and lasting benefit upon the Colony.

Hon. Mr. MOONEY.—I perfectly agree with the Hon. the Col. Treasurer, that the stock in question is positively the property of the Agricultural Society, notwithstanding the fact that the money with which they purchased it, was granted to them by this House; and that, therefore, it is not within our province to compel them to dispose of it, either in one way or another. But, I think, it would be proper for the committee of Agricultural Society to draw up a resolution or plan for regulating the sale of the live stock, grain, and other effects, belonging to them, now upon the Model Farm; and to submit it to us, for our review and concurrence. So much, from the Society, I think, due to this House; but, in my opinion, we can have no right authoritatively to dictate to them; how they are to dispose of what is positively their own property.

Mr. YEO.—I am indeed very sorry that the experiment of the Model Farm has proved a failure. I have always supported, by my vote, in this House, every proposition, the carrying of which would, in my opinion, prove beneficial to our agriculture; and, under the impression that the Model Farm would, not only prove a nursery for the raising of young animals of the best and most approved breeds, for the general supply of our farmers, but also become an agricultural school, for the diffusion through the influence of example, of the principles of practical scientific farming throughout the Island, I heartily concurred in the opinion, generally entertained in this House, of the propriety of making such a grant to the Agricultural Society as would enable them to carry out their views, in those respects, for the general good. For my ready concurrence in the views generally entertained in this House, I was censured by my constituents; and I am truly sorry to be obliged to admit, that results of the most discouraging kind have proved, that their anticipations concerning the working of the experiment, were mistaken; and the truth than mine. It has been said that, although this House gave, to the Agricultural Society, the money with which they purchased the stock now on their farm, the stock is positively theirs, and we have nothing to do with it, and can have no right to debate to them how they are to dispose of it. If we decline to give any more money in aid of the Model Farm, we certainly, in such case, have done with it altogether; and we cannot then exercise any right to interfere with the society touching the

sale of their stock thereon; yet still, as the concern was undertaken with public money, for the public good, I am certainly of opinion that even the closing of it should be conducted in such a way as will be most likely generally and equally to benefit farmers throughout the whole extent of the Island; and, as respects the sale of the stock, this, I think, can be effected in no other way, than by allotting to each County, for sale therein, one third of it. Then myself no one can be more sincerely anxious for the general good of our farmers; and I would most gladly go as far as any one, to promote any reasonable scheme, having for its objects the general advancement of our agricultural interests; but, as regards the Model Farm, we must, I am afraid, after the very unfortunate trial which we have had of it, allow it to go down; for its tendency, like those of too many of our Island concerns, at this time, seems to be hopelessly downward.

**Hon. the SPEAKER.**—I have drawn up a resolution, with the intention of submitting it to the committee, and I will now read it. The Hon. the Speaker then read his resolution as follows:

**Resolved,** That it is inexpedient to make a further grant of money for the support or management of the Model Agricultural Farm; and that the stock, &c., be disposed of in such a manner as the committee of the Royal Agricultural Society shall deem most advantageous.

**Mr. PERRY.**—If we adopt that Resolution, we shall bind ourselves to make good any deficiency. If the amount, realized by the sale of their stock, fall short of the liabilities of the Society, on account of their Farm, as no doubt it will, and very considerably too; that Resolution, if we agree to it, will bind us to make good such a deficiency whatever may be its amount.

**Hon. the SPEAKER.**—If we look at the Memorial of the Society, it will be apparent that they look upon all the stock, grain, and implements upon the Farm, as public property; and they do so very properly. I think; for it was all purchased with public money. I attended a late meeting of the committee of the Society, when the business under their consideration was the pecuniary involvement of the Farm; and, when the necessity which they conceived this involvement laid them under of selling their stock was declared, as they could hope for no adequate means of relief from the Legislature; I said, that, as all their stock must be accounted public property, it was my opinion that they could not, with propriety, proceed to a sale of it, without their previously obtained the sanction of the Assembly to such a proceeding; and to that end, they would do well, I thought, to memorialize the House.

**Mr. PERRY.**—The only meaning which I particularly see in the Resolution, is, that, if the Agricultural Society, undertake the sale of their stock, under the sanction or authority of this House, then, whatever may be their deficiency of means to pay their debts, this House will be bound to make it good.

**Mr. YEO.**—Since seemingly we are resolved not to assist them out of their pecuniary difficulties, I think our wisest course will be to allow them to make the most they can of their stock, in whatever way they themselves may deem it most advisable to do it.

**Mr. POPE.**—I shall go against granting anything more in aid of the Model Farm, with a view to its continuance; but I think it is a public constitution, having been established under the auspices of this House, and by pecuniary means voted by this House; and that, therefore, on the winding up of its affairs, consequent upon its inconvency, this House will be bound to make good whatever may be the deficiency of means for the payment of the debts, incurred by its operation. The having previously obtained the sanction of the representatives of the whole people of the whole Island, and the three Counties, to the sale of the stock, is, in my opinion, the only mode, in which the sale of the stock shall be, and here, in Charlotte-town, for sale it might seem, the especial benefit of Queen's County, or whether, it shall be, as I maintain it ought to be, only appropriated for sale amongst the three Counties, so that no one County shall have better opportunities to make more desirable and advantageous purchases, than the other two. The hon. member from Parley (Mr. Clark) has said that, in consequence of the granting of means, by this House, for the establishment of the Model Farm, be surrendered, his judgment

to others; perhaps he did, as that would not be anything new for him; for I think he has very often, for reasons best known to himself, surrendered both himself and his judgment to the guidance of others. But whether the institution originated in a general mistake in judgment, both on the part of the leading members of the Agricultural Society, and the members of this House; I will not presume to say. That the undertaking has been eminently unfortunate; is, however, beyond all doubt; and all that now remains for us to do, is to make the most we can out of the unlucky concern. I am very far indeed from wishing to impute the losses which have been sustained to any neglect or mismanagement, on the part of any upon whom responsibility has immediately rested, in the concern; for I believe those losses were quite accidental, and altogether unavoidable; and the state of the farm, and the condition of the animals upon it, speak largely and most satisfactorily for the skillful and careful management of the whole. What I am now inclined to say, with respect to it, is, this; let the whole stock be sold, and let each County have its full share of it. We ought not to make the sale a matter of mere pounds, shillings and pence; but liberally direct it, with an equal view to the good of all the agriculturists in the Island. In Prince County the farmers, generally speaking, are not so well able to make purchases, as they of Queen's County are; but it ought to be remembered that Queen's County is now very well supplied with animals of the best and most approved breeds; and due consideration for the supply of the wants, in that respect, of the less fortunate Prince and Queen's Counties, should be manifested, by the House, when an occasion, such as the present, enables them to do so.

**Mr. DINGWELL.**—I perfectly agree with all that has been said by the hon. member, Mr. Pope, concerning the prospective sale of the live stock now on the Model Farm. That stock is, most unquestionably, public property; the property of the whole people of the Island, and each of the three Counties has an equal claim to it. Any distribution of that stock, therefore, whether by sale or otherwise, which should give to the people of any one County greater opportunities of advantage than were extended to the other two, would be manifest injustice. In Queen's County, in the neighbourhood of the station, in particular, farmers have had every opportunity afforded them, by the sales of the finest animals and the most improved implements of husbandry, in Charlotte-town, to supply themselves with the most choice of such animals and the best of such implements; and, generally speaking, they have very wisely availed themselves of such opportunities to better their condition, both with respect to their live stock, and their farming utensils; and are, consequently, greatly in advance of many of their less favored brother agriculturists of King's and Prince Counties. Such, so long and so uniformly, have been the superior advantages, in these respects, enjoyed by the agriculturists of Queen's County, especially of those immediately around Charlotte-town, whether they have arisen from the selection of the best quality of land, or been secured by covert and skilful manœuvring, that I am almost inclined to hope that parties, directly concerned therein,—how much more so even, they might be likely to be benefited by the sale of the Society's stock, should it altogether take place in Charlotte-town, than if it should be equally divided, for sale, amongst the three Counties,—will be ashamed to seek such an advantage to themselves at the expense of their brother farmers of King's and Prince Counties. If the stock be divided into three equal parts, and one-third of it be allotted, to each of the Counties, for sale therein, no undue preference will, or can thereby, be given to any. This division fairly made,—and to effect it would surely be no very difficult task,—it should be ordered that the sales of the portions of stock severally allotted to each of the Counties, should not take place on the same day, but with certain intervals between; thus, if any particular County, for which agriculturist, resident in, either, or both of the other Counties, were eager to bid, with a view to purchase, they could very easily, without injustice, the sales in their own Counties, contrive to do so. If all were to be sold in Charlotte-town, all farmers resident in King's, and Prince Counties, how remotely distant soever from the capital, who desired to purchase any part of the stock, would have to travel all the way to Charlotte-town. Now surely it would be quite as

reasonable to require farmers resident in Queen's County, to travel for the purchase of any part of the stock, not contained in their own county lot, which they might desire to obtain, either to Georgetown, or St. Eleanor's, as the case might be; as it would be to require farmers, resident in King's and Prince Counties, to travel to Charlotetown for such a purpose; and this plan, I certainly think, would be the fairest that can be devised; for it would give an equal chance to all. And, were it thought right, as I think it would be, that animals should be kept in that section of the country into which they might be bought, for its general benefit, such obligations might be imposed upon purchasers, at the time of sale, as would effect that object. I am indeed very sorry to think that we must allow the Model Farm to go down. As it is, in its present highly improved state, and in the full and healthy condition of the fine animals, composing its live stock, it is already a credit to the Colony; but, could it be kept in proper operation for two or three years longer, it would then be something of which we might justly boast; to which, with very allowable pride, we might direct the attention of strangers; and of which by means of the superior stock raised upon it, and distributed amongst our farmers, the benefits would be seen and felt, in every quarter of the Island. I would now freely vote for a small grant, to the Society, in aid of their farm; but, as a small grant would not be sufficient to extricate them from their present embarrassments; and, as they themselves do not think that this House can justly be expected to grant them as large a sum as would wholly relieve them; and as they appear to be quite prepared to close the concern; we must, I am sorry to say, allow it to go down.

Mr. H. HAVILAND.—If we decide upon selling, or ordering the sale of, the stock, we should, at the same time, resolve to pay whatever amount of debts, due on account of the farm, the sum realized by the sale may be insufficient to liquidate. To assume to ourselves the right to prescribe to the Society, in what way they shall sell their stock, without likewise assuming responsibility for their debts, would be an act of injustice. Before seeking to bind the Society to carry out such a plan of sale, as that proposed by Mr. Dingwell, we must first pass a Resolution binding ourselves to reimburse them the full amount at least of any loss which they may thereby sustain, on the original cost of their stock. I perfectly agree with those hon members who have said the Farm is a public institution; but rejecting the narrow-minded policy of Mr. Perry, who whilst he certainly would not object to any and every part of the country's participating in the benefits which might result from it, were it prosperous, yet objects to our being made responsible for any of its losses.—I say that, as we would have been well pleased, had it proved a truly fortunate undertaking, to see the whole country participating in the benefits arising from its success; so, on the other hand, we must, in justice and honor, be satisfied to make good the losses which have, unavoidably and through no mismanagement, fallen upon it. For what, let me ask, did the gentlemen who took upon themselves the very troublesome and onerous office of directing and superintending its affairs, assume that duty? Did they not evidently assume it, not for their own benefit, but for the benefit of the country at large? And can there be any in this House, whose sense of honor is so dull, whose perceptions of justice are so feeble and erroneous, that they would counsel us to imitate the disgraceful proceeding of the legislature of the State of Pennsylvania, who, not long ago, shamelessly repudiated their just debts? A majority of this House will never, I am certain, consent to pursue so dishonorable a course.

Hon. Mr. WHELAN.—I do not admit the correctness of the predication, that, because the Model Farm may, with much seeming propriety, be called a public institution, this House must hold themselves liable for any losses which may have been incurred on account of it. At the same time that I avow this opinion, I can truly say, that none can be more willing than I am, to recognize the claims, upon the Legislature, of any society, institution, or undertaking, having undeniably for its objects the promotion of the general well-being of the people, even when required to do so by acquiescence in votes of the largest grants which can reasonably be proposed for the direct promotion of such patriotic and liberal views; and, as to the Agricultural Society, my willingness, in this respect, has, more

than once, subjected me to serious rebukes and reproaches for extravagance, from my friends. On reconsidering the Memorial of the Society, since I first spoke with reference to it, I perceive that all they require of the House of Assembly, is to enunciate a foregone conclusion. Their liabilities, they say, are so great, that they cannot hope to obtain, from the Assembly, a grant of a sum sufficiently large to extricate them from their difficulties; and all that they now wish us to do, is to sanction their proposed sale of their stock, crop, and implements, for the liquidation of their liabilities. This the House may, with propriety enough, fully sanction; but I deny that, by our doing so, we shall justly render ourselves liable for any loss which may be sustained, by the Society, on the sale of their stock. At the same time, however, I say that, should I be a member of the Assembly, when the Society shall again appeal to it for aid, I will not be against a favorable consideration of the losses which they may shew, to the House, they have sustained; nor will I oppose a grant for their relief; but still I do not say that it will be my duty to sustain any Memorial, which they may cause to be laid before the House, with a view to the obtaining of such relief. The question now to be determined by us, is simply this; Shall we continue, by additional grants of money, to support an institution, which, notwithstanding the very great liberality manifested towards it, by this House, is so inextricably involved, that, without legislative aid to a very large amount, it must fail; and against our further support of which, so many of our constituents have earnestly protested? This question, the majority of the House will, I am certain, decide in the negative. Then, having so determined, our further duty will simply be, to allow the Society to sell off their stock, in such manner and at such place or places, as they themselves may please to determine upon. Let the Resolution of the Hon. the Speaker, I would say, merely set forth that it is inexpedient to make a further grant of money for the support of the Model-Farm; and let the Society be notified accordingly. If the House go beyond this, and say to the Society, you shall sell one third of your stock in Queen's County, one third in King's County, and one third in Prince County; and if, in the next session of the Assembly, they can shew that, by selling their stock, in compliance with such dictation of the Assembly, they sustained loss, they would, certainly, have a strong claim upon the Assembly for reimbursement. But, if we tell them that they are perfectly at liberty to dispose of their stock, as they please, they can have no right to look to a future House for reimbursement of any loss they may have sustained on the sale of it. I, however, say, that, whatever may be the result of the sale, as affecting the unfortunate institution, if I be in the Assembly next Session, and any proposition be then submitted, for a grant to the Society, to reimburse them for any loss which they may have sustained on the sale of the stock, I will not oppose it.

Hon. the SPEAKER.—My Resolution is not seconded.

Hon. Mr. WHELAN.—I second it.

Hon. Mr. LONGWORTH.—If we allow the institution of the Model Farm to go down, I think it very probable that the rising generation, when they come to occupy our places, as men, upon the stage of life, will reproach the memories of their fathers with having allowed so useful, so excellent an institution—the work too of their own hands, the creation of their own liberality—to sink, for the want of a little further fostering exercise of the truly wise and liberal spirit which had called it into existence. The institution is most certainly a public institution, inasmuch as the money by means of which it was called into existence, and has, hitherto, been kept in operation, was public money; and I am entirely at a loss to conceive how any clear-headed, right-thinking man, can imagine that, if, on the winding up of its affairs, there shall be found a deficiency of assets for the liquidation of its liabilities, this House can honorably or honestly say that they ought not to hold themselves responsible for such deficiency. The money with which the stock was purchased by the Society was not theirs, but ours, that is, it was the people's money; and the stock, therefore, is clearly not the property of the Society, but the property of the people: the

Society are but the agents of the people and the trustees of their property; and, consequently, as any advantages arising from the operation of the institution, would not have been for the managers or directors of it, but for the public; it is quite clear that any unavoidable or accidental losses, sustained by the institution, cannot, with any semblance of justice, be made or allowed, to fall upon the Society, or upon the directors of the institution; but must be sustained by the real proprietors, who are the people; and be provided for through the action of their representatives, the House of Assembly. If the stock must be sold, as I conclude it unfortunately must, since nothing but a much larger legislative grant to the Society, than this House can, at this time, be expected to make, could prevent it; I would say, let us dictate no terms of sale to the Society; but allow them to dispose of the stock, in whatever way they may think best. That so very valuable a stock should be in any way sacrificed, or diverted from the most laudable and beneficial purposes, for which it was, with so much wise liberality, purchased, is indeed much to be regretted; and, for my own part, I would freely vote for a grant of the whole £1,500, required by the Society, to redeem the institution, rather than consent that it should fall.

Mr. POPE.—Some hon. members seem at a loss to determine, whether the Model Farm is a public institution or a private one; and, therefore, know not exactly how they should determine, on the present occasion, concerning it. And one hon. member, the Queen's Printer, whilst freely admitting the institution to be a public one; very oddly agrees, at the same time, that the responsibilities, incurred by its operation, are not public responsibilities. In such reasoning there appears to be a most unaccountable incongruity; and, in fact, how satisfactory soever it may be to the hon. member himself, to me, I confess, it seems to be altogether incomprehensible.

Hon. E. WHELAN.—The hon. member from Bedeque, is lamentably deficient in judgment; and, feeling himself to be so, he vainly inclines to the conclusion that every one else must possess as scanty a measure of that essential quality of mind, as himself. I argued that, although the money capital of the Agricultural Society, with which they purchased their stock, and commenced operations on their farm, was public money, granted to them by this House, yet, as after that money passed into the hands of the Society, neither the farm, the stock, nor any thing else upon it, belonging to the concern, was under the control of this House, or at their disposal; this House could not reasonably or justly be held responsible for any liabilities incurred by the Society on account of the institution; and this, notwithstanding the cynical sneering (which I indeed regard not) of the hon. member from Bedeque, I hold to be just and conclusive reasoning.

Mr. LAIRD.—That the stock would fetch more money if sold in Charlottetown, than if a part of it were allotted to, and sold in, each of the counties, I readily admit; but I think it would be much more for the benefit of the general agricultural interests of the Island, if a part should be sold in each of the counties. If a loss were incurred by such a mode of sale, it might be so arranged that any loss whatever which might be found to have been sustained by the Society, through depreciation of prices, in any of the counties, should be severally sustained by the counties in which such depreciation had occurred.

Mr. PERRY.—If by the sale of the stock, wherever and however it may be sold, any loss is sustained thereon, this House will have to make it good; and if in this House there resides a right to control the Society, with respect to the sale, they certainly ought to exercise it; but yet only in such a way as will afford equal chances of beneficial purchases to all. If the sale of the whole stock be made in Charlottetown, the

farmers resident in the remote parts of King's and Prince Counties will be virtually shut out from a participation of the advantages to be derived from it.

Hon. the SPEAKER.—Hon. members should bear in mind that our Resolution would not have power equal to that of the law of the land. We certainly might agree to a Resolution requiring the Society to dispose of their stock in a certain mode therein prescribed; but we have no right or power to enforce their compliance with it; and, everything considered, it will therefore, I think, be best merely to declare, if we are so agreed, by our Resolution, that it is inexpedient to make a further grant of money for the support of the Model Farm; leaving them at perfect liberty to dispose of the stock in whatever way they may think best. As respects the jealousy which has been manifested by some hon. members about the distribution, in the country, of stock imported by the Agricultural Society, I must say there has been no cause for it; for I really think the distribution has always been fairly made.

Mr. CLARK.—The hon. member from Bedeque who seems to take a strange pleasure in making attacks, unprovoked and gratuitous, has taken occasion, merely for the sake, it would seem, of indulging the unamiable propensity, to depart from the line of his argument, tauntingly to accuse me of having confessed that I had relinquished my own judgment, and yielded myself up to the guidance of others. Now I beg leave distinctly to tell that hon. member, that I said no such thing; but what I did say is, that I have always, on principle, been opposed to the granting of bounties for the encouragement or support of any undertaking; and that, whenever I had acquiesced in the voting of money grants, on the bounty system, I had done so reluctantly; and the result had, in general, proved that, had I adhered to my own unbiased judgment, I should have done right. This is very far, I think from being a confession of my having yielded up my judgment to the guidance of others; but I will just hint to that hon. member that, although firmness of judgment is an attribute of wisdom, the obstinacy of presumption is a characteristic of fools.

Hon. Mr. WIGHTMAN.—It seems to me that our present discussion is being very unnecessarily prolonged; and that merely because we do not keep steadily in view the end sought to be attained by the Agricultural Society in now memorializing us. They only want to know whether or not we will assist them, by a further grant of money; and, if not, whether or not we will sanction their proposal to sell their stock. From what has already been said, by hon. members, with reference to the first query implied in the Memorial, it is evident enough that the majority of the House are altogether indisposed to grant any more money in aid of the Model Farm: that question then, we may say, is already negatively disposed of; and the other which is, shall we sanction the proposed sale of their stock? may, it seems to me, be at once properly disposed of, without further discussion, by a simple affirmative answer. Let them, I would say, be left entirely at liberty to sell their stock, in whatever way they may choose; for we cannot assume the right to dictate to them, on that head, without, at the same time, assuming, by anticipation, direct responsibility to them, for whatever loss they may sustain on the sale. Still, however, I say that Charlottetown would be the best market.

Hon. COLONIAL SECRETARY.—I am sorry to differ with all my friends who appear to me to have taken a wrong view of the state of the pecuniary affairs of the Agricultural Society, as respects the Model Farm. They appear to me to have assumed that the Society are actually indebted, on account of the Farm, in the sum of £1596. Now this is not the case; for the real debt of the Society on account of the

Farm; or of the Farm to the Society is no more than £396. It is true that the Society state, in the Memorial, that unless the sum of £1596 be granted to them by the Legislature, this Session, it will be impossible for them to continue the Farm. If indeed it were absolutely necessary for the carrying on of the Farm that they should be enabled to replace the stock lost at sea, to the value of £500; then, certainly, a grant of £1596 would be required by them—£396 to liquidate the present debt, £500 to replace the lost stock, and £100 to pay the rest of the Farm. But I myself do not think that there is any necessity for replacing the stock this year; and, therefore, if I take a correct view of the business, a grant of £500 in addition to the usual vote of £500 to the Society, together with their own resources in the shape of subscriptions, ought to be sufficient to carry them through another year. The causes which have led to the involvement of the Farm, ought not to be overlooked by us; otherwise, we shall arrive at a very unfair conclusion concerning it. In the first place we must bear in mind, that, in consequence of the great rise in the price of stock, the cost of the stock purchased in England, exceeded its previously estimated value, by upwards of £400; and, again we must remember that the annual working of the Farm, which had been estimated at £115, has cost within a mere trifle of £500; and, further, under this head, it must not be forgotten that, in such estimate, the estimate of fencing was spread over ten years, whilst the greater part of it had to be done in the first and second years. Many other unforeseen, yet unavoidable, outlays, have also had a share in bringing about the present unfortunate state of the affairs of the Farm; and, when due allowance is made for them, I think the present involvement of the concern is not such as to preclude a hope, that, could its present responsibilities be provided for, it might yet, under the most careful management, answer all the expectations of even the most sanguine of its projectors. It has been stated, by the hon. and learned member for Georgetown, that the great projector of the undertaking, meaning Judge Peters, was, at first, opposed to the views which afterwards prevailed, concerning the extent of the farm. That is true; he and I were both opposed to the taking of so large a farm; but, many members of the House of Assembly, differing in opinion from us, on that head, the farm was taken in accordance with their views. I then thought the farm too large; and I am still inclined to entertain the same opinion. Still, however, it has notwithstanding its extent, and perhaps limited means, been so successfully cultivated and improved, that it is now better, by hundreds of pounds, than it was when the Agricultural Society commenced operations upon it; and this great improvement of the farm is one cause of the debt due from it; for, when taken by the Society it was entirely run out, and the fences were all rotten; but now the fences are all new and the farm in good heart. I, however, very much question whether, if the Society come to dispose of their lease, they will make anything by it; I fear they will not. The cattle stock upon the farm is excellent. A finer shew of the kind cannot, I believe, be made in all North America; and it would be highly creditable even to the splendid Model Farm of Prince Albert. How this stock can be disposed of to the best advantage, is a question which certainly requires deliberation. If kept until the spring, and then sold, it would, perhaps, bring more, than if it were to be sold immediately; but the expense of keeping it through the winter, might, perhaps, equal, if not overbalance, the difference between the higher prices which might be obtained in the spring, and the lower ones which would be obtained at this season of the year. I, however, contend that, whenever it

may be sold, the cattle and the sheep ought to be equally divided among the three counties; each share to be sold in the county to which it falls; so that the country throughout may be equally benefited by the distribution of such stock, as it was, from the first, intended it should be. And, should the sale of the stock be so ordered, it ought to be made obligatory, on every purchaser, in any of the counties, that the stock bought by him should not be sent out of his own county, unless in exchange for stock which had been sold into one of the other counties; and, certainly, that no part of the imported stock should be sent out of the Island. As for the horses, if it should be wished to keep them in this county, they could all be sold, with the implements, on the farm; but the only one worth talking about is the mare. I am indeed sorry that the Model Farm has proved a failure. Could it be kept up at a moderate grant, it would be a very great error on our part to abandon it; for, not only would it ultimately be the means of directly conferring the greatest and most permanent advantages, upon our agricultural interests, and, collaterally, upon all our other interests; but it would be a credit to the Island, in the eyes of all intelligent strangers who might visit it. The hon. gentleman then concluded by reading and proposing the following Resolution:—

*Resolved*, That the cattle stock and sheep, now on the Model Farm, be equally divided among the three Counties; and that, if, after the sale thereof, as well as of the horses, implements, and all else belonging to the Farm, there should be any balance of debt due, this House will make good the same.

No stock to be sold out of the County to which it may be allotted, unless in exchange for stock that may be sold into one of the other Counties; none of the stock to be sent off the Island.

Mr. POPE.—I should like to know what the Hon. Col. Secretary would propose to do with the imported mare.

Hon. COL. SECRETARY.—I would propose that she should be sold here, under an express obligation that whoever might be her purchaser, she should not be sent off the Island.

Mr. POPE.—I hope the members for King's and Prince Counties will not agree to any such Resolution.

Hon. the SPEAKER.—Hon. members must wait until the Resolution is tabled; it is not seconded yet.

Mr. PERRY.—Let us first decide whether or not we will grant anything more towards the support of the institution.

Hon. Mr. PALMER.—Yes, that will be the best way. I am one who freely gave support, by my votes, to the institution of the Model Farm, under the impression that its operation, according to the scheme conceived for its management, would prove highly advantageous to our agricultural interests; and I am not yet disposed to admit, either that the undertaking has really proved a failure, or that, if only duly sustained, it is ever likely to fail in effecting the important objects for the attainment of which it was at first promoted. Hon. members, who declare against any further legislative grant, towards the support of the Model Farm, are, in doing so, influenced rather, I incline to believe, by their consideration of the unsatisfactory state of the public finances, than by that of the Model Farm. We are told that the losses of stock at sea amounted to £500, and that the concern is, besides, upwards of £900 in debt. The losses were the result of mere accident; and, were we disposed to persevere in the prosecution of so laudable an undertaking, the debt itself would appear to be anything but an insurmountable obstacle. Indeed, neither in the losses, nor yet in the debt, were there a general disposition in the House, to take a favourable view of the affairs of the concern, would there be found any real cause of discouragement, for the losses are a mere casualty; and, considering the very serious expenses incurred by the working of the farm, and par-

particularly bearing in mind that there has not yet been time for any pecuniary returns from the increase of stock, the debt is nothing more than might have been expected to occur at the outset; and is, by, means, a proof, either that the farm was unwisely undertaken, that it has been improvidently managed, or that it is not likely to answer the ends which its original projectors and promoters had in view. However, to argue in favor of the concern, seeing that a large majority of the House are determined to abandon it, would be a mere waste of words; but I greatly regret that such should be the general disposition of the House; for I feel confident that, if we were patiently to await the issue, for two or three years more, the results would be most gratifying to every friend to the best interests of the Colony. The concern, however, appears to be doomed; and, as soon as the Resolution of the Hon. the Speaker shall be disposed of, we may, at once, proceed to agree about the manner in which the sale of the stock is to be effected. There is, no doubt, a general desire that the largest amount possible should be realized by the sale of the stock; and, therefore, if we were to decide solely with a view to that end, we would, most certainly, determine that it should be sold in Queen's County; for there; we all know, the competition, on such occasions, is always the greatest; but, as it seems to be wisely considered that, on closing the concern, we ought to be governed, as much as possible, by a desire to carry out the original object of the institution, we must, I think, forego the immediate pecuniary benefit which would arise from a sale of the stock in Charlotteown, in favor of the greater one which will ultimately arise from a fair division of the stock, for sale, among the three counties; and I perfectly agree with what has been said about the propriety of the retention in any county of the stock which may be sold into it: no stock sold into one county ought to be allowed to pass from it into another. The place of sale, in each county, should be as near the centre of it as possible; that individuals from the other counties, wishing to attend it, might be enabled the more easily to do so. My sanction to the Resolution before the Committee, I give with extreme regret; for, by giving it, I consent to the abandonment of an undertaking which, if duly promoted, would, I am fully persuaded, confer upon the country great and enduring advantages; and nothing but a sort of necessity arising from the present views of the majority of the House concerning the Model Farm, inclines me to support the Resolution.

Hon. COL. SECRETARY.—I rise to suggest that when we come to vote the usual annual grant to the Agricultural Society, we may include, in that grant, the loss expected to be sustained on the sale of the Model Farm stock.

Mr. McINTOSH.—I am sorry that the Model Farm has proved a failure, after so much public money has been expended upon it. When the farm was undertaken, by the Royal Agricultural Society, I expected that their intention was to shew us what could be done, in a way suited to our soil and climate, and on a scale commensurate with our general means. But, instead of doing so, they have been attempting to shew us what is done, in other countries, on a large scale, with ample means, and the most favorable soil and climate. The farm, in the first place, was entirely too large, and besides being undertaken with too large a mind, the undertaking altogether has been prosecuted with too high a spirit; and the involvement of the concern is nothing more than might reasonably have been expected to result from an outset and management so unwarrantable. I am indeed sorry to think the concern must be allowed to go down; for the undertaking, if properly limited and economically conducted, is such a one as could not but confer great benefit upon the country: to attempt to prop it up now, by another legislative

grant, would, in my opinion, be only throwing good money after bad; and I, therefore, perfectly agree with hon. members who have already spoken, that it is inexpedient to grant any more money in aid of the institution; especially since they, themselves, who have the management of it, discourage us, and, in a manner, warn us against the insanity of voting anything more. The stock, I say, should be sold where the most money is likely to be realized from it; wherever that may be, they who want to buy will contrive to attend the sale. The mare is a noble brute; and I hope she may fall into the hands of some one, who may turn her to such good account, that, thirty years hence, it may seem that great public benefit has resulted from her importation into the Island.

Mr. YEO.—I agree with those hon. members who say that the cattle stock and the sheep should be equally divided, for sale, among the three counties; and, with respect to the mare, I think the fairest way would be, that lots should be drawn for her, on behalf of each of the counties; and that she should be sold in that county, to which, by lot, she happen to fall.

Hon. Mr. WHELAN.—Hon. members are, I think, travelling out of the record. The Society have not asked us how they are to dispose of their stock. If we assume a right to direct the sale of the stock, we assume to ourselves the ownership of it. It is very true that the munificence of this House raised up the institution; but from that fact, it does not follow that we are to assume their liabilities. I do not say what it may be likely this House will do in the end, concerning any eventual deficiency of means, on the part of the Society, to pay their debts; but I do not think the Society would not be so particular about the winding up the concerns of the Model Farm, did they not believe that the debts due by it are payable out of their own funds. We have no right to assume the ownership of the stock, although we gave the money with which it was purchased. We might as well say to the Electric Telegraph Company—should their affairs become so embarrassing as to induce them to propose a sale of the whole concern, their electric batteries, their wires, and all the apparatus—we gave you a tract of land, and we have paid you £300 a year, in aid of your undertaking, and therefore we claim a right to direct how you shall dispose of the concern, and expect you to conform to our orders in making sale of it. Such an assumption of authority, on our part, in this case, would be manifestly absurd; and an assumption by us of power to direct the Agricultural Society how they should dispose of the stock of their farm, would be almost equally so.

Hon. COL. SECRETARY.—There is not the least analogy between the two concerns. That of the Electric Telegraph Company is positively a private one, established by private means; its operation, although for public benefit, being for private gain; and our having granted them a small tract of land, and made them an allowance of £300 a year, for the purpose of binding them to keep up a communication between us and other countries, takes away nothing from the private character of the undertaking. The other, the Model Farm, is an institution established wholly by means of public money, not one farthing of private money having ever been expended upon it; and its chief object, the raising of young stock of the best and purest breeds, for general distribution amongst our farmers throughout the colony; no pecuniary gain to be derived therefrom for the behoof of the Society individually, but every benefit resulting from it to be for the general good; most clearly proves it to be, in the fullest sense, a public institution; and, consequently, also that all the property belonging to it is public property, and all its liabilities, public liabilities. The great object in undertaking the farm was, I say, the raising of stock from improved breeds, for the benefit of the whole Island. The projectors

and directors of the institution never, for one moment, thought of monopolizing it, for the sole or immediate benefit of themselves, or even of the whole of Queen's County only, to the exclusion of the other two counties; but, if hon. members from King's and Prince Counties now choose to give up their claims, all I can say is, let them do so. My desire, however, with respect to the institution, has always been, and now is, when we contemplate the immediate closing of it, that it should be made as beneficial as possible to the whole Island; and, regarding the stock as strictly public property, I say it cannot be fairly disposed of, unless it be equally distributed for sale among the three counties; and, then, should there be any deficiency of means to liquidate the debts due from the farm, this House, having justly assumed the institution to be a public one, will be bound to make good the deficiency, which may be done by including it in the usual legislative grant to the Agricultural Society. If we omit to make any order for the distribution and sale of the stock, the Society may sell it in and about Charlottetown; and such a limitation of the sale would, in my opinion, be an act of great injustice to the other parts of the Island.

Mr. POPE.—I quite agree with what has been said by the Hon. Colonial Secretary, so far as regards the sale of the cattle and sheep; but I maintain that, if the mare be reserved for Queen's County, as he has proposed she shall be, such reservation will be an act of manifest injustice to the other two counties.

Mr. CLARK.—I see something very selfish in the views of the two hon. members, Mr. Yeo and Mr. Pope. I thought we were pretty generally agreed, that the sale of the stock should be made at whatever place it would be likely to bring the most money; and all admit that that place is Charlottetown. These two hon. members, however, desire a distribution of the stock, for sale, among the three counties; not so much, I apprehend, with a view to the benefit of farmers in general, as for their own individual advantage; for, being the only two moneyed men, in their quarter of the Island, they, doubtless, calculate upon making some good bargain, should the stock be distributed for sale as they wish it to be.

Mr. DOUSE.—I cannot see, with the hon. member, the Queen's Printer, that there is any analogy between the Electric Telegraph Company and the Model Farm. The distinction between the two concerns, showing the first to be a private and the other a public one, has been very clearly drawn by the Hon. the Colonial Secretary, who, in doing so, has quite taken the wind out of my sails. I can, therefore, only say that, in expressing his own opinions concerning the Model Farm, its stock, and its liabilities, he has fully expressed mine also. The Legislature cannot possibly serve the general interests of the Colony better, than by sustaining the Agricultural Society in all its well-directed operations, such as they have been from the very formation of the Society; and nothing which they have undertaken has been better conceived, or been more worthy of legislative countenance and support, than the Model Farm. I said, last session, and I now say again that such institutions should be established in every quarter of the Island. That the people do not more generally and more fully appreciate the value, to the whole country, of such a stock as that now upon the Model Farm, is really surprising. Let any man who can remember the inferiority of our horses, cattle, sheep, and pigs, such as they were, a few years ago, before they were improved by the importation, by the Agricultural Society, of stock of the most improved breeds from the old country, compare them, as they then were, with what they now are, and poor indeed must be his judgment, as applied to such matters, if he cannot, by such

comparison, perceive the great benefits which have been conferred, upon the whole Island, by the operations of the Agricultural Society. And, if the benefits already conferred upon the country, by the importation, at intervals, of some of the finest animals from the old country, have been so great; it surely must be very clear that, by having, within ourselves, a farm, on which young animals of the different species, could be bred from the purest parent stocks, still greater and more extended advantages could be derived. And, yet, it seems that, rather than make good the losses which have been accidentally sustained and the debts which have been, unavoidably and of necessity, incurred, by the Society, on account of the Model Farm,—the making good of which would not amount to one half-penny a piece, upon our adult male agricultural population,—that institution, which, if duly sustained, would become the nursery of the future agricultural property of the Colony, must be abandoned! This, in the end, will appear to have been very unwise economy, very short-sighted policy, on our part; and some of us may live, not only to repent having consented to pursue so retrograde a course, but also to be reproached for it. As one of the oldest members of the Agricultural Society, I conceive myself to be pretty well qualified to speak, both concerning the intentions of the Society and the effects produced by them; and I can safely say, that the most sincere desire to promote the general agricultural interests of the country, apart from all separate considerations of individual advantage, has influenced them in all their proceedings; and the beneficial results, although unacknowledged by some who should be amongst the foremost to recognize and declare them, are such as they cannot contemplate without feelings of the highest satisfaction. The measure of good which they hoped to be instrumental in bestowing upon the country, will, however, be much lessened by the breaking up of the Model Farm; yet, if the sale of the stock be properly directed, with a view to the general good; that is, if it be equally divided, for sale among the three counties, the institution, short as the period of its existence has been, will not have existed in vain. I would say, then, since the breaking up of the institution seems to be inevitable, let the stock be fairly distributed and sold, as proposed by the Hon. the Colonial Secretary and two or three other hon. members; but greatly indeed do I regret the necessity which obliges me to consent to a wholesale disposal of it in any way; for so fine a stock, it can scarcely be expected will ever again, by any outlay of money, be collected in the Island.

Mr. YEO.—The hon. member from Darnley (Mr. Clark) has thought proper to impute my concurrence in the proposition for the equal division and distribution, for sale, of the Model Farm stock, among the three counties, to selfishness on my part; but I can tell that hon. member, that I believe, with good reason, there are not many men in the Island, who, disinterestedly, have done more for the promotion of the general agricultural interests of the country than I have done. I was the first to bring out sheep, pigs, and horned cattle, from England, to the Island; and I did so, not with an eye to my own individual benefit; but solely with a view to the general good; for, besides laying out money of my own to defray expenses incurred on account of such stock, I imported them all high-free. I am indeed surprised that the hon. member is not restrained from throwing out imputations so uncalled for and so unjust, by something like due regard for himself.

Hon. Mr. MOONEY.—The winding up of the concerns of the Model Farm, is said to be inevitable. Well, let it be so; and, as we have arrived at that conclusion, I hope we shall soon wind up the present discussion; of which, to tell the truth, I am rather weary. The benefits conferred upon the country by the Agricultural Society, is a favorite topic with the hon. member for Belfast (Mr. Douse), and, indeed, I think it is the only one on which he loves to expatiate. I believe that in twelve

different sessions, I have listened to twelve different speeches of that hon. member, in which he expatiated with evident delight upon our fine mutton, our fine beef, and fine pork; for all of which, according to his shewing, we are directly indebted to the Agricultural Society. The hon. member, upon this occasion, although still true to his old text,—the great advantages conferred upon the country, by the Agricultural Society,—has very kindly, in consideration, no doubt, of the very slow progress which we are making in the winding up either of the debate or of the affairs of the Model Farm, foreborne his usual dissertation upon the rich supply of our butcher market; and I, for one, thank him for his considerate forbearance. Joking apart, however, I willingly admit the truth and justice of his views and opinion with respect to the liabilities of the Agricultural Society. Let it, I would say, be made known to the Society, that this House deem it inexpedient to make any further grant to them, on account of the Model Farm. On such intimation's being made to them, they will, no doubt, see the propriety of selling off their stock at once; and, when they shall have done so, they may make known to us how much the amount realized by the sale, falls short of their liabilities; and it will then, in my opinion, be the duty of this House to make good such deficiency. I have, in no way, changed my views, with respect to what I consider the improvidence, with which large grants of money have, from time to time, been made, by this House, to the Agricultural Society; but when I consider how the Society have, in a manner been tured into their present difficulty, by this House, I think it would be highly dishonorable in us were we now to leave them in the lurch.

Hon. the COLONIAL SECRETARY.—The Society do not, at present, require a grant to enable them to replace the stock lost at sea. All that is positively needed by them, at this time, is a sum sufficient to enable them to pay the debts due by the Farm, £900, and £100 for the rent of it for the next year; in all no more than £1000, and this seem, they have, I think, almost available stock sufficient in their own hands, to make up. By the sale of young stock they might certainly realize £500. These young animals are of very considerable value; £1000 would not import an equal number of such like animals from the old country. They have also horses which, without inconvenience they might sell; and if, by such means, they should make up £500, I think it would be well, on the part of this House, to vote them £500, in addition thereto, and let them try the concern for another year. If we should do so, it might be kept up, without direct further legislative aid, until it should become even more than self-sustaining. If we do not, it must go down; and then before three or four years shall have passed away, we shall, I doubt not, regret our not having redeemed and sustained it, when it was in our power to do so. Were the House to act upon the suggestion which I now presume to make, the Society might curtail their expenses by working only a part of the farm, and also even by sub-letting a part of it. But I am afraid it is of no use to attempt to turn the stream which has set against the institution. I am not attempting to defend everything which has been done, in connection with the Model Farm; but I say, if the young stock were to be disposed of, as I have suggested, and this House were to grant the Society £500, this session, they might be freed from their present pecuniary embarrassments, arising out of the Model Farm, and be enabled to carry it on prosperously, upon a more limited scale than that on which it has, hitherto, been conducted.

(To be continued.)

R. B. IRVING, Reporter.

ERRATUM.—In the debate on the appropriation of money for the service of roads, bridges and wharfs, on Wednesday forenoon, Feb. 24, the latter part of Mr. Muirhead's reply to the Hon. Col. Secretary was, owing to some inadvertency, wrongly given. After the words "uncalled for," in the fifth line of the reply alluded to, Mr. Muirhead's words should be quoted, as follows:—

"The contractors are not the only persons benefited by the amount of money expended on the roads. The amount of money appropriated for the Road Service and Education together, does not amount to half the revenue. Indeed, the Road and Education money is all that the people throughout

the country receive a decided benefit from: the rest of the revenue is spent nearly all in and about Charlottetown."

SUMMARY.

MONDAY, March 22, 1858.

St. DUNSTAN'S COLLEGE.

The petition of the Rev. A. McDonald, Rector of St. Dunstan's College, praying for a grant or endowment in aid of that institution, was taken up and read.

Also, a petition of inhabitants of Lot 67, praying the House not to grant the prayer of the above petition, was taken up and read.

Hon. Mr. Palmer said the petition was placed in his hands to present to the House, and he promised to do so; but he did not pledge himself as to any course of action thereon, and would now vote against the prayer of the petition, on the ground that, although however deserving of patronage, it would still be considered a sectarian institution, and would, besides giving cause for jealousy and ill-feeling, establish a dangerous precedent.

Mr. Cooper said if public money were granted for educational institutions, it should be only to such institutions as were under the control of the Government, and not to such as were under the management of a religious sect. Mr. Palmer expressed himself highly pleased with the system of education pursued in the St. Dunstan's College.

The petition was then referred to Committee of the whole House. Mr. Clark in the chair.

Hon. the Speaker would oppose the prayer of the petition, because he considered it impolitic to give money to one denomination in preference to another. In fact, he was opposed to endow any institution having a religious tendency.

Mr. Laird agreed with what was expressed in the counter petition, and would not vote for any grant. He moved that it was inexpedient to grant the prayer of the petition.

Hon. Colonial Secretary agreed with all that had been said by Hon. Mr. Palmer, that it would be unwise to give money for endowments to sectarian institutions; but, had the House not already, from year to year, appropriated money to sectarian purposes when they gave money to the infant Schools in this city, Georgetown and St. Eleanor's, and to the Bog School (founded by a few Church of England enthusiasts. The hon. member then adverted in terms of high praise to the mode of education practised at the College, and the efficiency of the pupils therein taught. While he would not entertain the principle of endowing the College, he thought a small sum might be given for the purpose of enabling them to procure apparatus, and he therefore moved the following resolution:—

*Resolved*, That it be recommended to the House, when in Supply, to vote a sum for the purpose of purchasing Instruments, Maps, and Apparatus for the St. Dunstan's College.

The Hon. Col. Secretary said that, if any other institution, supported by denominational subscription, were to ask for a grant for a like purpose, he would be willing to give it to them. He thought the minority, who induced Rev. Mr. McDonald to petition, ought to at least go for a grant.

Mr. Douse said he made no promise, but when Mr. McDonald called upon him he promised to give the subject his best consideration; but, however willing he might be, personally, to go for a grant, acting under instructions from his constituents, he would be obliged to vote against it.

Honorable Mr. Palmer gave an unequivocal denial to the insinuation that he promised to support the petition, and stated circumstances connected with its being entrusted to him, corroboratory of what he said.

Hon. Mr. Montgomery, as one of the minority, said he never gave any pledge to support the petition.

Honorable Mr. Wightman, while he firmly opposed any endowment to sectarian Colleges, &c., would be willing to give a small grant towards obtaining apparatus for St. Dunstan's College. He would support the resolution of the Hon. Col. Secretary; but at the same time would submit the following, by way of preamble:—

*Resolved*, That it is inexpedient to grant the prayer of that part of the Petition of the Rector of St. Dunstan's College,



asking for an annual sum or endowment for the support of that institution.

Mr. McDonald, while opposed to any endowment, to the St. Dunstan's or any other College, would go for a small sum for Mathematical Instruments, Maps, &c.

Mr. Pope did not promise to support the petition; but said he would not give it his decided opposition; but he considered that as Catholics were to large a portion of the inhabitants of the Island, they were entitled to something in the shape of a grant, but not an endowment which he thought would create ill-feeling.

Mr. Cooper had no particular objections to a small grant for purposes named in the resolution; but if it were endowed, others would be looking for the like, and this would, in a short time, be one of the most priest-ridden countries on the earth.

The Resolution of Hon. Col. Secretary was then tacked on to the preamble by Hon. Mr. Wightman, which, as amended, is as follows:—

*Resolved*, That it is inexpedient to grant the prayer of that part of the Petition of the Rector of St. Dunstan's College, asking for an annual sum or endowment for the support of that institution; but that it be recommended to the House when in Supply, to vote a sum for the purpose of obtaining Instruments, Maps, and Apparatus, for the Institution.

The question was put on the resolution, as amended, and carried on the following division—

**AYES**—Honbles. Col. Secretary, Col. Treasurer, Whelan, Speaker, Mooney, Wightman, Palmer, Messrs. McGill, Cooper, Munro, Perry, McDonald, Douse, Montgomery, Pope—15.

**NAYS**—Messrs. Laird, Muirhead and Dingwell.

The House resumed. The chairman reported the resolution agreed to.

Mr. Laird then moved, that all after the word "institution" be struck out.

Mr. Clark was opposed to grants or endowments to any school or College under the control of any religious denomination.

The question on Mr. Laird's amendment was lost on the following vote:—

**AYES**—Mr. Laird, Hon. Mr. Montgomery, Messrs. Dingwell, Muirhead, Pope and Douse—6.

**NAYS**—Honbles. Col. Secretary, Col. Treasurer, E. Whelan, R. Mooney, J. Wightman and E. Palmer; Messrs. McGill, Cooper, Clark, Munro, Perry and McDonald—12.

T. KIRWAN, Reporter.

TUESDAY, March 23, 1853.

Hon. Col. Secretary moved the third reading of the Fishery Reserves Bill.

Mr. H. Haviland moved, in amendment, that the Bill be read this day three months.

Hon. the Speaker put the question on the amendment, and the House divided thereon:

**AYES**—Mr. H. Haviland, Mr. Pope, Mr. Yeo and Hon. E. Palmer—4.

**NAYS**—Honbles. Col. Secretary, Col. Treasurer, E. Whelan, R. Mooney and J. Wightman; Messrs. Laird, McIntosh, Clark, Cooper, Muirhead, Munro, Dingwell and Perry—14.

So the Bill was passed.

#### TEACHERS'S PETITIONS.

The House went into Committee of the whole upon Teachers' Petitions—Hon. J. Wightman in the Chair.

After having sat therein for sometime, the House was resumed, and the following Report was reported agreed to in Committee; and the same was received and adopted by the House.

Your Committee to whom were referred the several Petitions, praying aid to Teachers who have not complied with all the provisions of the Education Law, having examined the said Petitions, recommend that the several undermentioned persons be allowed as follows, viz:—

John McDougald, for six months,	£10 0 0
Robins Richardson, for six months,	7 10 0
Matthew Revilla, for one year,	20 0 0
John Stewart, for four and a half months,	15 15 0
Laughlin McPhoe, for one year,	20 0 0

Leland H. Stumbles, for 6 months teaching at New Pond and 3½ months at Middleton, Lot 27,	20 0 0
Henry Lecky, for one year,	20 0 0
Archd. C. Beckford, for 1 year, ended 1st Dec., 1857,	20 0 0
Jane Green, for one year,	15 0 0
Abercrombie Willock,	10 0 0

161 5 0

Your Committee further recommend the sum of £10 to be paid to the Rev. Mr. Frazer, in consideration of the services of the late James Gillanders, Teacher at West Cape, towards defraying the funeral expenses of the deceased, and his lawful debts.

Your Committee recommend that the sum of £10 be paid to Mr. Abercrombie Willock, for three months' less eleven days' services, as Teacher, at Black River School, in the year 1850.

Your Committee cannot recommend the prayer of the Trustees of the South Shore School, as such school is provided for by Statute.

Your Committee cannot recommend the prayer of the Petition of Daniel McKinlay, as he receives the amount provided by Statute.

Your Committee would recommend, that, in future, no Petition, praying for an allowance to unlicensed Teachers, be entertained by the House, unless it shall clearly appear that the Inhabitants petitioning could not obtain a Teacher, qualified according to law; and every such Teacher shall, within twenty days, notify his engagement, and furnish a copy of his agreement with the inhabitants, to the Board of Education.

Your Committee submit, that, when the House is in Supply, a sum sufficient be appropriated and paid for the services herein set forth, agreeable to the foregoing recommendations.

Stanislaus F. Perry, Chairman, James Muirhead, James C. Pope, John McIntosh, Wm. Douse, Joseph Dingwell.

#### ADDITIONAL POST OFFICES.

Mr. McGill, as Chairman of the Committee appointed to report on certain Petitions, praying for the establishment of Post Offices, presented the subjoined Report which was received, read and ordered to be engrossed.

Your Committee to whom were referred several Petitions of inhabitants of different sections of the Island, praying for the establishment of Post Offices, have to report—That having examined the various Petitions and applications referred to them, they submit the following recommendations:—

That a Post Office be established at or near Bryan's Cross, Lot 31.

Your Committee cannot recommend the establishment of a Post Office in Middleton District, Lot 27.

Your Committee cannot recommend the removal of the Post Office from McBean's to the Cross Roads, Lot 47; but recommend that a Post Office be established at Red Point Cross Roads, Lot 46.

That a Post Office be established at or near Fifteen Point Township No. 15.

Your Committee cannot recommend the prayer of the Petitions for an increase of salary to Messrs. Wm. Sterns, St. Peter's, W. Wilson, Bedeque, John Adams, Vernon River, Donald McLeod, Orwell, and John McDonald, Sauris, Postmasters.

Wm. McGill, Chairman, J. Wightman, J. Warburton.

#### A BILL TO INCREASE THE RATE OF INTEREST ON TREASURY WARRANTS.

Hon. Col. Secretary introduced a Bill to increase the rate of interest on Treasury Warrants, which was read first time, and ordered to be read a second time to-morrow.

The Bill, which is a very short one, provides that, from and after the passing thereof, the interest of Six Pounds per centum, per annum, shall be paid on all Treasury Warrants hereafter to be issued, instead of the rate of Five Pounds per centum, mentioned in the Eighth Section of the Act, 14 Vict. Cap. 30.

Mr. Perry moved, That no new matter, on which a Bill can be founded, shall be introduced to the House after Wednesday the 24th instant.

The motion having been seconded, and the question put thereon, it was agreed to *scm. con.*

Thursday, March 25.

Bank of Prince Edward Island.

Hon. E. Whelan presented the subjoined Memorial of certain Merchants, Agriculturists and others, which—having been received by the House, and read by the Clerk—he earnestly recommended to the favorable consideration of the House, in a long, eloquent and argumentative speech: to which it would be impossible to do anything like justice in a mere summary report; but which will be fully reported in due course.

To the Honorable the House of Assembly of P. E. Island, in Parliament assembled—

The Memorial of the undersigned Merchants, Agriculturists and others,  
Respectfully Sheweth—

That your Memorialists have heard, with much regret, that the Directors of the Bank of Prince Edward Island have ceased, or are about to cease, discounting, to the great inconvenience and detriment of the public at large, and more especially to the Merchants, Agriculturists and Traders of the Island.

That while your Memorialists do not question the soundness of the principle adopted by the Bank, so far as the individual interests of the Shareholders are concerned, they feel that not only the stoppage of discounts, but the withdrawal of the notes now in circulation, by the collection of all debts due to that Institution, will cause such a great want of circulating medium throughout the Island, as must inevitably tend to great embarrassments to the agricultural and commercial interests of the whole Island.

That your Memorialists, during the late suspension of specie payments by the Bank, felt little or no inconvenience arising therefrom, so long as they could obtain discounts, having the fullest confidence in the solvency of the Bank, which caused the notes to circulate as freely amongst us as they did before the suspension, or since the resumption of specie payments on demand.

That during the present great scarcity of money, caused by the prostration of trade and the consequent depreciation in the prices of agricultural products, as well as real estate, and almost every description of property, the stoppage of discounts by the Bank, and the consequent withdrawal of the notes by the collection of its debts—while private money-lenders charge at the rate of 20 per cent. for the use of money on short loans—must cause distress in the community to an alarming extent.

That your Memorialists see no other means of obviating those inconveniences, under the adverse circumstances in which they are placed—owing to the recent great commercial and money panic all over the world—than by your Honorable House so altering the Bank Charter, as to enable the Directors, in case of necessity, to suspend specie payments for a longer period than three months within the year.

Your Memorialists would most respectfully suggest to your Honorable House the advantage which would accrue to the public at large, by allowing the Bank to hold Treasury Warrants or other Government securities, in lieu of gold and silver, to a moderate extent, which would prevent such Warrants or securities being reduced to a discount, while they would be always a better guarantee to the holders of notes, for their final redemption, than the precious metals, which might quickly disappear.

Your Memorialists, therefore, most humbly trust to the wisdom and sound discretion of your Honorable House to take the premises into your serious consideration, and adopt such measures as will relieve the present embarrassed circumstances of the community—and your Memorialists, as in duty bound, will ever pray

John Rigg, Thomas B. Trauman, Charles MacNutt, James Morris, William W. Lord, and 47 others.

Friday, March 26.

Memorial praying for an alteration in the Charter of the Bank of Prince Edward Island.

On motion of the Hon. E. Whelan, the House went into Committee on the Memorial praying for an alteration in the Bank Charter, Mr. McGill in the Chair; and, after having

sat for a considerable length of time in earnest debate, the subjoined Resolution, submitted by the Hon. E. Whelan, was carried therein, on the division below given.

**Resolved**, That it is expedient and necessary to alter, and amend the Act 18 Vic., cap. 10, incorporating the Bank of Prince Edward Island, so as to authorize the Directors of said Bank, in times of general prostration of business, and when there is a scarcity of money, to suspend specie payments for a longer period than three months, in any one year, and not exceeding six months, should such protracted suspension be deemed absolutely necessary by the Directors; and also to empower and authorize the said Directors to receive, at their Banking House, Treasury Warrants and other Government securities, for the amounts stated on the faces of them severally to the extent of at least thousand pounds, and the amount so received, and deposited in their vaults, to represent an equal amount of the precious metals.

For the Resolution—Hons. Messrs. Whelan, Palmer, Longworth, Montgomery, Messrs. Hayland, Douce, Yeo, Laird, Clark, McIntosh and Munro—11.

Against it—Hons. the Speaker, Col. Secretary, J. Wightman, Col. Treasurer, R. Mooney, Messrs. Perry, Cooper, Dingwell and Muirhead—9.

HOUSE RESUMED.

Hon. the Speaker having resumed the Chair of the House, and the Chairman of the Committee, Mr. McGill, having reported the Resolution, agreed to in Committee, as above given,

Hon. Col. Secretary moved that the Report of the Committee be received this day three months.

Hon. the Speaker having put the question on this motion, the House divided thereon:—

Ayes—Hons. Col. Secretary, Col. Treasurer, J. Wightman, R. Mooney, Messrs. Perry, Dingwell and Muirhead—7.

Nays—Hons. Messrs. Whelan, Palmer, Longworth, Montgomery, Messrs. Douce, Hayland, Yeo, Laird, Clark, Macintosh, Cooper, Munro and McGill—13.

Hon. the Speaker having then put the question, on the Resolution reported from the Committee, the House divided:—

For the Resolution—11. (Names, as in the Nays, above given).

Against it—7. (Names, as in the Ayes, above given).

So the Resolution was agreed to.

On motion of Hon. E. Whelan it was agreed that the blank in the Resolution be filled up with *pro*.

On motion of Hon. E. Whelan a Committee was appointed, as below given, to bring in a Bill in accordance therewith.

Committee—Hons. Messrs. Whelan, Hayland, Longworth, Messrs. McGill and Laird.

NOTE.—Mr. Cooper voted against the Resolution in Committee, as disapproving of the power to suspend specie payments, for a longer period than three months, being vested in the Directors of the Bank; although willing that power to authorize the Bank Directors so to suspend specie payments, under peculiar circumstances, should be vested in the Government. And he voted for the Resolution in the House, on the principle that, if carried, the proposition would still be before the House, and might, possibly, be modified so as to accord with his view of the question.

WEDNESDAY, February 24th, 1858.

MODEL FARM.

Continued from page 39.

Hon. E. WHELAN.—I will have no objection to go so far as to agree to a grant of £500, as suggested by the Hon. Col. Secretary, without reference, however, to the application of the Society which is now before us.

Hon. the SPEAKER.—I am very sorry to feel myself justified in rising so often to speak in this Committee; but, really, so many new lights arise, and so many different motions are made, or proposed, that it is no easy matter to determine what course we are about to steer; or what definite questions we are called upon to determine. I certainly wish that hon. members would bear in mind, that the pretty well-ascertained opinion of this Committee, seems to be that, under the pressure of existing financial circumstances, the Assembly would not

be justified in making any further grant of money for the support, or aid of the experiment of the Model Farm. I would have them to remember that, this very morning, the fact was made known to the House, coupled with an expression of regret, that the case should be so—that we cannot afford to vote more than £6,000 for roads and bridges, notwithstanding the essentially important nature of the service. Now, I must say, I am really astonished to hear hon. members, with these facts so closely before their eyes, propose a further grant of £500 in aid of the Model Farm; especially when they are fully aware that the managers of the farm themselves entertain no hope of its redemption from its present involvement; and must know, besides, that, if the sense of the people at large could be taken upon the question, nine-tenths of them would be found opposed to any further grant in aid of the institution; and, moreover, I maintain, that the sooner we shall relieve its directors from the burthen of the onerous duties, and the anxiety which their superintendence of its affairs imposed upon them, by declaring to them that we hold it to be altogether inexpedient to make a further grant for its support, the more they will thank us.

Hon. COL. SECRETARY.—I have not submitted a motion for a further grant in aid of the Model Farm—I have only presumed to show, by what I think is a very natural course of reasoning, that, if the institution be allowed to go down, we shall, before more than three or four years shall have passed away, have serious cause to regret our abandonment of it. If, with so valuable a stock, and the farm in so excellent a condition, the concern cannot—if extricated from its present pecuniary embarrassment—be successfully carried on, it is high time for some of us to cease our operation as farmers. That the Society have not raised wheat, barley, oats or potatoes, by the sale of which to pay for the working of the farm, is not to be attributed to mismanagement on their part; for it was never intended that the farm should be cultivated with a view to the raising of such agricultural products for sale. The grand object, for the accomplishment of which the farm was taken, was solely the most important one of raising young stock of the best and most improved breeds, for distribution throughout the country; and, to that end, it was positively necessary that the farm should be got into good condition for the growing of hay and green crops, for the feeding of the stock. This, at a great, but needful outlay of money and labour, has been fully attained; and, to all who are capable of duly estimating the expenditure necessary to bring the farm into such a condition, and of making full allowance for the time which must elapse, before such a concern can prove remunerative or self-sustaining, the present state of its affairs, if not positively satisfactory, cannot be at all surprising; but, on the contrary, it must be clear to them, that, could the Society be relieved from their present exigence, on account of the farm, it might be prosecuted, in future, to the very great general advantage and satisfaction of the country. Independently of the most important benefits which the Agricultural Society so wisely and patriotically calculated upon their being able to confer upon the country at large, by means of their Model Farm—which, however, it now unfortunately appears must be foregone, for many years at the least, if not forever—their general operations have been, beyond question, highly serviceable in the promotion of our agricultural interests; and most justly are they entitled to all the encouragement therein, which the Legislature can, without overstepping the bounds of evident propriety, bestow upon them. The wisdom of the annual legislative grant to the Agricultural Society is made fully manifest by the consideration, that it enables them to import, every year, clover seed, hay seed, turnip and other seeds, severally of the best kinds, for the supply of all the farmers in the Island; and that they so justly estimate the demand, as to make the supply annually required sufficient almost to a cask. This supply, some may say, the merchants might be left to make; but, to such cavillers, I would reply that, if the farmers were left to depend in that respect, solely upon the imports of the merchants, their dependence would be but precarious; whereas the supplies, made by the Agricultural Society, are not only regular and of the very best kind, but also, so well calculated as to quantity, as always

of the most desirable kind are afforded to our farmers, by the Agricultural Society, through their importation of the best and most improved agricultural implements and machines, which are sold at cost and charges, and sometimes even for less. It would be a serious misfortune indeed to the Colony, should the Legislature ever look with a cold and discouraging eye upon the efforts of the Agricultural Society, which always have been, and cannot, according to their constitution, be at any time otherwise than for the promotion of the general good. Such a change of sentiment, on the part of the Assembly, is, however, I trust, far distant, although just now we may hold it to be inexpedient to make a further grant to the Society on account of the Model Farm.

Hon. E. PALMER.—The difficulty experienced by the Committee in determining whether the Assembly has any right to dictate to the Agricultural Society when, how or where their stock shall be sold, arises from their being unable to determine whether that stock should be regarded as public property or not. The difficulty will, however, I think, disappear altogether, if we look at the nature of the compact in which the Society had its origin; and by which, indeed, it is still upheld. That compact is a partnership, entered into on the express condition, that for every pound which should be voluntarily subscribed, as capital, by the Society, or by others in aid of it, the Assembly would grant two pounds; and this condition has been punctually fulfilled on our part. The public may become a party in a co-partnership concern or undertaking, either by the express declaration in an Act of Parliament or through the passing of Resolutions from year to year, for the granting of money for the prosecution or sustaining of the undertaking, for the public benefit. In the latter way the Assembly have clearly established their own, on the public's co-partnership with the Agricultural Society; and the Model Farm is therefore a joint concern of the Assembly and the Agricultural Society. It is quite otherwise, however, when the Legislature chooses to make a grant as a bonus to any private individual or company, as an encouragement to undertake or prosecute any business or scheme, either with or without stipulation for any public service to be rendered in consideration thereof, and leaves the individual or company in full possession of the concern, both as to its management and its results. Such a grant or bonus establishes no authority, on the part of the Legislature, to interfere with or control the private management of the concern to which it is made. It, by no means, now behoves the country to say to the Agricultural Society, with respect to the Model Farm, the concern has been so unprosperous that we will at once desert you, and disclaim all connection with the concern. On the contrary, if my view of the case be correct, as I humbly conceive it is, the Colony is strictly bound to sustain the Society in their adverse fortune, and to desert them in their present exigence would be extremely dishonorable. I, therefore, hope the Committee will take that view of the matter which is taken by the Hon. Col. Secretary, and agree to sustain the Society in the day of difficulty. I do not think that any more stock is required, at this time, than there is now upon the farm; and if, by a moderate grant, we can extricate the Society from their present pecuniary embarrassment, it will be not only honorable and honest in us to make it, but truly wise also, inasmuch as by so doing we may secure to the country all the advantages, to the fullest extent, which it has ever been calculated would result from the successful management of the Model Farm. If, however, we refuse to grant the Society such moderate assistance as would extricate them from their present difficulty, we shall, by such parsimonious economy, to say the least of it, render ourselves ridiculous. It is true we were not all agreed as to the necessity of the Model Farm at the time we made the grant to the

now, on their having sustained a loss and become a little involved, we shall become so frightened of the consequences as to turn our backs upon them, our doing so will be a departure from our original resolution in favour of the farm, and will, therefore, most assuredly be any thing but creditable to us. I am personally disinterested, but I have always been strongly disposed to favour every proposal or undertaking which gave reasonable promise of furthering our agricultural interests. The operations of the Agricultural Society have, most undeniably, conferred immense advantages upon our farmers, as we all perceive, whether we regard the quality and quantity of grain now raised by them, or look at the superiority of their farm stock of all kinds, or consider the high state of cultivation their lands have, in general, been brought to, as compared with what all these formerly were, and before our practical agriculturists were so aided, encouraged and led in the way of beneficial progress, as they have been by the patriotic and well directed exertions of the Agricultural Society, ever since its formation. The great advantages resulting from the Society's shop may in part be overlooked, even by some of those who are the most immediately benefited by it; but were it to be closed, all our farmers would soon, I am certain, become keenly sensible of the loss which they had sustained by its closure. I think it quite possible, and quite consistently with the leading principles of true political economy, to sustain the Society in all the undertakings in which they are engaged. It has been justly observed by an honorable member, that this is particularly the year of the greatest trial and difficulty with the Agricultural Society, as respects their farm; and that if individuals have been enabled to surmount such trials and difficulties, by means of friendly assistance, as has very often been the case, why should it not be so with respect to the Agricultural Society, should the Assembly now consent to grant them the assistance of which they at present stand in need. If, on this occasion, we arrive at what I would call a wise determination, we will agree to make such a grant to the Agricultural Society as will, together with what they can raise by means in their own hands and at their own disposal, enable them to pay off the debts due from the farm; and if we do so, I shall not be afraid to venture to predict, that if the Model Farm be continued in operation for a few years, according to the original views of its projectors, it will fully realize their expectations, and by its success and the advantages conferred by it upon our farmers, silence all who have objected to the undertaking or prophesied its failure.

Mr. Macdonald, the chairman, then put the question upon the resolution of the Hon. the Speaker, formerly submitted in the following form:—

“Resolved, That it is inexpedient to make a further grant of money for the support or management of the Model Agricultural Farm, and therefore this Committee recommend to the House that the Royal Agricultural Society be notified thereof.”

This resolution having been agreed to, the Hon. Colonial Secretary, with respect to the resolution, as below given, which he had proposed, but which had not been seconded, said—Then I presume the Society may sell their stock just as they shall please.

Resolution proposed by the Hon. Col. Secretary:

“Resolved, That the cattle, stock and sheep, now on the Model Farm, be equally divided among the three Counties; and that if, after the sale thereof, as well as of the horses, implements, and all besides belonging to the farm, there should be any balance of debt due, this House will make good the same. No stock to be sold out of the County to which it may be allotted, unless in exchange for stock which may have

been sold in one of the other Counties; and no part of the stock to be sent out of the Island.”

The Hon. the Speaker having resumed the Chair, Mr. Macdonald, the Chairman of the House in Committee, reported the resolution agreed to therein, as above given, which was adopted by the House.

Wednesday, 31st March, 1858.

#### PUBLIC ACCOUNTS.

House in Committee on the Report of the Special Committee on the Public Accounts. Mr. Perry in the Chair.

[On the first day of the session it was resolved that a Committee of seven members be appointed to examine and report on the Public Accounts; and it was ordered that Mr. Macdonald, Mr. Macgill, Mr. Perry, Mr. McInnead, the Hon. Mr. Haviland, the Hon. Mr. Longworth, and the Hon. Mr. Montgomery, do compose the said Committee.]

Mr. Perry, the Chairman, having first read throughout the report of the Select Committee, as agreed to by a majority of the said Committee, and reported to the House by the Chairman thereof, Mr. Macdonald—it was agreed that the same should be re-read, and submitted, paragraph by paragraph, to the consideration and determination of the Committee.

The first paragraph was then accordingly re-read and submitted to the consideration of the Committee. It contains the general account of the financial state of the Colony, charging against it all Debentures, issued under the authority of 16 Vic., cap. 18, for the purchase of Township Lands in this Island, and all Warrants and Treasury Notes afloat; and—giving credit for cash in the Treasury, and Bonds for Duties in the Treasurer's and Attorney General's hands, and for the amount of sales of Public Lands, as they stood at the end of the financial year, 31st January, 1858,—exhibits a balance of £14,868 3s. 3½d. against the Colony.

Hon. Mr. HAVILAND.—Before the question shall be put on the report, as far as it has been read, I wish to call attention to the fact, that although a majority of the Special Committee were in favour of the report which is now in the hands of the Chairman, yet it did not receive the sanction of the members of the Special Committee appointed from this side of the House, as it exhibits in our view a very fallacious statement of the existing liabilities of the Colony. By referring to the report of the Special Committee on Public Accounts, in the last session—a report of a committee consisting wholly of the supporters of the Government, and which report was adopted by the House—it will be seen that the public debt of the Colony was acknowledged to amount to £22,803 14s.; yet, according to the report now on the table, in which the expenditure of the past year is admitted to have been £7086 10s. 14. in excess of the revenue for the same period, the liability of the Colony is reduced to £14,868 3s. 3½d.; and this is made to appear by credit being given for sums stated to be due on alleged sales of public lands, to the amount of £14,296 14s., and on certain bonds handed over by the vendors of the Warrell Estate, for sums stated to have been due for sales of land, made previously to the purchase of the estate by the Government; but for much the greater portion of the sum of £14,296 14s. no vouchers are to be found in the office of the Commissioner of Public Lands, beyond the entries which appear in his books. In many instances no amount of deposit has ever been paid; and, in other cases, very trifling sums appear to have been so paid. In our opinion, the special committee might, with equal propriety, have declared the 45,403½ acres of public lands which remain unsold to be available assets to the credit of the Government; and so thought another member of the committee, who subsequently, however, changed his mind, and agreed to adopt the report now before the committee, as you, Mr. Chairman, may remember. I will now, Mr. Chairman, proceed to read the report prepared by the members of the special committee from this side of the House, and which at one time conveyed the views of that committee of the present financial state of the Colony.

[The hon. gentleman then read his report, which, as will be seen on reference, to and comparison of, the two reports, differs from that of the report of the majority of the special committee in all except the first and the last two paragraphs.]

This report states the public debt of the Colony, at the termination of the past financial year, to have been £29,870 4s. 4d. The remainder of the report does not differ materially from the report before you, except in that particular where the proceeds of sales of Crown lands are improperly blended with the amount received for public lands, for the past year. I shall content myself at present with moving that the paragraph relating to the financial state of the Colony be struck out, and that which I have read be substituted for it. Before I sit down, I must express my dissent to the manner in which the debentures, issued by the Government for the purchase of public lands, have been charged in the Treasurer's accounts. As they were not payable for ten years, the charge in such accounts should, in my opinion, be confined in the meantime to the annual interest required to be paid on them, and the debentures themselves not charged against the public lands until the expiration of the period for which they were issued.

**Hon. COLONIAL TREASURER.**—It is not within the province of the Treasurer to interfere with the mode in which the Accounts of the Commissioner of Public Lands are made up; but I think with the hon. gentleman, the member for Princetown, that the Debentures which have been issued for the purchase of Lands should not be charged against the Colony until they shall become redeemable; and particularly so as a large quantity of the lands, for the purchase of which they were issued, is yet unsold.

**Hon. COLONIAL SECRETARY.**—There is a discrepancy or incongruity in what the hon. member for Princetown has just read. If it be his opinion that the £20,550 of Debentures should not be charged against the Colony, until after the expiration of ten years, the period for which they were issued,—an opinion in which I perfectly agree with him—why has he included it in the balance which, by his amended Report, is exhibited against the Colony? If that amount were withdrawn, as it ought to be, from the debit side of the Government Account, the balance against them would be only £9,320, instead of £29,870! But since he and his friends have chosen to retain the £20,550 of Debentures in their statement of account against the Colony, they ought most certainly to have given credit for the £15,000 due on sales of lands; and then the whole balance against the Colony, even although now charged with the £20,550 of Debentures, would not be quite £15,000. If the Colony is to be charged with the £20,550, and is to have no credit on account of the 80,000 acres of land, to effect the purchase of which Debentures to that amount of money were issued; nor for the amounts due to the Government on account of the sales of this land, for the payment of which, by instalments, ten years are allowed; it is not possible that the Colony should appear to be otherwise than in debt. The hon. gentleman (Hon. T. H. Haviland) seem, not to understand the propriety of giving the Government credit on account of Public Lands to the amount of £15,000; but I will endeavor to shew the justice of doing so. They admit the propriety of giving the Government credit for £4058, due on Deeds issued; but they demur to their having credit for the amounts paid on Deeds not yet issued; and particularly to their having credit on account of 938 acres of land, on which, they say, no deposit has yet been paid. Now, with respect to the Deeds not yet issued, but on which various amounts of deposit have been paid, but for which it is said there are no vouchers, it ought to be remembered, that, by the law, the purchasers are not entitled to their Deeds until they have paid 20 per cent on the purchase money; and that persons, eager to secure tracts of land, by purchase from the Government, go to the Land Commissioner's Office as soon as they are able to make anything like a deposit at all, and pay such deposits, be they ever so small, into his hands, in order to secure the tracts of land on which they have set their hearts. Thus a man who may have selected 50 acres for himself, procures a plan and description thereof from the Surveyor General, which he takes to the Commissioner; and, on the payment of a Deposit £1, £2, or £3, as the case may be, the Commissioner gives him a receipt for the money paid, and enters his name in his books, as a purchaser of 50 acres, with credit for his deposit; but the man gives no voucher of his purchase; and the only possible voucher thereof, besides the receipt which he takes away, is the record of the transaction in the books of the Land

Commissioner. And, as to the 938 acres, on which it is said no deposit has yet been paid, the facts are these; the persons who have applied for, and whose names are entered as purchasers of these 938 acres, in different quantities, in the Commissioner's books, are persons who have been employed by the Surveyor General, and whose claims upon the Government for work performed by them, on the Public Lands, will, when adjusted, severally amount to the several deposits to be paid by them. The Surveyor General has given in plans of the several tracts, so sold, to the Commissioner, who will give credit to the individual purchasers, for the amounts severally due to them, by the Government, for work performed by them; and these persons, satisfied that they have, in this way, secured their lands, will now go on contentedly improving them; but, even should they not take them, the lands are there, and worth the money at which they have been valued. The parties, however, believe they have paid, in labor, the deposits which are to them in their Deeds. It, however, those hon. members of the select committee who do not agree with the majority in their Report, are of opinion that the Government ought not to be allowed credit for the sale of these 938 acres, why have they not taken them into the account of sold areas land, amounting to upwards of 45000 acres? The 638 acres are there; and the Government must have credit for them in one shape or another. But the fact is, the hon. members of the minority in the select committee, and, generally speaking, the standing minority of the House altogether, having found nothing whatever substantial to grasp at, by which to verify their predictions of the evil results of the working of the World Estate, by which to damage the Government in the opinion of the country, have vainly endeavored to lay hold upon a shadow. It is also incidentally noticed, in the report which has just been read, by the hon. member for Princetown, that, in some cases, a trifling amount of deposit only has been paid, while by a section of the Land Purchase Act, a deposit of 20 per cent is required to be paid before the Deed is issued. Well, what would they have? Is not this perfectly in accordance with the law, although they evidently wish it to appear to be in violation thereof? The report says, "while by a section of the Land Purchase Act, a deposit of 20 per cent is required to be paid before the Deed is issued," thereby leaving it to be inferred that Deeds have been issued before the legal deposits had first been paid; which is not the case. The Auditors have been wrong in charging the £20,550 of debentures against the Government; and I feel thankful to the hon. gentleman who, by his honest decision, has determined that question, in the House, in favor of the Government. [Hon. T. H. Haviland. The debentures ought not to have been charged against the Colony at the beginning.] The decision is certainly a correct one; for the holders of the debentures cannot make them available against the Government, except for interest, until the expiration of the ten years, for which they were issued; and neither can the Government enforce payments for the sales of public lands, otherwise than by instalments and interest, until the expiration of ten years. The only difference which I see between the report of the majority of the select committee and that of the minority, is that the minority, although charging the £20,550 of Debentures against the Government, refuse to give them credit for £15,000, due on account of sales of public lands; whilst the majority, in questionably charging the Debentures against the Government, have yet, very justifiably, given them credit for the amount due on the sales of public lands. The hon. member for Princetown says, that it appears strange that after spending £7,000, in excess of the revenue, the public debt should appear to be £8,000 less than it was at the close of the previous financial year; but this is easily accounted for. The balance due on the sales of public lands is £15,000, and when credit is given for that amount, as it ought to be, and as it is in the statement on the table, the balance against the Colony will be only £14,868, and not £29,870, as set forth in the hon. gentleman's proposed amendment. For political purposes, parties endeavour to make it appear that the balance against the Colony is £29,850; but take away the £20,550 of Debentures, which amount it is admitted ought not to have been charged against the Colony from the beginning, and the true balance will be only £9,325. This mode of ascertaining

the balance, is the proper one; and I hope it will be satisfactory to the country. I maintain that the deposits, and the lands which are the securities for the payment of the balances, are preferable to the bonds in the Treasury. [Hon. T. H. Haviland.—When deeds are given.] Every acre is now worth 20 per cent. more than it was worth before it was sold. The deeds cannot all be given at once. The Commissioner told me, the other day, that he had, since the opening of the session, issued deeds for upwards of £600. When a number of deeds are ready, he notifies the parties for whom they are intended that they are so, and the parties, if they have paid, or are prepared to make good the full amounts of legal deposits, come and take them up; or when he visits the estate, he carries a number of deeds duly prepared with him, and delivers them to all who are prepared to take them up. But he does not refuse to take very small deposits, and give receipts for them, at any time; and, thus, when a man has paid only £1 as an instalment, he feels satisfied that he has secured the parcel of land which he wishes to purchase; and, in this way, several small amounts of deposit, not amounting to 20 per cent. have been paid, and entered in the Commissioner's books. Understanding that there had been some disputing on this head, amongst the members of the select committee, I copied off a few items of the kind from the Commissioner's books, which I will now read:—“On Lot 38, Jonathan Best has purchased 100 acres for £35, and paid a deposit of £10; John and Alexander McDonald have purchased 300 acres for £150, and paid a deposit of £30; John Jay has purchased 176 acres for £70 8s. 0d., and has paid a deposit of £20; and George Jay has purchased 50 acres for £17 10s., and has paid a deposit of £5;” and, much after the same ratio, many others have become purchasers, and paid deposits; but their deeds, although they are entitled to them, have not yet been issued. Now, when it is known to all that if such purchasers, as well as they who have paid smaller deposits, do not take out their deeds, they must forfeit their deposits, I am surprised that any hon. members should seriously object to the credit which is given, in the financial statement now on the table, for the several amounts due on such sales. The individuals who, as I have before explained, are accounted the purchasers of the 938 acres, on which, the report states, no deposits have been paid, are persons who have paid their instalments by labor, but who have not yet come forward to have their claims adjusted, and take out their deeds; and two of them, whose names have been entered, as purchasers, in the Land Commissioner's books, are and have been unfortunately, for a considerable time, prisoners in the jail of Georgetown; and consequently it has not been in their power to come forward and claim their deeds. But I will now speak of the report itself; and first of that part of it wherein it is remarked, by the committee, that they find there were paid to the Clerk of the Executive and Legislative Councils for his services, last year, £270, and £20 to an Assistant; although it is declared, by statute, that his salary shall be £120, in lieu of all fees of office, allowances or emoluments. Now, to understand this, it must be remembered that the Legislative Council exercise a power, independently of our control, by which they make suitable provision for remunerating their officers for the performance of any extra labour within their official province; as, for example, before the introduction of the present system of Government, a small sum was regularly voted, every session, by the Legislative Council, to be paid to the Clerk for indexing the Journals; and, no doubt, the sum voted to him, for that service, last year, makes a part of the increase of his allowance noticed in the report. But the indexing of the Journals is very far from being the chief part of the extra or increased labour performed by the Clerk of the Councils. When we came into power, we wanted to refer to a certain Bill in the original manuscript, which should have been in the keeping of the Clerk of the Executive Council, but on enquiring for it, we found that it was in the office of the Queen's Printer. A question then arose as to the impropriety of the laws, in the original manuscripts, being sent to the printing office, where they were taken apart, and distributed, sheet by sheet, or leaf by leaf, amongst the compositors; to the great danger of portions of them being defaced, lost, or destroyed; if not positively altered and falsified. We then came to the conclusion, that, for the future, effectually

to guard against accidents or evils of so serious a nature as the loss of a leaf, by which a whole Act would be lost, or the alteration of a word, by which the import and intent of a law might be wholly changed, the Clerk should be ordered to engross copies of the several laws, passed in any session, for the use of the printer, retaining the printed originals in his own possession, and comparing the printed copies therewith, as they proceeded through the press. This has been done ever since; and when it is remembered how great has been the number of Acts passed in different sessions, since this extra duty was imposed upon the Clerk of the Councils, the addition made to his salary on that account cannot, I think, be held, even by the most economical, to be more than he is well entitled to—for the increase of labour is not only serious in amount but of the most important nature. That the precaution which has caused so much extra engrossing, on the part of the Clerk of the Councils, was not needless, the explanation I have already given is sufficient to prove; but if the most direct proof of it be required, we have in the fact—that, through the very careless and dangerous manner in which the original copies were formerly used, and comparisons made between the printer's proofs and the manuscripts—in the Election Law, a Township was actually put into a wrong District. The Committee, in their report, also take exception to the amount (£67) which has been paid by the Government to John Doirant for superintending the erection of Oyster-bed bridge, and to a further sum of £115 5s. paid to the same individual for superintending the erection of Prince-street wharf, in Charlottetown, alleging that all such superintendence comes within the special province of the Superintendent of Public Works, as a part of the duty for the performance of which he receives his salary. This, however, I maintain, and hope to be able to show, is a very erroneous idea indeed. The chief duty of the Superintendent of Public Works is to visit the sites of intended works; to draw plans and specifications of such works; to estimate the cost of their erection, for the guidance of the Government; and also to visit, survey and inspect them from time to time, whilst their erection is progressing. The Superintendent of Public Works is not the superintendent of such works in Charlottetown only, but of all public works throughout the whole of the Island. Were he, from the commencement of any public work of magnitude, to be stationed at it, as its daily superintendent, until its completion, that particular work, begun, continued and completed under his immediate supervision and direction, might be all that it ought to be; but, whilst the public had been benefited in an especial manner by his superintendence of that particular work, it might at the same time, in different quarters of the Island, have suffered loss to twice the amount of his salary, from its having been impossible for him, whilst so stationed, to visit other and distant public works, at the same time in course of erection; which, lacking the scientific inspection and architectural directions, so necessary to be made and given, from time to time, to ensure their proper construction, might be finished in a very imperfect and insecure manner. Knowing what very serious public loss had, at different times been sustained, and public inconvenience experienced, by the very unfaithful and inefficient manner, in which contracts for the building of wharfs and bridges, in the Colony, had been performed, the Government, in order to ensure the proper construction of Prince Street Wharf, at first, engaged Mr. Benjamin Davies to superintend the erection of it; but (finding that the faithful superintendence of the work required more of his time, and a closer attention, than his private avocations would admit his bestowing upon it,) he notified the Government to that effect; and, on his declining the further superintendence of the work, Mr. Doirant was engaged to prosecute it in his stead. Of the wisdom and benefit of employing such a man as Doirant, to superintend the erection of such public works, we have ample proof, to mention only one instance, in the bridge at Souris. The abutments on one side of the bridge, not having been duly superintended, during their erection, gave way before the violence of the first heavy storm which arose after their erection; but those parts of the work which were constructed and completed, under the superintendence and direction of Doirant, have remained firm, and withstood the most violent assaults both of winds and waves. In the proper erection and construction

of such works, much iron is used, and a great number of bolts are required to be driven, several of the length of seven or eight feet; and it is quite clear that for the due performance of such work, by some workmen or contractors, there can be no sufficient guarantee but the constant and vigilant superintendance of a faithful and skilful architect. Occasional surveys or inspections of such works, by the Superintendent of Public Works, would not alone be sufficient to insure a due and efficient performance of the contracts; for, in his absence, much work might be very imperfectly performed and very insecurely fastened, and yet be so concealed by fair outward appearance that the imperfection could only be discovered when it would be too late to have it remedied at the expense of the dishonest contractor; that is, not until it should have given way and become a wreck and a ruin beneath the force of storms, which, if properly constructed and faithfully erected, it would have been able to withstand. The money which has been paid to Mr. Doirant, for his superintendance of the construction of public works on which he has been stationed, has therefore, I say, been wisely expended, and on principles truly economical. But to argue or conclude that,— whilst it is absolutely necessary for the Superintendent of Public Works not only to visit, inspect and regulate matters about lighthouses, but also, in their turns, to visit, inspect and report concerning all the principal public works at any time in progress throughout the Island,—he should be retained to superintend and direct the progress of any particular work, either in Charlottetown or elsewhere, is positively absurd. Had the Select Committee on Public Accounts thought it necessary to apply to the Government for any information concerning the moneys paid to Mr. Doirant for his services, which I certainly think they ought to have done, before agreeing to that paragraph of their report which, by implication, casts a censure both upon the Government and the Inspector of Public Works, that information, as they must have known, would have been readily afforded them. That the whole paragraph in which, as I have shown, reference is so unnecessarily made to the amount paid to the Clerk of the Councils for his extra official services and to the sum paid to Mr. Doirant for his services in superintending the erection of Prince-street wharf, should be struck out of the report, is what I think no one who takes a fair view of the services therein adverted to can deny; and therefore, when that paragraph comes under our especial consideration, I shall move that it be struck out of the report.

Hon. Mr. HAVILAND.—That the amount paid to the Clerk of the Councils, for his services, is adverted to in the report, is not because it is or has been considered, by any one who is capable of judging justly concerning the extent, nature and value of his official labours, that he is too highly remunerated for the performance of them; for, I believe, all such individuals agree with me that no government or legislative official is more deserving of the remuneration awarded to him, for his special labours, than Mr. Doirant, the Clerk of the Councils. But the amount paid to him has been added because there is something anomalous, if not quite contradictory, between the fact that his annual salary is by statute positively fixed at £120, and the evidence that the amount of remuneration paid to him for his services for one year has been £276. That the salary fixed by statute is a very inadequate remuneration for the services to be performed, no one competent to estimate their value will, I think, deny. Why then, now that the average annual amount of his official labours can be pretty accurately ascertained, should not his salary be raised by law to such an amount as it is evident he is justly entitled to?

Hon. COL. SECRETARY.—The amount of his labours is very far from the same in every year; but, on the contrary, varies greatly according to the amount of legislative business transacted in different sessions. Now, were we to fix by law the salary of the Clerk of the Councils, even as high as £200 per annum, this amount might not always be accounted sufficient by the Legislative Council, who, in the exercise of that discretionary power which by usage is tacitly vested in them, might occasionally think it right to increase it, by occasional allowances, considerably beyond that amount. The discretionary power which, in this respect, is vested to the Legislative Council, we might, do doubt, constitutionally circumscribe; but so long as they continue to exercise it, as they have hitherto done, in accordance with the principles of justice, our proper course will, I think, be to leave them in the full and undisturbed enjoyment of it; as thereby they may, at all times, proportion the sessional allowance to the amount of labour actually performed. For a short session, in which but few Bills have been passed, the extra allowance will be but small; but for a session in which as has been the case, forty or fifty Bills may be passed, it will be proportionally large.

Hon. Mr. LONGWORTH.—If the only difference between the report of the majority of the special committee and the amendment submitted by the hon. member for Princetown, (the Hon. Mr. Haviland,) be, as the Hon. Col. Secretary says, that, in the one credit is given to the Government for £15000, the amount due on sales of public lands, and in the other credit for those sales is not given; his objection to the amendment appears to me to be altogether untenable, if not quite baseless. The only credits to which the Government can justly lay claim, on account of the sales of public lands, is given them by the amendment; and that is for the sum total of the several amounts which have been paid upon those Deeds. How, with any show of propriety, the Hon. Col. Secretary can lay claim,

on behalf of the Government, to credit on account of lands sold, for which no Deeds have been issued, and on which deposits amounting to only £1, £2, or £3 have been paid, I cannot imagine. The securities, where Deeds have been issued and Bonds given, are good and valid; but in all cases in which such trifling deposits only have been paid, the lands should still be accounted wilderness lands. I think that credit should be given for the sums received, and for the amounts due on Bonds, or on Deeds, but only upon such Deeds as have been duly executed. In cases in which Bonds have been given, or Deeds executed the securities are good and valid; but, in all cases in which the deposits paid do not amount to more than two or three pounds, and consequently no Deeds issued, there is no security for the performance of their implied contracts by alleged purchasers; and most, indeed all, of them, might, after having each out and disposed of £20 or £30 worth of timber, for his own advantage, unceremoniously abandon their presumed purchases, and throw them upon the hands of the Government, depreciated in value to, at the least, the value of the timber taken from them, under the color of purchase and pretence of ownership. This is my reason for objecting to the credit which has been given by the majority of the select committee, on account of the sales of lands for which no Deeds have been issued, and for lands on which no deposits have been paid.

Hon. COLONIAL SECRETARY.—Such lands, even if stripped of timber, as the hon. member for Charlottetown (the Hon. Mr. Longworth) supposes they may, or might be, would still be worth the price per acre for which they have been sold; for the barrens which were thought to be worth nothing bring 10s., an acre. I agree that if credit should only be given for the amount due on Bonds and on Deeds issued; then in that case, the Government should not be charged with the £20,550 of Debentures. If, on the other hand, the Government are to have placed to their debit the amount of debentures issued by them, they ought certainly to have credit given them for the amount of lands actually sold, but for which Deeds have not yet issued, if not also for the value of the lands remaining unsold. Let the committee, I say, do either the one or the other; and, then, the balance struck will a correct and satisfactory one.

Hon. Mr. MOONEY.—It seems to me that it should be no very difficult matter to make up a fair debtor and creditor account, justly and fully showing the position of the Government with respect to the public lands. The purchase of these lands, in large quantities, by the Government, for the purpose of selling them again in small quantities, is in the main, just like the ordinary speculations of our merchants. For example, one of them imports, say from Halifax, £2000 or £3000 worth of goods, and commences retailing them. Some he sells for ready money, and some on credit, wholly or in part; and at the end, say of twelve months, he wishes to ascertain how he stands, with respect to his speculation. In the first place, I fancy, he will debt his stock with the cost thereof, and all expenses, as well as damage and loss, if any. Then against that he will give the concern, or his stock, credit for cash sales, for moneys due on account of sales, and lastly for the value of the goods on his shelves, or in his warehouse; and the difference between the two sides of the account will shew the true state of the concern. Just so with respect to the public lands; let the amount paid for them, be first of all charged against them, next the interest of the debentures, by means of which they were purchased, and then the expenses incurred by the management and sales of them; and, against these, let the concern or speculation have credit for the moneys received on account of sales, for the amounts due on bonds, or on deeds, or on agreements for deeds, and lastly, let it have credit for the goods on the shelves, that is for the lands remaining unsold; and the balance will then shew the true state of the speculation; and prove whether or not it has answered or is answering the expectations of its projectors. If the account were made out in this way, it would shew that the estate is not only solvent, but in such a state as must be satisfactory to every reasonable man, and truly gratifying to every sincere friend and well-wisher of the people. But to admit this, will by means set the views of the opposition;

and they have labored and will labor.—but in vain I am satisfied—to convince the country that the concern is bankrupt, and that nothing but their return, in a majority, at the next election, can save the country from utter ruin.

Hon. COLONIAL SECRETARY.—By the 22nd clause of the Land Purchase Act, it is provided, that “all sums of money and fees, paid by any person, purchasing lands, under this Act, from the Commissioner of Public Lands, on account of the purchase money thereof, or for preparing the conveyance or duplicate thereof, or otherwise, where required by this Act, shall be paid to the Commissioner of Public Lands, who shall enter the particulars of each payment in his books, and give the person making the payment such certificate, acknowledging the same, on his part, by endorsement on the back of the Deed, or otherwise, as the circumstances of the case may require.” Now, on a fair consideration of this clause, does it not fully appear, that what hon. members in opposition are so strongly disposed to represent as altogether irregular.—I mean the practice of the Commissioner of Public Lands, in at first receiving and giving credit in his books, and receipts to purchasers, for less than 20 per cent on the sales of lands, before deeds can lawfully be obtained or issued on account of such sales, is merely a carrying out of the intention of the Act in that respect, wherein it provides that acknowledgment of money paid on account of a purchase of land shall be made by indorsement on the back of the Deed, that is if the Deed has been issued; or otherwise, that is by a simple receipt and an entry in the Commissioner's Books, if the Deed has not been issued? And, even after instalments or deposits have been paid, amounting to 20 per cent, or more, a moment's consideration might serve to shew, that Deeds cannot always be issued immediately; it may not always be convenient to procure the signature of the Governor; and in so large a concern all deeds which can be duly claimed cannot be issued in one day.

Mr. POPE.—I do not quite agree with the hon. member for Princetown (Hon. Mr. Haviland) in his views concerning the liabilities of the Government, on account of the public lands. In the account of public lands all the liabilities of the Government, on account of them, should, in my opinion, be plainly and broadly set forth, on the one hand; and on the other, they should be credited for the amounts due on bonds given and deeds issued, and also for the quantity of lands on hand or unsold, at what they are considered to be worth; but the amount of credit on this latter score would, I apprehend, be but trifling, for all the good lands have been already sold, and what remains unsold is either of a very inferior quality, or altogether worthless. The hon. member from Flinty Glen is, for once, right; and I would require no better way of trying the concern than by the method he has proposed; for fully and clearly, I think, would it establish the correctness of my views concerning it, as I have already avowed them. Well, according to the plan proposed by the hon. member from Flinty Glen, I would first debit the concern with the £20,550 due from it, together with the interest on that amount; then with the expenses of management, which annually equal, if they do not exceed, the returns made by it; next, with loss by land-tax; and lastly, with the loss sustained by the plunder of the estate by pretended or alleged purchasers: and then, on the credit side, I would place the gross amount of receipts on account of lands sold; also the amounts due on bonds and deeds; and lastly, at a fair valuation, the wilderness lands or lands remaining unsold; and when I had done this, and struck a balance, it would either be on the wrong side, or else, if in favour of the concern, of so trifling and doubtful a character as clearly to prove, to every man of understanding mind, the utter impossibility of its ever proving any thing but a losing speculation, or of its resulting in any thing but the total loss to the country of the amount at present due from it. This, from the data before us, it is not difficult to divine. In the first place, the expenses

exceed the receipts on account of the past year, as appears even by the statements with which the managers of the lands have themselves furnished us; and I hesitate not to say that these statements are not such as we can implicitly rely upon. When we consider in how questionable a manner they have foisted into the credit side of their account 938 acres, on which no deposit has yet been paid; and when we regard the altogether unjustifiable insertion in the receipts of £380, paid on account of sales of Crown Lands; much reason, indeed, does there appear to be for suspecting a falsification of their statements, wherever it was found practicable. And, besides all this, they have carefully left out of sight the fact that £6000 are yet due, with interest thereon, to the vendors of the Worrell Estate. To return to the mode of settling the accounts, so aptly suggested by the hon. member from Flinty Glen, if the Government are to have credit for the goods on their shelves, it must first be determined whether they are to have credit for them at the selling prices at which they are ticketed, or at cost, or perhaps loss on account of damages. With respect to the goods on the Government shelves—the lands yet unsold—large tracts of which are almost wholly as worthless as the swamps and bogs on Lot 11, of which I bought 100 acres, but gave them up, as I found they were not worth even the land tax—it would certainly be a great error to give the Government credit for them at prime cost. But even granting it were true that, as they state, there is an amount of about £15,000 due on account of sales of the public land, I think it is pretty clear, taking the expenses of the past as a guide for the computation of those of the future, that £20,000 would be spent in collecting it. The management of the Worrell Estate has, since it came into the hands of the Government, cost over £2000 a year; and I believe, nay, I durst venture to stake my life upon it, that every farthing of what is now due, and of whatever more may yet become due, on account of sales of that Estate, will be spent or absorbed in the collection of it; and the Colony will, in the end, have to pay the whole amount of the debt incurred by the purchase of the Worrell Estate and Lot 11.

Mr. McDONALD.—I hold in my hand a statement by which it appears, that there have been paid into the Treasury, up to the 31st of January, 1858, £1936 13s. 6d., on account of sales of land, on the Worrell Estate and Lot 11; and that the receipts, in the Public Lands Office, up to that period, have exceeded the expenditure consequent upon the management of the concern, by the sum of £415 17s. 2½d.; the expenses of management altogether—including the salaries of the Commissioner and Surveyor General, the amounts paid to woodrangers, assistants to the Surveyor General, printing and advertising, stationery and travelling expenses—amounting to only £684 15s. 11d.; and for so large a concern—especially at the outset, when the difficulties to be overcome, and the involved details, which had to be disentangled, were so great—the expenditure must, I think, in the estimation of unprejudiced minds, be accounted a very moderate one; and the amount paid into the Treasury, as much as could reasonably have been calculated upon, in the way of returns, in so limited a period. And these figures, allow me to add, cannot be disputed, for they are those of the Auditors of the Public Accounts. In the report which I, as the chairman of the select committee on the Public Accounts, have had the honor to present to the House, there is no allowance made for the expenses incurred by the Commissioner on sales of Crown Lands, to the amount of £700, and of which amount he has paid £370 2s. 7½d. into the Treasury: the expenses incurred by him on that account are not expenses incurred on account of the management of the Public Lands, and ought not, therefore, to be allowed apparently to



increase the amount of those expenses. But, yet, that part of the report, which exhibits the Commissioner's Accounts, shows exactly what amounts of money have been received generally on account of each of the two descriptions of Public Lands; that is, on account both of those especially denominated "the Public Lands," and of those known as "Crown Lands."

Mr. POPE.—The hon. member for Georgetown does not, I should imagine, mean to tell us that the Commissioner has omitted to charge the expenses incurred by him on account of sales of Crown Lands made by him. Certainly not, for, if he did mean any such thing, I am very sure that on examination of any detailed account of his travelling expenses, which might be furnished for our information, we should find that the Commissioner had not been quite so unmindful of himself as to forget to give himself credit even for the smallest amount of outlay which could be brought against the Colony, or the Public Lands, under the head of official expenses. And let the Commissioner and Committees cut and carve the accounts of the Public Land Office as they please, I say again, even according to their own showing and in spite of themselves, the expenditure will be found to exceed the receipts.

Hon. COL. SECRETARY.—The allowance, made, by individual Proprietors, to their Agents, who have little to do but to receive, or enforce payment of rents, out of which to remunerate themselves for the trouble of doing so, and then to remit the surplus, if any surplus be left to remit, after deducting their own salaries and expenses, to their principals, in the Old Country, is, I believe, generally £200 a year. Now, when the amount paid to individuals, on account of such comparatively trifling agencies, and the expenses attendant thereon besides, are compared with the whole expenditure, on account of the management of the Public Lands, amounting to 84,254 acres, which, for the last year, is not more in all than £685; surely, as the hon. member for Georgetown (Mr. McDonald) has said, the expenses must, to every unprejudiced mind, appear to be kept within a very moderate amount. The object of the amendment submitted by the hon. member for Princetown, (Hon. T. H. Haviland) is to make it appear that both the Account of the Commissioner of Crown Lands and the Report before the Committee are fallacious, in making it appear that the total amount of cash receipts from Public Lands, last year, was £2,338 6s. 1½d.; inasmuch as the gross amount of receipts on account of lands sold during the year, was only £1957 8s. 6d.; and the hon. member from Summerside follows in the track, and joins in the cry of "falsification of statement," only, very characteristically, with much candour and liberality of sentiment than have been manifested by the hon. member for Princetown, in submitting his amendment. The former seems to have been brooding over "a mare's nest" ever since he entered the house; and, now that he fancies he has found one indeed, all I shall say to him, at present, is, that he is welcome, for me, to sit in it as long as he pleases. As for the fallaciousness, as it is called by the hon. member for Princetown, of the Report before the Committee with respect to the Public Lands, I will endeavor, and successfully I hope, to show that neither is there any fallaciousness in it, nor could any deception have been intended by it. It plainly distinguishes between those lands which are particularly called "Public Lands," and those which are styled, "Crown Lands;" and particularly shows what has been received on account of each. The only difference between the report before the Committee, and the amendment, submitted by the hon. member for Princetown (Hon. T. H. Haviland) as they respect the

receipts and expenditure of the Public Lands Office, last year, is, that, in the first, besides its being shown that £1,958 8s. 6d. have been received on account of "Public Lands," £380 2s. 7½d. have been received on account of sales of "Crown Lands;" in all £2,338 6s. 1½d.; and that against this there is charged, interest on purchase money, loss of land tax, Commissioner's and Surveyor General's salaries, and all incidental expenses, amounting to £1,992 8s. 11d., leaving a balance, in favor of the Public Lands Office, of £415 17 2½d.; and, in the other, the gross amount, received on account of "Public Lands," is stated to be £1957 8s. 6d., (the amount received on account of "Crown Lands," £380 2s. 7½d., being altogether disregarded, on the credit side, whilst, at the same time, no allowance or deduction is made, on the debtor side, for expenses incurred by the Commissioner in the sale of "Crown Lands,") against which amount of £1957 8s. 6d., there is placed, as in the statement contained in the Report, the interest on purchase money, salaries, and all incidental expenses, making it, *fallaciously*, I say, appear that there is a balance, on account of last year, against the Public Lands Office of £34 14s. 7d., instead of, as there truly is, a balance in its favor of £415 17s. 2½d. The Crown Lands, ceded to the Colony, are a part of the Public Lands and the management of them, as well as of the other Public Lands, belongs, under the Government, to the Commissioner of Public Lands and the Surveyor General, and it would, certainly, be forming a very false estimate of the services of these officials, as weighed against the salaries allowed them and the expenses incidentally incurred by them, if nothing were taken into account, but what is done by them, with respect to, or upon the Worrell Estate and Lot 11. Last year the Commissioner made sales of Crown Lands to the amount of upwards of £700, (which of itself was quite as much as was formerly done by the Surveyor General, when he was in the receipt of a salary of £300 a year,) whilst, at the same time, he fully discharged all his duties with regard to the Public Lands, especially so called. And, it ought to be remembered, with respect to the Surveyor General, that, although his salary and incidental expenses, are wholly charged against the Public Land, or the Worrell Estate, yet he is not altogether employed upon, or concerning, those lands; but, for the same salary, is required to perform many other professional services for the public: as, for instance, the surveying and laying off lines of new roads, one of which of the length of 20 miles, in his capacity of Surveyor General, and on account of the salary which he receives as such, he completed last year, besides at the same time discharging all his duties with respect to the Crown Lands. Now, if a fair allowance, at an average rate, were made for such extra official services, as I have instanced, which are performed by the Commissioner of Public Lands and the Surveyor General, (as most certainly there ought to be,) it would materially lessen the amount charged against the Public Lands or the Worrell Estate, for the management, or what is usually called the working thereof. That the management of the Public Lands is, notwithstanding all drawbacks, and in spite of every misrepresentation made concerning it, of a most satisfactory and encouraging kind, is quite clear from that indisputable statement, to which the hon. member for Georgetown (Mr. McDonald) has just referred,—indisputable, inasmuch as the figures thereof are those of the Auditors, who certainly will not be suspected of having falsified the account to benefit the Government. That statement is, of itself, a sufficient answer to the complete failure of the speculation, announced by the hon. member from Summerside, and which, I feel certain, he so devoutly wishes. He has said he is willing to stake his life upon it, that every penny now due from the Worrell Estate will be spent in collecting it, and that the debt incurred by the purchase of the Public Lands, will ultimately have to be paid by the people; but if figures, the most closely scrutinized, and deductions, the least extravagant, from experience, are at all to be depended upon, the concern will, most assuredly, within the lapse of the ten years—allowed for the final winding up of its affairs—have completely cleared off all its liabilities. No one who immediately sought to induce the speculation, or who, from the first, has been immediately con-

nected with it, was so blind as to expect that it would, at its very commencement, make full and adequate returns for the purchase money and the expenses which would be incurred by necessary surveys, the bringing of it into proper working order, and the general management thereof. But now, the initiatory difficulties and expenses having all been overcome and disposed of, if the Government should purchase as much more land, the expenses consequent upon the management of the whole, would be little, if anything, more than they are at present. The state of the speculation being so satisfactory and promising, if the hon. member from Summerside stake his life against its success, as he says he is willing to do, his computative organ must be amazingly small, (which, however, as respects calculations of another kind, does not appear to be the case,) or else he must set but little value upon his existence. At the hazard on which he himself seems willing to set it, his life must, I think, be worth but a very few years' purchase. The hon. member from Port Hill, Mr. Yeo, had, formerly, much to say, and even, in the present session, has said much, against the purchase of Lot 11, by the Government; representing the settlers thereon, as a most wretched and poverty-stricken class of men, who, instead of being able to buy and pay for their farms, were not able to buy the common necessaries of life; and yet we find that these very men have purchased 6,190½ acres of the Lot, for £2,689 14s. 11d. and have paid on their Deeds £1769. Does this look the ruination, predicted, by that gentleman, with respect to that Lot? No: very far from it indeed I think. The Commissioner has paid a visit to that Lot, since the meeting of the Legislature; when every one of the purchasers met him; and all but three made payments to him on account of their lands. They were aware of the contemptuous and disparaging manner, in which the hon. member from Port Hill (Mr. Yeo) had spoken of them; and great was their indignation against him in consequence of it; whilst, at the same time, they most gratefully, appreciated the policy of the Government, with respect to the purchase of the Township, whereby they had been enabled to exchange their state of tenant bondage for that of freemen. In support of the statement of the financial state of the Colony, set forth in the Report now before the committee, I need not, I think, say any more, except that, in the (the Hon. T. H. Haviland) there is set forth in a memorandum, the amount, £15,022, due on the sales of Public Lands, although it is excluded from the Dr. and Cr. Account of Public Lands, as well as from the general Dr. and Cr. Account of the Government, as stated in that amendment; so that the balance against the Colony is made appear to be £29,870 4s. 4½d., instead of £14,868 3s. 3½d., as it is correctly stated in the Report submitted by the committee if the £20,550 of Debentures are to be charged against the Colony; although the time for making that charge against it, is not yet arrived, as the hon. member for Princetown himself (Hon. T. H. Haviland) has so candidly admitted.

Hon. T. H. HAVILAND.—As I think my doing so may save time, I move that the whole of the report, which I have read, be substituted for that now in the hands of the chairman of the committee.

Hon. E. PALMER.—I second the motion. When the magnificent scheme for the purchase of Township Lands, or the Worrell Estate, was first projected, and when it was at length set in operation, the answer, made to all prudent and cautious objections or doubts, expressed concerning it, was, that it would prove a grand panacea—a sovereign remedy for all the distress and discontent experienced in the country; and that it would be self-sustaining from the beginning to the end; and, even now, in spite of facts which most clearly establish the contrary—facts which all the ingenuity of the Government, and the managers of the scheme, cannot conceal—facts the most stubborn and unyielding—we are told it is and will be self-sustaining to the last. The debtor and creditor account of the Public Lands Office, as set forth in the report, which has been presented to the House as that of the select committee appointed to report, on the public accounts, makes it appear that the working of the scheme, last year, has left a balance of £415 17s. 2½d., in favor of the Colony. Now, the question is, is that a fair and correct balance, or is it not? I say, confidently, it is not. In order to shew that balance in favor of the Colony, they have fallaciously thrust into the account £380

2s. 7½d., proceeds of last year's sales of Crown Lands—a fund which has nothing in the world to do with the Worrell Estate, or the Worrell Estate with it. Let that sum be struck out, as it manifestly ought to be; and then, without at all meddling further with the account, their balance will be reduced to £35 14s. 7d. That may be deemed, almost by their own shewing, the balance in place of £415 17s. 2½d., as most unfairly set forth in the report now in the hands of the Chairman. Any common place observer must perceive that the £380, received last year for Crown Land sales, should be kept in a distinct part of the public accounts, and not mixed up with the Worrell Estate; and how it happened that so great a quantity of the Crown Lands was thrown into the market last year, it may not be very easy to explain to the credit of the Government. [Hon. E. Whelan—It happened because they were in demand. Hon. the Speaker—It happened because they were applied for. I, for one, applied.] Well, even if £1,000 worth had been applied for, and sold; the money paid on account of the sales could not, with anything like a show of propriety, have been placed to the credit of the Public Lands, or the Worrell Estate. The Public Lands or the Worrell Estate and the Crown Lands, are two totally distinct and separate concerns; and however, or by whomsoever, they may be managed, the accounts of them ought not to be blended. The object of their now having been thrown together is, however, quite evident. It is merely to have an apparent balance in favor of the Government; although even on their own showing the balance, in their favor on the Public Lands Account, is palpably no more than £35 14s. 7d. But if there be brought into the account, as there certainly ought to be, and placed against the receipts, the interest of the £6,000, still due to the vendors of the Worrell Estate, which, for the last year, is £300, the balance against the Colony will, by my calculation, be £264 5s. 5d. [Hon. E. Whelan—By your calculation!] Yes, by my calculation; and I defy the Queen's Printer, with all his fancied ingenuity and eloquence, to disprove it. The Public Lands Account—when thus rectified, by the striking out of the Crown Lands sum of £380 2s. 7½d., (a sum which has been most unfairly placed to the credit of it) and the charging against it of £300, the interest of the £6,000 due from the Worrell Estate, a sum which has, quite as unfairly, been left out of the account—will show, as I have already said, a balance of £264 5s. 5d. against the Colony. Now, surely if this fact proves anything at all, it is that the concern, so far from being a self-sustaining one, is rapidly verifying the predictions of those who, from the first, said it would benefit none but those whom the Government might employ in the management of it; and would assuredly eventuate in the dead loss, to the Colony, of the purchase money. If this be the state of the concern; and, in spite of all mystification and manœuvring of accounts to make it appear otherwise it is evidently its veritable state; if this, I say, be the real state of the concern, when all the best lands have been sold, and all the best instalments have been paid, it goes very far indeed, I think, to sustain the view taken of it by the hon. member from Summerside (Mr. Pope) and to render most probable the absorption of whatever moneys may be due from it, in the expense of collecting them; much as the Hon. Col. Secretary would have us to believe, he is amused by the prediction. As to the amount paid to the Clerk of the Councils, for his services, no one, upon this side of the House, is at all disposed to argue, for one moment, that he is overpaid. On the contrary, we freely admit that he is not; still we cannot but remember, when we observe the liberality with which he is paid, what an outcry was raised, what a hubbub was created, by hon. members on the other side of the House, before they came into power, on account of any similar allowances, made for such service. The services, they then said, were not required; they were a mere pretence, whereby to countenance extravagance, and needless expenditure of public money; but now, when the public money is at their disposal, they imitate the practice which they, formerly, so vehemently condemned. All that I have to say of it otherwise, is that we may see by it how little they were, formerly, actuated by public principle, and also how little they have regarded consistency, since they came into power. The Government party say, that the £250 a-year paid to the Surveyor General should not all be charged against the Worrell Estate;

but as they thought proper to abolish the office of Surveyor General when they came into power, and before the Worrell Estate was purchased by them, because, as they said, there was nothing for a Surveyor General to do. [Hon. Col. Secretary—But that officer was required when the Public Lands were purchased.] Then why not charge all his salary to the Public Lands fund? If, after the purchase of the Worrell Estate, I say, they revived that office, and appointed a Surveyor General, to be employed in making surveys of that estate, his salary ought, most undoubtedly, to be charged against that estate. And as for the extravagant allowances or payments made to John Doirant, for his superintendance of the construction or erection of certain wharfs and bridges, I say that, notwithstanding his skill and knowledge, with respect to such works, may be as great as they are represented by some, and, notwithstanding that the work of the kind, completed under his superintendance, may be accounted, and justly so too, amongst the best, or even the very best, most efficient and substantial in the Island; yet his services have not been, and are not required, to the extent to which they have been in request by the Government; and neither when they have fairly been required ought he to have been paid for them, at so extravagant a rate as either 23s. 4d., or 17s. 6d. a-day. Doirant may be a very experienced, good and skilful workman; but he is no more. He is certainly not an educated and scientific architect; and to pay him, even when he is most fairly employed, as if he were a builder of the highest order, is positively most extravagant and unwarrantable; and I hesitate not to say, that, were it not for ulterior purposes, the Government would neither employ him as much, nor pay him for his services at so high a rate, as they do. But it is idle to blink the matter, or to speak at all doubtfully or obscurely about it. The fact is patent to all: the Government find that Doirant makes a very pliant and useful political agent: and, as such, he serves, and can well afford to serve, them at the rate at which he is paid, whilst ostensibly engaged merely in superintending the erection of some public work, such as a wharf or a bridge. But it is altogether unnecessary to have either him, or any other superintendant, employed, daily. It might, just as reasonably, be said that it is necessary for Lloyd's Agent to be daily in every ship-yard while the ship is in progress of building. A visit, two or three times a week, from the Superintendent of Public Works, who lived in the neighbourhood, and who is very well paid for his services, might easily have saved all the money paid to Mr. John Doirant, and would have done so, I imagine, if public economy had been the only object in view by the Government, when directing that the erection of Prince-street Wharf should be properly superintended. With these views, I second the amendment.

Mr. COOPER.—There is a very great difference between ship-building and wharf and bridge-building. The former has been reduced to a perfect science; and is now carried on on principles so truly scientific, that, when once the mould and tonnage of a ship have been determined upon, the quantity of timber, planks, and bolts which will be required to finish her, can be determined to the greatest nicety; and, at any stage of her progress towards completion, a man who thoroughly understands the present scientific mode of ship-building, may, on a careful inspection, easily tell whether or not the work which has been done has been faithfully and scientifically performed, and whether or not she is progressing to completion according to the original design. Hence, although Lloyd's Agent may be called upon to inspect every vessel being built in the Island; he alone is perfectly competent to discharge the duty. But the case is widely different with respect to the construction of wharfs and bridges, at least in this country; and, unless such works be contracted for, and undertaken, by men of unquestionable integrity and of much more than ordinary knowledge of, and skill in such matters, they will never be efficiently and substantially built; except when the construction and erection of them is carried on under the close and constant superintendance of a man thoroughly acquainted with the art, and who knows exactly how every piece of timber ought to be

placed, and where and how every bolt ought to be driven. The public benefits derived from such superintendance, and the public loss consequent upon the neglect of such precaution, were both pretty fully exemplified in the building of the Souris Bridge; that part which was built and completed under the direction and superintendance of Doirant was found to be quite efficient and substantial; whilst that portion of it, which was built before he was placed as a superintendant upon the work, proved to be quite the reverse. I think there is great wisdom and economy both, in placing a man of Doirant's practical skill and experience upon such works; and the Government, instead of being censured, ought to be commended for so doing.

Hon. Mr. WIGHTMAN.—The Worrell Estate or the Public Lands are no sooner alluded to, in any debate in this House, than certain hon. members start up, one after another, like amateurs at a shooting match, every one determined to exhibit his skill; and the Worrell Estate is the target at which each of them, in his turn, levels his piece and directs his shot; and very glad, it seems, would they be should they be able to make as many holes in it as there are in a riddle. I must say that I very much regret the spirit in which some hon. members almost invariably approach this question, for it is not by any means characterized by due candour and moderation. The Land Purchase Bill passed this House with the almost unanimous consent of the members; it was passed without opposition by the Legislative Council; it was allowed by the Governor; and the Royal sanction was freely accorded to it at home. It is therefore, as was observed a few evenings ago by the hon. and learned member for Charlottetown, the law of the land; and as such it becomes us duly to apply and uphold it. With respect to the Public Lands—lands which have become public property through the operation of that law—each side of this House has an especial duty to perform, and one, by the due discharge of which, each of them may manifest unquestionable regard for the interests of their constituents. In the first place, it is the duty of members on this, the Government side of the House, to take care that the most particular and minute statements, respecting the management of the Public Lands and the state of the Public Lands' fund, the receipts and expenditure, shall be supplied to this House for their information and investigation, and, through them, for the information of the public at large; and this peculiar duty of this side of the House, with respect to the Public Lands, I am satisfied has been duly discharged, as appears by the report on the Table. That report, it is true, is not fully concurred in by both sides of the House; but its statements are so full and plain that no one can justly say they are defective, as respects either their scope or their intelligibility. The peculiar duty of hon. members in opposition, with respect to all the Public Accounts, but especially with respect to the Public Lands Account, is doubtless to investigate them with the most jealous and searching eyes, yet still in a spirit of fairness and candour. The working of the Land Purchase Act—the grand object of which is to annihilate the leasehold tenure which has been felt to be so great a grievance by the people, and which has so greatly retarded the prosperity of the Colony—may very fairly, I admit, be made a touchstone on which especially to try the character of the policy of the party at present in power. But, whilst I admit this, and so far allow the propriety of the course being at present pursued by some hon. members in opposition, I am at the same time fully convinced not only that the scheme was wisely and patriotically conceived, but that it has already effected much of the good which it was intended to accomplish, and will finally prove a complete remedy for all the evils and discontent, the removal of which was so long vainly sought in seeking

and praying for the establishment of a Court of Escheat. The hon. and learned member for Charlottetown (Hon. Mr. Palmer) has said that the salary of the Surveyor General, £250 a year, should be charged against the Worrell Estate, because that officer's chief public employment has been making surveys upon that estate. He has also said that the £380, proceeds of last year's sales of Crown Lands, ought not to be placed to the credit of the Public Lands, because the Crown Lands' fund is a separate and independent one. Now such reasoning as this, I am sorry to say, savours but little, I think, of that spirit of fairness and candour in which hon. members, on which side of the House soever they may be, ought always to consider and examine such matters. It is very true that the present Surveyor General has, since his appointment, been chiefly engaged in making surveys upon the Worrell Estate; but it is well known that his public services have not been confined to that estate, and that he has otherwise been employed in the service of the public, and therefore his salary should not be regarded as paid to him solely on account of his services upon the Public Lands, but as also on account of such as were rendered by previous Surveyors General, when there were no public lands. And still less tenable, I think, is the position of the hon. and learned gentlemen when he says that the £380, proceeds of Crown Lands sales, should not be placed to the credit of the Public Lands. The Crown Lands, since they were ceded to the Colony, as has already been observed by the Hon. the Colonial Secretary, are in the strictest sense public property. They are only a portion of the public lands known by another name; and the Commissioner of Public Lands and the Surveyor General have just the like public services to perform, with respect to them, that they have to perform with respect to the Worrell Estate and Lot 11; consequently all proceeds of sales of Crown Lands must, if properly entered, be placed to the credit of the Public Lands; and the salaries of the Commissioner and the Surveyor General must, according, at the least, to the proportion between the sales of Crown Lands and those of the two other portions of the Public Lands, be placed against the former as well as against the latter. The true state of the Public Lands Accounts—that which, were it not that party bias seems to turn away the minds of some hon. members from a true consideration of it, would, I think, be patent to all—is that which is given in the report which is now before the Chairman. "But should it be made out on the principles stated by the hon. member from Fifty Glen, and with which the hon. member from Summerside seems so much delighted; charging against the lands not only the interest due on the debentures, but the debentures themselves, to the amount of £20,550, together with the salaries and other items of expenditure to the amount of £894 18s. 11d., and giving credit, not only for the gross amount of receipts on account of lands sold during the year (£1958 3s. 6d.) but for the moneys due on bonds and deeds, and on lands sold, but for which deeds have not yet been issued, in all £15,002 1s. 1d., and also for "the goods on the shelves," or 45,000 acres of land at 6s. per acre, that is for £13,000; the statement would shew a balance of £7487 15s. 8d. in favour of the Colony. But, without contending for the correctness of this statement, further than by observing that it is the only one which can be made on the principles admitted to be the correct ones, even by the hon. member who has most directly and unsparingly impugned the working of the Land Purchase Bill or the management of the Public Lands; and without seeking to prolong the debate on this part of the Public Accounts—with respect to which nearly every thing of any moment which can be stated or said, either for or against it, has been fully brought forward and enforced—I will merely,

in concluding my own observations in reference thereto, add, that now the occupied and improved lands having all been disposed of, the people are falling back upon the wilderness lands, and eagerly vying with one another in the purchase thereof; so that, when it is fairly considered what difficulties the Government had to contend with at the outset; how happily they have been overcome; and on how safe and satisfactory a plan all matters connected with the Worrell Estate and Lot 11 are progressing to the end desired; it will generally be confessed throughout the country that a wiser measure than the Land Purchase Bill could not, in the peculiar circumstances of the country as respects the land tenure, have been devised for the general good. The public benefits derived from the employment of a man of so much experience, skill and trustworthiness as Mr. John Doirant, in the superintending of the erection and construction of such important works as our principal bridges and wharfs, is so obvious that I am quite surprised to find that the Select Committee on Public Accounts have agreed to cast, by implication, a censure upon the Government, for having employed him in such a way, and paid him for such services; and I am especially surprised to find that this censure is fully concurred in by hon. members of the opposition side of the House, who last session most freely acknowledged the propriety of employing such men as regular superintendants of important public works, and even warmly insisted that the Government should comply with the demand made for remuneration, at a rate which they thought rather extravagant for such services, in one particular instance, on account of which this very Mr. John Doirant petitioned the House. This shews but too plainly that what certain hon. members of the opposition are willing enough, nay, most willing, to admit to have been public services well deserving remuneration out of the public purse, when by doing so they can in any way or degree impair the credit of the Government; they are equally ready to condemn, when they fancy that by so doing they can fasten a charge of extravagance or favouritism upon the Government. Such a course of opposition is certainly very far from being creditable to those who pursue it.

Hon. COL. SECRETARY.—After having again pointedly adverted to what he considered, and what he said, the hon. member for Princetown (the Hon. T. H. Haviland) had declared to be, the great impropriety of charging the amount of the Debentures, £20,550, against the Colony, especially whilst denying it credit for £15,000 due on sales of lands; and after having also again stated that, by excluding the £20,550 of Debentures, and also the £15,000, due on sales of lands, from the General Account of the Financial State of the Colony, in accordance with the views respecting it, entertained by the hon. mover of the amendment, (Hon. T. H. Haviland) himself, the balance against the Colony would amount to little more than £9000; the hon. gentleman further observed that were the unsold lands—the goods on the shelf—45403 acres, to be valued at no more than 6s. an acre, they would in the account have to be set down at £13,620, but it was well known that 10,000 acres of these lands would bring 10s. an acre, or £5,000, which alone would be more than sufficient to meet any demand which the vendors of the Worrell Estate can possibly establish against the Government, and the remaining 35,403 acres at 6s. per acre, equal to £10,620, together with the £15,022, now due on account of sales of lands, (exclusive of the interest thereon,) together £25,642, would much more than extinguish the whole debt due upon the Public Lands, besides making full provision for their management in the mean time. The hon. gentleman then said: The Special Committee have, in their Report, pointed out a discrepancy between the amount of Public

Lands Bonds, which, as they state, by the Commissioner's return, were, last year, valued at £1,404, whilst by this year's accounts, they appear to amount only to the sum of 775*l.* 7*s.* 1*d.* due, and 60*l.* 0*s.* 5*d.* paid; adding, by way of explanation, that "they find, on enquiry, the rest of those Bonds were cancelled some time since under the provisions of the Land Purchase Act." Now that this matter may be fully understood by its being placed in the clearest light, it is necessary to remark that the former Commissioner gave credit for them for the amounts severally, within the Bonds, set forth as due thereon; whilst, in fact, the amounts originally severally so set forth, had in many instances, been considerably reduced, by payments, made on account thereof, either to the Trustees or Agents of the Worrell Estate, or to the individuals who became its purchasers, and who eventually sold it to the Government; but that these payments had been made was not known to the Commissioner, and, consequently, the Bonds were severally entered, by him, at their full original amounts, to the credit of the Public Lands. It having however, at length, been made to appear, by the production of receipts, that many of the individuals who had given their Bonds had made payments, as I have just stated, on account of them; and, in some instances, over the amounts now demanded by the Government, although no credit had been given them for such payments, by endorsements on the Bonds, or in the Books handed over to the Government; the amounts which had severally been paid by them were, first, duly credited, to the several parties; and as they wished to become purchasers, they were readily agreed with, and received as such. Many of those Bonds had been given, to Mr. Worrell, for lands, at from 30*s.* to 40*s.* an acre; but the Government being desirous to make those parties participators in the benefit derived from the purchase of the Estate, gave them their lands at 10*s.* or 12*s.* 6*d.* an acre, according to the price of the other lands in their several localities, and, giving them their Deeds accordingly, cancelled their Bonds: hence the great reduction in the value of the Bonds in the Public Lands Office. The hon. and learned member for Charlottetown (Hon. E. Palmer) assumes that the sum of 6000*l.* is positively due, by the Government, to the vendors of the Worrell Estate, on account of their purchase of that Estate; but the fact, is not so, as that gentleman ought to know very well. The real state of the case, is that, by the agreement between the Government and the vendors, the former were to keep back 6000*l.* of the purchase money, as a security for any deficiencies as to the number of acres, which the whole was stated to contain, which might be discovered on a resurvey, and on account of the fishery Reserves, estimated at 600 acres, and also for lands, the settlers on which would not attain. The whole Estate was, accordingly, surveyed by the Surveyor General, and a great deficiency was found on the quantity sold to the Government; and, besides the greater part of the settlers on Lot 66 refused to attain. The vendors disputed the correctness of the survey which showed the deficiency; and referred the investigation of it to Mr. Duncan McLean, than whom, I believe, a man more competent to decide thereon, cannot be found in the Colony. Of the correctness of the Surveyor General's report of the deficiency, this gentleman, after having satisfied himself of its truth, gave I believe, a certificate to his employers. The vendors, however, had previously offered to accept 2000*l.* and a reconveyance of Lot 66, from the Government, in full of their claims on account of the sale of the Worrell Estate, provided Mr. McLean's report should be confirmatory of the Surveyor General's Report. The Deed for the reconveyance to them of Lot 66 was accordingly made out; and, on a Saturday it was signed by the parties thereto; and the Debentures, which

were to be given, to the vendors, for the 2000*l.*, were to be signed by His Excellency, the Lieut. Governor, on the Monday following; but, when the Monday morning arrived, it was found they had repudiated their own act of the Saturday previous, with reference to the business; and, except that they have threatened the Government with a chancery suit, on account of it, as it was then left, so it still remains. The plain and simple statement of facts which I have now made concerning the 6000*l.*, alleged to be due, by the Government, to the vendors of the Worrell Estate, are nothing less than a full and faithful statement of the case; and I think that, unless the hon. and learned member for Charlottetown shall be able to establish a very different one, which, however, I may, very safely, defy him to do, he must abandon his assertion that the vendors of the Worrell Estate have a claim, on account of it, upon the Government for 300*l.* a year, the interest of the 6000*l.* about which I have been speaking. The hon. and learned member for Charlottetown (the Hon. E. Palmer) has also been pleased to accuse the Government of employing Mr. John Doirant as an occasional Superintendent of Public Works, not so much on account of any public benefit, to be derived from his services, in that capacity, as on account of his being their ready, pliant and convenient political tool. Of his pliancy and subservience to the Government, he, however, gave no proofs last Session, when, because they objected to allow him as much as he thought proper to charge for his services, with respect to the Oyster Bed Bridge, he, at once, kicked up his heels against them, and petitioned this House for the amount, 12*l.*, which the Government thought ought to be deducted, as an overcharge, from his account. This fact afforded no proof, either that the Government wished to convert Doirant into a political agent by granting undue favors to him; or that he fancied he might, on any such score, presume to demand from them more than, on a just consideration of his public services, he would be found entitled to. On that occasion, however, hon. members on the opposition side of the House, seemingly persuaded that they had met with an opportunity of making the Government appear unjust in their dealings, insisted that the Government ought to have complied with Doirant's demand, expressed their approval of his having been engaged in the capacity in which he had been employed by the Government, acknowledged the wisdom and ultimate economy of such superintendance, and highly extolled Mr. Doirant, as a man especially well qualified to discharge the duties of such an appointment; and, in their eagerness to vote in support of the prayer of his petition, almost threw each other down as they flocked to the Bar for that purpose. But now, having a different object in view, their present aim being to establish a charge of extravagance and political jobbing or profligacy, against the Government; instead of, as in the last Session, with respect to the same individual and the same service, of injustice, in withholding what was due to him on account of that service; they turn round with, the most glaring and most surprising inconsistency, and abuse and vilify us for having done the very thing which, last session, they maintained it was our bounden duty to do. And, just as this and every other distinct or particular charge of useless or undue expenditure of public moneys, which hon. members in opposition have, from time to time, preferred against the Government, have been fully answered and repelled; so may we, by a fair comparison of the amount of the public debt, as we found it when we came into power, and the especial outlays by which it was occasioned; with the amount of public debt, as it at present stands, and the causes of it; shew that they can neither establish, against us, the accusation, so often repeated by individuals of their party out of doors, of a system of

lavish and reckless expenditure; nor honestly deny that the general and larger appropriations of public moneys, which have been voted by the majority of this House, have been for the general good of the people. When we came into power, the public debt amounted to £28,000; and £11,500 thereof being the amount of Treasury notes, issued for the erection of public buildings, they left us to discharge. The revenue certainly has been much greater since we came into power than ever it was before; and so also has been the expenditure. These two facts admitted, the only questions concerning them, to be answered, are: Has our expenditure, or even over expenditure of revenue, been wisely and justifiably made, and with a direct view to the furtherance of the public well-being? and has it evidently tended to that end? To prove that it has been wisely and justifiably made, it is only necessary to enumerate the objects for the attainment or advancement of which the chief appropriations of public moneys have been made. These are education, and the conversion of leaseholds into freeholds. For the advancement of education—the greatest boon which can be conferred upon a country—we have expended £54,000; and £20,550 we have expended in the purchase of township lands, to the extent of 84,000 acres; and, from the state of tenant bondage we have thereby already raised hundreds to the position of independent freeholders. That the results of such expenditure are not of an elevating and progressive character, none but a few factions, disappointed and ambitious men, and, perhaps, a few of their blinded partizans will deny; but, fortunately for us, the Public Accounts, which are now before us, will soon be before the public themselves; and the revelations which they will make will tell so absolutely and directly in our favor, that no misrepresentations which the most artful, acute and zealous of our political enemies can make, will have power to shake the faith of the public in their plain and truthful statements. They will see by them that, although, when we came into power, the public debt was, as they will remember, £28,000, (and, notwithstanding our amazing outlay of almost £66,000, for the attainment of the two great objects which I have just named, besides other great and most serviceable outlays), it is now only £29,870; or rather, if still more correctly stated, by deducting the £20,550 paid for the Worrell Estate, (as Mr. Haviland has admitted that amount ought to be), no more than £9,320! With these convincing facts before the people, we can have nothing to fear from their judgment, how much soever our political opponents may assail and misrepresent our policy.

Mr. YEO.—All that the Hon. Col. Secretary has said in favor of the working of the Land Purchase Act, is mere balderdash. The statements concerning the Worrell Estate, which are now before us, disprove almost every word of it. These statements shew that, whilst money, for the purchase of what they call Public Lands, was disbursed by thousands, and ought to have been returned by hundreds; the expenses, consequent upon the extravagant mismanagement of the property, have been so great that, on the whole, they cannot shew, to the real credit of it, a balance of much more than £30. Yet, according to the assertions of the Hon. Col. Secretary, the property is making the most satisfactory returns, and is rapidly clearing itself. He might as well tell us, and think to persuade us, that the moon is made of green cheese; for the fact is, and he must know it too, that the speculation has been, as respects the country at large, a complete failure; and that, in reality, it would have been better for the country, if, two years ago, the lands had been gratuitously bestowed upon the petitioners for free farms and the Surveyor General.

The question was then put on the amendment, submitted by the Hon. T. H. Haviland; and the committee divided thereon: Ayes—Hons. T. H. Haviland, E. Palmer, F. Longworth, D. Montgomery, Messrs. Yeo, H. Haviland and Pope—7.

Nays—Hons. Col. Secretary, Col. Treasurer, the Speaker, J. Wightman, E. Whelan, R. Mooney, Messrs. McGill, Laird, Muirhead, Cooper, Clark, Perry, Magwell, McDonald and Munro—15.

So the amendment was lost, and the original paragraph agreed to.

The account of the Commissioner of Public Lands with the Government, as set forth in the report, having been read by the chairman, together with the observations concerning it; the last two—the first of which has reference to the amount paid to the Clerk of the Legislative and Executive Councils, for his services for the past year, and the other which has reference to the moneys which have been paid to John Doirant, for superintending the erection of Oyster Bed Bridge and other services—were, on two distinct motions, made by the Hon. Col. Secretary, for reasons previously assigned by him, severally struck out of the report, without any manifestation of opposition.

Hon. E. PALMER, with reference to what had been said by the Hon. Col. Secretary, respecting the support given, by hon. members of the opposition, to the prayer of Mr. John Doirant's petition, last session, for a further allowance, on account of his services, in addition to what had been paid to him by the Government, briefly explained that he and others, on his side of the House, had indeed, last session, admitted the public utility and benefit of occasionally employing a special daily superintendant of the progress of important public works; and, besides, that they had also supported the prayer of Doirant's petition, for remuneration for his services; yet only so far as they had been rendered in compliance with the requests or instructions of the Government, and so far, only as the remuneration claimed was fair and reasonable. In all that, however, the hon. and learned gentleman said, they were very far from expressing their approbation of the employment of special or extra superintendants of public works, in cases like that of Prince-street Wharf, with respect to which no further superintendance, than what might very well be given by the regular and sufficiently salaried Superintendant of Public Works, could be required; and neither did they express themselves, relative to the amount of daily pay, which ought to be allowed to any such occasional superintendant as Doirant, in such a way as could justify its being inferred, that they would approve of the extravagant allowances which had been made, by the Government, to Doirant for his services. Those allowances had indeed been so extravagant as fully to warrant a suspicion, that they had been augmented for other and very different services than those specified in the public accounts.

Mr. HAVILAND briefly spoke to the same effect; and, referring to the Journal's of last session, showed, thereby that there had been no division respecting Mr. Doirant's petition, which, on motion that Mr. Laird, who presented it, have leave to withdraw it, was withdrawn without opposition.

Hon. COLONIAL SECRETARY.—Yes, that is the motion when it is not intended that the prayer of a petition shall be rejected; but the object of the opposition, although they were frustrated in it, was to force the House to come to a division on the prayer of the petition.

Hon. COLONIAL TREASURER.—I remember very well that it was the wish of the House that Mr. Doirant should be paid; and that, with the understanding that the Government would reconsider his claim, the petition was withdrawn. And, if I mistake not, the hon. member for Princetown (Hon. D. Montgomery,) earnestly supported the prayer of the petition; highly extolling Mr. Doirant's architectural skill, particularly with respect to the construction of bridges.

Hon. Mr. MONTGOMERY.—What I said was, that I believed Doirant was a very proper person to be employed in the superintendance of the erection of wharfs and bridges; adding that New London Bridge, which was erected under his superintendance, was an excellent bridge, and as such might be adduced as an evidence of his superior practical knowledge of such works. I also said that when Govern-

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ment employed him, as the superintendent of the erection of any public work, they should pay him according to the real value of his services.

**MR. COOPER.**—When it is found necessary to employ a daily inspector of a public work, the contractor, and not the Government, should, in my opinion, be made to pay for the inspection.

**Hon. COLONIAL SECRETARY** then moved that that paragraph of the Report which has reference to the moneys paid to John Doirant, for his services in superintending the erection of Oyster Bed Bridge, and that of Prince Street Wharf, in Charlottetown, be struck out; and the question having been put, it was declared "the Ayes have it;" and the paragraph was struck out accordingly.

## HOUSE RESUMED.

**Mr. Perry**, the chairman of the committee of the whole House, reported the Report of the Select Committee on Public Accounts, as amended and agreed to in committee of the whole House; and moved its adoption by the House.

**Hon. T. H. HAVILAND.**—Mr. Speaker, I move that the whole of the Report, just reported as agreed to in committee of the whole House, with the exception of the last two paragraphs, be struck out; and that the one which I have read be substituted for it.

**Mr. PERRY.**—Being in the Chair of the Committee, when the hon. member for Princetown (Hon. T. H. Haviland) alluded to the fact that, at first, I was in favor of "the amendment" proposed by him, in the Special Committee, and the adoption of which, by the House, as *the* Report, he has just now moved; but that I, afterwards, voted against it; and not then being at liberty to reply or explain, I beg leave now to be permitted to state why I changed my opinion concerning the proposed amendment. At first, I was not aware that, by a provision of the Land Purchase Act, with respect to all purchasers of any portions of the public lands,—with respect, not only to those to whom Deeds have been issued, but also with respect to those who, by the payment of any instalments whatsoever, on account of their purchases, have thereby confirmed them, although their Deeds may not have been issued,—the Government have power, in case of their non-fulfilment of their contracts or agreements, with the Government, to proceed against them as defaulters, exactly in the same manner, and to the same extent, as land-agents proceed against defaulting tenants by distraint for arrears of rent; and that, therefore, in all such cases, the Government have power to attach and sell the goods and chattels of defaulting purchasers. When I was made aware of this stringent provision of the Land Purchase Act, with respect to all purchasers of public lands, I certainly saw good reason for changing my opinion regarding the proposed amendment; and I, accordingly, voted against it, in the Special Committee, and in favor of the Report originally drawn up; as I shall now do in the House.

The Hon. the Speaker then put the question on the motion of the Hon. T. H. Haviland; and the House divided thereon:

**AYES**—Hons. T. H. Haviland, E. Palmer, F. Longworth, D. Montgomery, Messrs. Yeo, Haviland and Pope—7.

**NAYS**—Hons. Col. Secretary, Col. Treasurer, Wightman, Mooney, Whelan, Messrs. Perry, MacDonald, MacGill, Muirhead, Laird, Cooper, Macintosh, Clark, Dingwell, Munro—15.

The amendment proposed by the Hon. T. H. Haviland, having thus been negatived; the Hon. the Speaker put the question on Mr. Perry's motion, that the Report, as amended and agreed to in Committee of the whole House be received and adopted by the House; and, on a division of the House thereon, as above given, reading Ayes for Nays, and Nays for Ayes, the Report was adopted accordingly.

## REPORT OF COMMITTEE ON PUBLIC ACCOUNTS.

Your Committee appointed to examine and report on Public Accounts have, after a careful examination of the same, found all the Accounts submitted to them correct, with the exception of such errors as the Auditors of Public Accounts have already remarked upon.

Your Committee find the General Account of the financial state of the Colony, charging against it all debentures issued under the authority of 16 Victoria, cap. 18, for the purchase of Township Lands in this Island, and all Warrants and Treasury Notes afloat, and giving credit for cash in Treasury and Bonds for Duties in Treasurer's and Attorney General's hands, and amount of Sales of Public Lands, to have been at the end of the financial year as follows:—

GOVERNMENT OF PRINCE EDWARD ISLAND.		Dr.
To Warrants unpaid 31st Jan'y, 1858,	£30,594	1 9½
Treasury Notes,	11,500	0 0
Debentures issued under 16 Vic. cap. 18,	20,550	0 0
	£62,644	1 9½
To balance against Colony 31st Jan'y, 1857,	£22,803	14 0
Expenditure 1857,	48,552	12 5½
	£71,326	6 5½
	CR.	
By Bonds in Treasury,	£25,156	13 0½
Bonds in hands of the Att'y General,	3,067	2 1½
Cash in Treasury,	4,550	1 4½
Bonds in Public Lands office,	775	7 1
Due upon Deeds issued,	4,052	13 3½
Due by Land Commissioner's Books, but Deeds not yet issued, and on 938 acres of which no deposit has yet been paid,	10,174	0 8½
Balance,	14,868	3 3½
	£62,644	1 9½
Receipts at Treas'y y'r ended Jan'y 31, '58,	£41,456	2 0½
Due as above at Public Lands Office,	15,022	1 1
Balance as above,	14,868	3 3½
	£71,326	6 5½

The Revenue for the past year, as compared with the previous one, will be seen by the following Table:—

ARTICLES.	AMT. FOR 1856			AMT. FOR 1857			INCRS. 1857			DEC. 1857		
	£	s	d	£	s	d	£	s	d	£	s	d
Impost	30,081	2	0½	30,822	2	7½	731	0	6½			
Light, Anchorage	744	18	6½	857	18	8	112	15	1½			
Land Assessment	4,845	4	6½	4,626	0	4				219	4	2½
Post Office	1,132	0	0	1,198	0	0	66	0	0			
Licences	284	10	0	325	10	0	41	0	0			
Fees Sec.'s Office	216	8	10	196	8	5				19	0	5
" Registrar's	342	15	6	340	2	3				2	13	3
Customs	73	11	9	71	17	0				1	14	9
Juries	21	13	0	45	12	0	24	0	0			
Fines, Penalties	88	7	6	109	19	0	26	11	6			
Public Lands	1,563	13	4½	1,936	12	6	73	0	1½			
Crown Lands	269	2	4	371	12	7½	102	10	3½			
Interest on Bonds	376	9	5½	331	10	4				44	19	1½
Wharfage	19	13	2	8	5	5				11	7	3
Head Money	37	2	9	29	4	0				7	18	9
Sales of Books	98	14	5	99	2	4	0	7	11			
Wrecked and unclaimed goods	3	17	1	34	10	10	30	13	9			
Rent of Warren												
Farm				27	15	6	27	15	6			
Return Land Assessment Fees				5	1	3	5	1	3			
Surcharge	0	4	0	3	19	0½	3	15	0½			
Seizures	19	13	6	13	1	31½				6	11	0½
Sundries	138	16	0							138	16	0
	40,662	16	9½	41,456	2	0½	124	11	0½	451	5	9½

The Revenue of the past year exceeds that of the previous year by the sum of £798 5s. 3d., and may be accounted for by the additional impost of 1½ per cent. levied under the Act of 20 Victoria, cap. 1, but the general importation of dutiable articles has been less in amount than those of the previous year.

The following Table shows the comparative Expenditure for various purposes for the two past years, with Increase and Decrease:—

NAME.	EXPENDITURE FOR 1856.			EXPENDITURE FOR 1857.			INCREASE FOR 1852.			DECREASE FOR 1857.		
	£	s	d	£	s	d	£	s	d	£	s	d
Rds. Bridges, &c.	11468	8	0	9893	14	0½				1574	13	11½
Education	18554	11	11½	18982	0	9½	322	8	9½			
Legislature	2877	5	8	2779	6	8				97	19	0
Salaries	4214	5	4½	4267	10	0	53	4	7½			
City of Ch. Town	275	1	8½							275	1	8½
Mails & Packets	2769	0	7	4646	2	1	1877	1	6			
Lights, Buoys, &c	1240	12	9½	1120	17	4½				119	16	5
Cor.'s Inquests	106	14	0½	139	9	3½	32	15	3½			
Royal Agricultural Society	1216	12	2	1900	0	0				216	12	2
Prov. Building	659	6	10	885	13	1				273	13	9
Govt. House	517	17	6	467	15	8				50	1	10
Lunatics, Asylum	800	12	6	903	4	1	102	11	7			
Boards of Health	55	0	0							55	0	0
Prot. of Fisheries	25	0	0	25	0	0						
Jails	1122	14	4½	1188	2	4	65	7	11½			
Public Printing	1087	12	8	739	15	8½				297	16	6½
Stationary	123	15	6	152	14	9	28	19	3			
Crown Prosecutions	423	18	5½	471	2	8½	47	4	3			
Post Offices and Public Postage	817	7	8½	930	15	6½	117	7	10			
Public Lands	4326	2	3	1703	3	4				2632	18	11
Military	11	10	0							11	10	0
Treasury Notes	56	19	10½	114	8	0½	57	8	2			
Drawbacks	130	7	7½	204	16	5½	74	8	10			
Poor	676	15	0	691	7	6	14	12	6			
Landwaiters and Excise	226	1	0	355	9	1	129	8	1			
Interest	841	7	8	1084	18	3	240	10	7			
Small Disbursements	133	8	0	194	10	0½	56	0	0½			
Bears and Loopt-cerviers	17	0	0	8	10	0				8	10	0
Telegraph Company				520	9	5	520	9	5			
Election				37	16	2	37	16	2			
Ferry House, Lot 48				156	0	0	156	0	0			
Recpty. Treaty	96	7	5							96	7	5
Duty returned	40	0	0	85	16	2	45	16	2			
Indians				272	3	10½				272	3	10½
Miscellaneous	388	15	5½							246	11	7
	50864	12	8½	49522	12	5½	4084	13	0½	5926	13	8½

The Light Duty Revenue from the year 1852 has been, at the different Ports, as follows:—[For Table under this head, see Amendment.]

The Committee remark that the amount of Light and Anchorage Duty collected at Georgetown is larger than that collected at all the Ports on the North side of the Island; and consider that, from the number of American vessels calling into those Ports being larger than the number calling at Three Rivers, the amount of duty, if properly collected and accounted for, should exceed the amount at present paid in; and recommend that the Government take such measures as will secure the prompt collection and correct return of Light and Anchorage duties at those Ports in future.

Your Committee have examined the Accounts of the Commissioner of Public Lands, from which they learn that of 84,254 acres of Public Lands purchased by the Government, 38,850½ acres have been sold as follows:—

COMMISSIONER OF PUBLIC LANDS GOVERNMENT P. H. ISLAND.

		Dr.	
To amount of Lands sold,			£19,256 16 6
Deeds,			115 12 0
Interest on balance,			897 7 2½
			£20,269 15 8½
		Cr.	
By cash paid on Lands,			£5,818 16 7½
Deeds,			91 0 0
Due on Lands,			14,226 14 0
Discount,			138 5 1
			£20,269 15 8½

The Receipts of the Public Land Office and Expenditure for the year ended 31st January, 1858, are—

		Dr.	
To amount of total cash receipts from Public Lands and Fees,			£1958 3 6
From Crown Lands,			380 2 7½
			£2338 6 1½
		Cr.	
By Interest on Purchase Money,			£1027 10 0
Loss of Land Tax,			210 0 0
Commissioner's salary,			300 0 0
Surveyor General's do.			250 0 0
Woodrangers,			57 0 0
Assistants to Surveyors,			13 15 0
Alex. Anderson, Surveyor and Assistant,			15 15 0
Expenses, 7 journeys,			20 12 4
Printing and Advertising,			17 16 6
Stationary,			9 19 1
Balance,			415 17 2½
			£2338 6 1½

Your Committee beg to observe that in the Public Lands Accounts the sales of 938 acres is credited, on which no deposit has yet been paid by the alleged purchasers, and in some other cases a trifling amount of deposit has only been paid, \*while by the 28th section of the Land Purchase Act a deposit of 20 per cent. is required to be paid before the Deed is issued. It also appears that the Commissioner of Public Lands has sold Crown Lands this year, principally in Georgetown and Royalty, to the amount of £710 10s., and has, together with the Surveyor General, transacted all the business connected with the sale and transfer of those Lands.

[\*The words, "while by the 28th section of the Land Purchase Act a deposit of 20 per cent. is required to be paid before the Deed is issued," were, on motion of the Hon. Col. Secretary, struck out. For reasons, see Debate.]

Your Committee would call attention to the discrepancy between the amount of Public Lands Bonds, which, by the Commissioner's return, were last year valued at £1400, which Bonds, by this year's accounts, appear to amount only to the sum of £775 7s. 1d. due, and £60 0s. 5d. paid. But they find, on enquiry, the rest of those Bonds were cancelled some time since, under the provisions of the Act above named.

The Committee recommend that in future the Accounts for the purchase and sales of Public Lands be kept separate and distinct from the general Revenue Accounts of the Colony, and that the debentures issued for the purchase of those lands be a charge against them.

[The next two paragraphs, on coming to be especially considered by the Committee, were, on motion of the Hon. Col. Secretary, severally struck out of the Report.]



Your Committee observe that the sum of two hundred and seventy pounds has been paid to the Clerk of the Executive and Legislative Council for his services for the past year, as also twenty pounds to an Assistant, while the Act 14th Victoria, cap. 3d, expressly declares that the salary to that officer of £120 shall be in lieu of all fees of office, allowances and emoluments.

It appears from the Warrant Book that the sum of £67 7s. 6d. has been paid to John Doirant for "superintending the erection of Oyster-bed Bridge and other services," and a further sum of £115 5s. to the same person for superintending the erection of Prince-street Wharf in Charlottetown. Your Committee are of opinion that the latter service should have been chiefly discharged by the Superintendent of Public Works.

Your Committee recommend that all the accounts to them referred be printed in the Appendix to the Journals.

ANDREW MACDONALD, Chairman.

HON. T. H. HAVILAND'S AMENDMENT.

Your Committee appointed to examine and report on Public Accounts have, after a careful examination of the same, found all the accounts submitted to them correct, with the exception of such errors as the Auditors of Public Accounts have already remarked upon.

Your Committee find the general Accounts of the Financial state of the Colony, charging against it all the Debentures issued under the authority of 16th Victoria, cap. 18, and all Warrants and Treasury Notes afloat, and giving credit for cash in Treasury and Bonds for Duties in Treasurer's and Attorney General's hands, to have been at the end of the financial year as follows:—

GOVERNMENT OF PRINCE EDWARD ISLAND.

Dr.

To Warrants unpaid 31st January, 1858,	£30,594	1	9½
Treasury Notes,	11,500	0	0
Debentures issued under 16th Victoria, cap. 18,	20,550	0	0
	£62,644	1	9½

To balance against the Colony 31st Jan'y, 1857,	£22,803	14	0
Expenditure during the year ended 31st January, 1858,	48,522	12	5½
	£71,326	6	5½

Cr.

By Bonds in Treasury,	£25,156	13	¾
Bonds in hands of Attorney General,	3,067	2	11
Cash in Treasury,	4,550	1	4¾
Balance,	29,870	4	4¾
	£62,644	1	9½

By Receipts at Treasury in the year ended 31st January, 1858,	41,456	2	0¾
Balance, including all Debentures and Treasury Notes,	29,870	4	4¾
	£71,326	6	5½

The Revenue of the past year exceeds that of the previous year by the sum of £793 8s. 3d., as will be seen by reference to the accompanying Tabular statement, and may be accounted for by the additional impost of 1¼ per cent. levied under the Act of 20th Victoria, cap. 1, upon certain goods, wares and merchandise imported into the Island, the general importation of dutiable articles being less in amount than those of the previous year.

TABULAR STATEMENT OF REVENUE FOR 1856 AND 1857.

	AMOUNT FOR 1856.			AMOUNT FOR 1857.			INCREASE.			DECREASE.		
	£	s	d	£	s	d	£	s	d	£	s	d
Impost	30001	2	0½	30822	2	7½	731	0	6½			
Light Ancherage	844	18	6½	857	13	8	112	13	1½			
Land Assessment	4845	4	6½	4626	0	4				219	4	2½
Post Office	1132	0	0	1198	0	0	66	0	0			
Licences	284	10	0	325	10	0	41	0	0			
Fees Sec'y's Office	216	8	10	198	8	5				18	0	5
" Registrar's "	342	15	6	340	2	3				2	13	3
" Customs "	73	11	9	71	17	0				1	14	9
" Juries "	21	12	0	45	12	0	24	0	0			
Fines & Penalties	83	7	6	109	19	0	26	11	6			
Public Lands	1863	13	4½	1936	13	0	73	0	1½			
Crown Lands	369	2	4	371	12	2½	102	10	3½			
Interest on bonds	376	9	5½	381	10	4				44	19	1½
Wharfage	19	8	2	5	5	5				11	7	9
Head Money	37	2	9	29	4	0				7	18	8
Sales of Books	98	14	5	99	2	4	0	7	11			
Wrecked and un-claimed goods.	3	17	1	34	10	10	30	13	9			
Rent War'n Farm				27	15	6	27	15	6			
Return Land As assessment fees				5	1	3	5	1	3			
Seizures	0	4	0	3	19	0½	3	15	0½			
Sandrics	138	16	0	13	1	1½				6	11	6½
	138	16	0				138	16	0			
	40662	16	9½	41456	2	0¾	1244	11	0½	431	5	9

The following Table shows a comparative statement of the Public Expenditure for the two past years, under its different heads:—

	EXPENDITURE FOR 1856.			EXPENDITURE FOR 1857.			INCREASE FOR 1857.			DECREASE FOR 1857.		
	£	s	d	£	s	d	£	s	d	£	s	d
Roads, Bridges & Wharfs	11468	8	0	9893	14	0½				1574	13	11½
Education	13554	11	11½	13932	0	9½	427	8	9½			
Legislature	2777	5	8	2779	6	8				97	19	0
Salaries	4214	5	4½	4267	10	0	53	4	7½			
City of Ch Town	275	1	8½							275	1	8½
Mails & Packets	2769	0	7	4646	2	1	1877	1	6			
Lights, Buoys & Beacons	1240	13	9½	1120	17	4½				119	16	5
Cor.'s Inquests	106	14	0½	139	9	3½	32	15	3			
R. A. Society	1216	12	2	1000	0	0				246	12	2
Prov. Building	659	6	10	385	13	1				273	13	9
Govt. House	517	17	6	467	15	8				50	1	10
Lunatics & Asy.	880	12	6	903	4	1	102	11	7			
Boards Health	55	0	0							55	0	0
Protection Fish.	25	0	0	25	0	0						
Jails	1122	14	4½	1188	2	4	65	7	11½			
Public Printing	1037	12	3	739	15	8½				297	16	6½
Stationary	123	15	6	152	14	9	29	19	3			
Crown Pro's'tions	423	18	5½	471	2	8½	47	4	3			
Post Office and Public Postage	843	7	8½	830	15	6½	117	7	10			
Public Lands,	4386	2	3	1708	3	4				2632	18	11
Military	11	10	0							11	10	0
Treasury Notes	56	19	10½	114	8	0½	57	8	2			
Drawbacks	130	7	7½	204	16	5½	74	8	10			
Poor	676	15	0	691	7	6	14	12	6			
Lendwaiters and Excise	220	1	0	355	9	1	129	8	1			
Interest	844	7	8	1084	18	3	240	10	7			
Small Disbursements	138	8	0	104	10	0½	56	2	0½			
Bears and Leap-couriers	17	0	0	8	10	0				8	10	0
Telegraph Com.				520	9	5	520	9	5			
Election				37	16	2	37	16	2			
Ferry House, Lot 48.				156	0	0	156	0	0			
Recip'ty Treaty Duty returned	96	7	5									
Indians	40	0	0	85	16	2	45	16	2			
Miscellaneous	488	15	5½	272	3	10½				216	11	7
	50364	12	8½	48522	12	5½	4084	13	0½	6925	13	8½



*Mr. McDonald's Speech on the Public Accounts re-published, with some corrections.*

Mr. McDONALD.—I cannot agree with the hon. member who has just stated, that the management of the Public Lands has cost over £2,000 a-year, for I hold in my hand a statement by which it appears, that the expenses of managing the Public Lands office, never in any one year amounted to £1,760, and up to 31st Jan., 1858, there has been paid into the Treasury from sales of Public Lands £6,022 14s. 10½d. The expenses of management altogether—including the salaries of the Commissioner and Surveyor General, the amounts paid the wood-rangers, assistants to Surveyor General, printing and advertising, stationery, travelling expenses and interest, from the time of first purchase of Public Lands to this time—amounts to £4,796 13s. 5½d., thus shewing that the receipts exceed the expenditure by £1,226 1s. 5½d.; and besides this amount, the sum of £1,359 14s. 7½d. has been received, and passed through the Public Land office from sales of Crown Lands during the same period; and for so large a concern—especially at the outset, when the difficulties to be overcome, and the involved details which had to be disentangled, were so great—the expenditure must, I think, in the estimation of unprejudiced minds, be accounted a moderate one; and the amount paid into the Treasury as much as could reasonably be calculated upon in the way of returns, in so limited a period. These figures, allow me to add, cannot be disputed, for they are those of the Auditors of Public Accounts. In the report which I, as chairman of the select committee on Public Accounts, have had the honor to present to the House, there is no allowance made for the expenses incurred by the Commissioner on sales of Crown Lands, effected this year, principally in Georgetown and Roanoke, to the amount of £700, and of which amount £370 2s. 7½d. has been paid into the Treasury; the expenses incurred by him on this account are not expenses incurred on account of the management of the Public Lands, and ought not therefore to be allowed apparently to increase the amount of those expenses. That part of the report which exhibits the Commissioner's account, shews exactly what amounts of money have been received severally, on account of each of the two descriptions of lands; that is, on account of those especially denominated "Public Lands," and of those known as "Crown Lands."

H. B. IRVING, Reporter.

THURSDAY, February 25, 1858.

FORENOON SESSION.

Hon. Col. Secretary presented to the House the detailed Public Accounts for the past year. Referred to the Committee on Public Accounts.

Hon. Col. Secretary presented the following papers, which had been laid before Governor in Council, and referred to the House:—

Surrender of a portion of land, for a right of way to Summerside Wharf, by J. C. Pope, Esq., and others.

Two letters from Mr. Joseph Robinson, regarding the revenue service; and, the Report of the Preventive Officers,—all of which were laid on the table.

The Hon. Col. Secretary also presented the two following report and petition:—

Report of Mr. Lawrence Peters, Commissioner of Highways, regarding the straightening of a road on the line between Mary McEachern and Malcolm Morrison.

Petition of John McInnis, and others, of Gallows Point, praying for a new line of road, with a plan.

A Committee, composed of the following gentlemen, was appointed, to whom was referred the above report and petition, viz:—Hon. Mr. Wightman, Messrs. Perry, Dingwell, Yeo, Munroe and Hon. Mr. Mooney.

Mr. Perry presented a petition of inhabitants of Egmont Bay and vicinity, praying a grant towards completing Haldimand River Bridge. Laid on the table.

Hon. Col. Treasurer presented a petition of inhabitants of Kildare, praying aid to repair a road. Laid on the table.

Hon. Mr. Palmer presented a petition of Daniel McKinlay, District Teacher, praying that, as his school is only divided from the Royalty by a road, he be allowed the same amount of salary as is payable to Teachers in the Royalty of Charlottetown.

Also, a petition of John McDonald, and other protestants praying that the Scriptures may be read at an early hour every day, both in the Normal School and Central Academy. Both petitions laid on the table.

Mr. Laird presented the following petitions:—

Petition of James Miller and other inhabitants of Lot 34.

Petition of John McKenzie and other Protestants of Scotch Settlement, and places adjacent.

Petition of Alex. Sutherland, Minister, and other Protestants of New London District—all upon the subject of the introduction of the Bible into the Public Schools. Laid on table.

The fourth order of the day, being the engrossed bill from the Council, entitled, "An Act for the safe custody of insane persons charged with offences, and otherwise to amend the law with respect to offenders convicted of crimes punishable with death," was, taken up, read a second time, and committed to a committee of the Whole House. Mr. Pope in the chair.

The Bill was read in committee, and agreed to. The House resumed, and the chairman reported accordingly.

The Bill was read a third time, under suspension of the rule of the House, and passed.

Mr. Douse presented a petition of Jane Green, praying an allowance as teacher of a Primary School, during part of the past year at Lot 38.

A Special Committee was appointed, to whom the above petition was referred, and to whom all petitions of a like nature should be referred, composed of the following gentlemen, viz:—Messrs. Perry, Muirhead, Douse, Pope, McIntosh, Dingwell and Hon. Mr. Mooney.

The Bill to continue the Act regulating the publishing of notices and advertisements, relating to the public service, was read a second time, and committed to a committee of the Whole House. Mr. Muirhead in the chair.

The Bill was agreed to in committee. The House resumed, and the chairman reported accordingly, and the Bill was engrossed. Adjourned for one hour.

FRIDAY, February 26, 1858.

FORENOON SESSION.

Hon. Mr. Mooney presented a petition of Donald McPhee and others, praying for a grant, in aid of individual subscription, towards the erection of a wharf at the north side of Elliot River. Laid on the table.

Hon. Col. Treasurer presented a petition of inhabitants of Pierre Jacques and Brae River settlement and vicinity, praying aid to improve a road; also, a petition of inhabitants of West Cape settlement and its vicinity, praying aid to improve road and bridge. Laid on the table.

Hon. Mr. Whelan presented a petition of inhabitants of Lot 41 and vicinity, praying aid to improve a road; also, a petition of Widow Donovan, Lot 30, praying for a like effect. Laid on the table.

Hon. Mr. Whelan moved that Mr. Dingwell be added, in the room of Hon. W. W. Lord, to the Committee appointed last Session, to report this Session, on the petition of Mr. James Douglas, formerly of Bay Fortune. Agreed to.

The House then went into Supply. Hon. Col. Treasurer in the chair, after some time spent therein, the House resumed, and the chairman reported the resolutions agreed to in Committee, which, being again severally read, were agreed to by the House:

5. RESOLVED, That the following sums be granted, at the disposal of the Government, for the several services mentioned, viz:—

Incidental and contingent expenses of the Lunatic Asylum,	600	0	0
Contingent expenses of the House of Assembly, Expenses of General Election,			
Incidental expenses of Legislative Council,			
Fuel for the Public Offices and Legislature,	100	0	0
Premium for killing Looper-crawlers and Bears,	10	0	0
Episcopal Church, Charlottetown,	16	0	0
Roman Catholic Chapel,	14	0	0
Church of Scotland,	7	0	0
Wesleyan Church,	7	0	0
Baptist Church,	7	0	0

Free Church of Scotland,	7	0	0
Contingencies,	400	0	0
Three High Sheriffs,	60	0	0
Crown Prosecutions, and Crown Officers' Fees for miscellaneous services, and for Jurors,	350	0	0
Chief of Supreme Court,	20	0	0
Coroner's fees,	60	0	0
Repairs in and about Government House,	150	0	0

6. **RESOLVED**, That the sum of eight hundred and forty-five pounds eight shillings and five pence be placed at the disposal of the Government, for the following Light Houses and Lights,

Point Priu, Three Rivers, Richmond Bay, Cas- cumpee, and Summerside Lights and Light Houses,	500	0	0
St. Paul's and Scattere Islands' Lights,	36	0	0
St. Paul's and Scattarie Islands' Lights, extra expendure,	9	8	6

7. **RESOLVED**, That the sum of three hundred pounds be placed at the disposal of the Government, to pay the amount appropriated to the Telegraph Company by Statute 300 0 0

Mr. Cooper presented a petition of School Trustees, Little Harbour, Lot 45, setting forth that they have been unable to secure the services of a licensed teacher, and praying for a grant towards the salary of Matthew Reid, whom they have engaged as teacher of their school. Referred to Committee on Teachers' petitions, &c.

FRIDAY, March 5th, 1858.

FORENOON SESSION.

Mr. Cooper presented a petition of Abercrombie Willock, praying remuneration for his services as a licensed teacher, at Black River School District, for a period of three months, in 1856. Referred to special committee on Teachers' Petitions.

Also, a petition of inhabitants of Lots 44 and 45, praying for an alteration in a road, to avoid the present circuitous route. Referred to committee on opening new roads.

Also, a petition of inhabitants of Mill Grove, Back Settlement, Lot 46, praying aid to improve the road communications. Laid on the table.

Hon. Mr. WHELAN stated that a committee had been appointed by the upper branch of the Legislature to take into consideration the prayer of a petition presented by Mr. James Douglas, of Bay Fortune, relative to some disputed claims on lands in that district, presented last session, and as a similar committee had been appointed by the House last session, he moved that the last mentioned committee be instructed to confer with that of the Legislative Council, and that a message to that effect be conveyed to that body.

This was objected to by several hon. members, as it would establish a bad precedent, especially as the case was not of such importance as to demand such a course of action—a course which was only pursued in cases of considerable moment. After a short discussion, Mr. Whelan consented to withdraw his motion.

Mr. Douse presented a petition of inhabitants of Lots 49 and 50, praying for the opening of a new road to Pownal Wharf, to avoid the present circuitous route. Referred to committee on new roads.

Hon. Col. Secretary presented a petition of inhabitants of Lot 50, praying for a grant to remove the wharf at China Point to a more eligible site, and to complete the same.

In presenting the above petition the Hon. COL. SECRETARY said he did not know why he had been selected to present it, unless the inhabitants of Lot 50 had lost confidence in their representatives. They complained that the present site of the Wharf at China Point had been illy chosen, it being on a very soft and muddy foundation, and that although a great deal of money had been expended upon it from year to year

in repairs, it is still insufficient for the purposes of commerce, and does not reach the channel; whereas, if it were removed a short distance up the river where the bank was harder and the channel nearer the shore it would not require much more to rebuild it than it would to complete the present one, as the old materials would be sufficient for the purpose. He should like to hear if the hon. member from Belfast, Mr. Douse, could throw any light on the subject.

Mr. DOUSE said, that he had always been most willing to give his concurrence to something of this kind, because he thought the money would well be expended; but it was a mistaken idea to think that all moneys appropriated for such purposes were carefully applied. As to the wharf at China Point, owing to an error of judgment in choosing the site, there had been much money expended to little purpose, so much so that he could not give his consent to the expenditure of any more upon the old wharf but he would cheerfully second the prayer of the present petition, although he was not aware of the precise spot where it was contemplated to build the new wharf. He thought, however, that the most convenient place was opposite Mr. Nelson's, about five chains above its present site, where the channel approaches nearer the shore than at any other place.

Hon. COLONIAL SECRETARY said, this fact shows the necessity of having a proper officer to superintend the erection of Public Works, and to select proper sites for the same; for it often happened that self-interest had more to do with the choosing of sites than impartial judgment. But the money was divided among the members of the District, and to whatever purpose it is appropriated—and it was often done so by persons who were unacquainted with the real wants of the different localities—it was expended, whether needed or not. It was thus evident that a reform was needed, and he hoped that the adoption of some effective measure to remedy the defect, would be speedily brought about.

Mr. DOUSE partially agreed with what had fallen from the hon. Colonial Secretary—in reference to this subject. The present site at China Point was no doubt a bad one, and if the wharf were continued on it, the cost for keeping it in repair would be as much as a new edifice. It was true that the money for roads and bridges in many instances were not properly expended, and who could expect that hon. members could always be in various locations, to check and complain of ill performed contracts. They might use their utmost endeavors, to obtain appropriations for their constituents, with the best intention and he had no doubt every hon. member felt an interest in doing so to the best of his judgment, but it was impossible for them to be always correct in its expenditure. He saw from these facts, the necessity of having competent persons appointed for commissioners, whose judgment should be relied upon in such matters, and then there would be a fair prospect of having the work done in a proper and substantial manner, more particularly if better remunerated for their trouble.

The petition was laid on the table.

Mr. Laird presented a petition of inhabitants of Lots 23, 24, and vicinity. Also, a petition of inhabitants of Lot 22,—all praying aid to improve their road communications. Laid on the table.

Hon. Mr. Palmer presented a petition of W. W. Lord, Henry Hazard, T. B. Tremain and others, praying for the passing of a Bankruptcy law, which was referred to a special committee, composed of the following gentlemen:—Hons. Mr. Palmer, Mr. Montgomery, Mr. Wightman, Col. Secretary, and Col. Treasurer.

Mr. Clark presented a petition of Leland H. Stumbles, licensed teacher, and of the school trustees and other inhabitants of Middleton School District, Lot 27, praying remuneration to said teacher for his services as such, in said school, for the period of four and a half months. Also, a petition of school trustees, Back Settlement, Lot 27, praying for an allowance to Henry Lecky, an unlicensed teacher. Referred to committee on teachers' petitions.

Mr. Clark presented a petition of Alex. C. Mason, praying for an alteration in the course of a road running in an angular direction through his farm at Carleton Point. Referred to committee on new roads.

Mr. McIntosh presented a petition of John Stewart praying remuneration for his services as licensed teacher, Cross Roads District, Lot 47, for a period of four and a half months. Referred to committee on teachers, petitions.

Mr. Clark presented a petition of William Wilson, Postmaster, and other inhabitants of Central Bedaque, praying for an increase of salary of the said Postmaster. Referred to committee on new Post Offices.

A message was received from the Upper Branch, acquainting the House that their Honors have appointed Mr. Aldous a committee, to join a committee of the House, for the purpose of examining into the proceedings of the Bank of Prince Edward Island, pursuant to the Twenty-ninth section of the Act 18th Vic. cap. 10.

Mr. House presented a petition of A. McKay, M. A., Minister, and 1341 others, praying the House to adopt such means as will redress their grievances, and grant them the enjoyment of their rights, by conferring on all who may desire it, the privilege of having their children morally trained, at an early hour, every day, from the Holy Scriptures, in both the Normal School and the Central Academy, and by causing to be appointed, if necessary, such teachers as are both able and willing to impart such moral training. Laid on the table.

Hon. Mr. Mooney presented two petitions from inhabitants of Lots 30 and 65, praying aid to improve their road communications. Laid on the table.

On motion of Hon. Mr. Montgomery, it was ordered, that the several private petitions before the House be taken up on the 16th day of March. Adjourned for one hour.

F. KIRWAN, Reporter.

FRIDAY, March 19, 1858.

## BIBLE QUESTION.

### PETITIONS RELATING TO EDUCATION.

The order of the day for taking into consideration the several petitions praying that the Bible may be read in the Normal School and the Central Academy, having been read, the said petitions were severally read by the Clerk.

Mr. LAIRD then rose and said: As I presented some of the petitions, which have just been read, I wish to say a few words in support of the prayer, which is common to them all. "that parents who may desire it may have the privilege of having their children morally trained, from the Holy Scriptures, in both the Normal School and the Central Academy," and particularly with respect to the exclusion of the Bible from the Normal School, although, at the time of the inauguration of that institution, it was declared, by those whose province, upon the occasion, it was to explain the principles upon which the institution would be based and conducted, that the first exercise of each day would be a lesson from the Bible. To prove this, I will just read what was said, with reference to it, by Mr. Stark, Superintendent of Schools. The hon. member then read as follows:—"The education to be imparted here will embrace what constitutes all true education; namely, moral, intellectual, and physical training. The moral department will be carried on by the opening and closing of the institution with prayer, according to the regulation of the Board of Education; by a daily Bible lesson (the first exercise of the day after opening) in which the truths and facts of Scripture will be brought before the children's minds by illustrations and picturing out in words, in language simple and easy to be understood, from which every thing sectarian or controversial will be carefully excluded." I will also read a few sentences from speeches made by other gentlemen on the occasion, which will better explain than I can do, by any words of my own, what principles were then laid down, as those on which the institution was to be based and conducted. Mr. McNeill said: "Being entrusted with a share in the direction of the public instruction of this my native country, I think it right I should record, in a more tangible shape than by mere verbal declaration, my idea of the principles upon which the institution is founded, and upon

which it will be carried on, with a view of thus more emphatically correcting any erroneous impressions which may be entertained by some regarding its nature and its objects." Mr. McNeill here read: "On the threefold basis, as I understand it, of physical, intellectual and moral training, this institution rests. Without any peculiarity of creed or denominational teaching, its system of instruction is to be—like the Legislature which has established, and the Government which fosters it—non-sectarian and national, considered in a purely provincial point of view." Mr. Monk, the master of the Normal School, thus expressed his acquiescence in the principles avowed by Mr. Stark: "My respected friend, Mr. Stark, has so well elucidated the principles and detailed the working of the Normal School, that it is needless for me to attempt anything further in explanation, either of the one or of the other." In fact, the Hon. the Col. Secretary, the Hon. the Queen's Printer, the Hon. Colonel Swabey, and most of the other gentlemen, who spoke on the occasion, declared—if not by words exactly, yet by a silence which implied assent—in exact accordance with the principles expounded by Mr. Stark, "that not the least important feature of education is to inculcate obedience to the laws, and, by imbuing the youthful mind with sound principles in morals and religion, to rear up the best ornaments to, and barriers for the protection of society;" and all that the petitioners ask of the Legislature is, that this institution in particular—the Normal School—shall be conducted on the principles on which it was professedly established; that is, by allowing young persons studying in the institution, whose parents shall desire it, to be morally trained, from the Bible, in principles of truth and honesty.

Mr. COOPER.—Some hon. members, who intend to support the prayer of the petitions, ought to move a resolution declarative of his views with respect to it; and then members generally would have an opportunity of speaking to it.

Hon. Mr. MONTGOMERY.—If it is the intention of the House to accede to the prayer of the petitions, it will be best to move that they shall be referred to the consideration of the House when in committee on the Academy Bill; and I will accordingly move that they shall be so referred.

Hon. Mr. MOONEY.—I understood, yesterday, that there was to be a Call of the House to day to take up the petitions, praying that the Bible may be read in the Normal School and the Central Academy; and also the petition, presented by the hon. and learned member for Charlottetown, (Hon. Mr. Palmer), praying for a grant of money, as an endowment, to St. Dunstan's College; and I, therefore, move that the House do now resolve itself into a committee of the whole to deliberate upon the prayers of the said petitions.

Hon. Mr. PALMER.—I agree that the propriety of acceding to, or of rejecting the prayers of these petitions, must be discussed in a committee of the whole House; but it matters not whether when the House shall be in committee on the Academy Bill, or now in committee immediately upon these petitions themselves; but as there is to-day a Call of the House with a view to the express purpose of taking them up, I think it will be best to go into consideration of them at once; and I, therefore, second the motion of the hon. member for the second district of Queen's County, (Hon. Mr. Mooney).

Hon. the Speaker then put the question thus moved and seconded; and the same having been unanimously agreed to, the House resolved itself into committee accordingly.

House in Committee on the petitions praying for the introduction of the Bible into the Central Academy and the Normal School—Mr. McGill, in the Chair.

The Chairman having read the principal petition—all the others being exactly to the same purport, and expressed nearly in the same words—setting forth, that the petitioners, (the undersigned Protestants) as loyal subjects, claim the right of having their children instructed from that recognized standard of true morality in all the public institutions of learning the Protestant Bible; and whereas in the Normal School that has been established in this province, for the training of Teachers, said Protestant Bible has not been permitted as a book of moral training, in such times, and at such hours as are convenient; and, thereby, a most important part of the training of Teachers is neglected—although the Board of Education and the Master of the said school deemed

the introduction of such daily moral training both possible and advisable, notwithstanding denominational differences,—which proposition of the Board of Education did not receive the sanction of the Executive: And whereas in our highest institution of learning, the Central Academy, no moral instruction, from the Bible, is permitted, thereby lowering this institution in the estimation of the religious portion of the community, and circumscribing its influence for good; and concluding by praying the Honorable House to take the premises into their serious consideration, and adopt such means as shall redress their grievances, and grant them the enjoyment of their rights, by conferring, or causing to be conferred on all who may desire it, the privilege of having their children morally trained, at an early hour, every day, from the Holy Scriptures, in both these institutions, and by appointing, or causing to be appointed, if necessary, such teachers as are both able and willing to impart such moral training.

After the reading of this petition, by the chairman, the committee having sat some time in silence, whilst it was evident that a resolution, to be moved, was being prepared on the opposition side of the House,

Hon. Mr. MOONEY rose and said, Mr. Chairman, upon my life, if we sit much longer in silence, I shall fall asleep; for I have found it very difficult to keep myself awake for the last ten minutes. It would almost appear that we had resolved ourselves into a real Quaker's meeting, to sit in profound silence; instead of a committee, to take into consideration the prayer of certain petitions; and, in free debate thereon, to decide, either on the propriety, or the impropriety of our acceding to such prayer. I did expect, Sir, when you took the chair of this committee that we should find that hon. members in opposition, who have been so anxious to enter upon a discussion of the question which it is expected we shall decide this evening, would have, at least, been prepared to submit some resolution, at once, whereby to test the sentiments of the committee. The man who wants to keep the roof upon his barn, will always be prepared with implements and materials to repair it, as occasion may require; he will not wait till the wind rises, and threatens to unroof it, before he begins to look about for nails and shingles to remedy the rents. I am not willing, funny as I am, to treat the question of the evening with levity; but really, Mr. Chairman, as I find hon. members are not at all prepared to enter upon the expected discussion, and as I am positively afraid I shall fall asleep, if we sit any longer without some business in hand, to keep our wits alive; I am disposed to move, that the Speaker take the chair, as when he shall have done so, we may, perhaps, find something to do that will keep us awake.

Hon. Mr. PALMER.—It sometimes happens, in a theatre or a circus, that, whilst due professional arrangements are being made, behind the curtain, previous to the commencement of the performance, by those who are to be the chief actors therein, the audience become impatient for the rising of the curtain; and, in order to reconcile them to the necessary delay, and restore them to good humor, a certain gentleman is sent out to amuse them by the drolleries of his peculiar art. The hon. member from Flinty Glen appears to have come forward on the present occasion, in the character of that amusing gentleman; and, I assure him, I have not the slightest objection to his occupying, for a few minutes longer, the position which he has so fitly chosen. [A laugh.]

Hon. T. H. HAVILAND, after some little further delay, rose and said:—On a former occasion, I had the honor to move a resolution in this House, of a nature, in some respects similar to that which it is now my intention to submit to this committee; and, although I was not so successful as to carry it, still a part of what was asked by it was subsequently granted; that is, that, in our District Schools, the Bible should be daily read when a majority of the parents of the children, attending in any of them, should require it. I have every regard for the conscientious scruples of my fellow-Catholics on this question; and, on no account, would I deliberately seek to do violence to them. But still I think that that book which is dear to the hearts of those who compose the church of which I am an humble member, should not be excluded from any of those institutions in which they have a right to claim that their children shall be

educated. The members of that church and of every other denomination of Protestant Christians, hold it to be of the highest importance, both as respects the eternal and temporal interests of their children, that, in school, as well as in their homes, the reading and study of the sacred volume should be a primary object of education; for they justly hold that, unless a due knowledge of, and reverence for, its holy precepts and commands be early instilled into and impressed upon their hearts and minds, their acquisitions of secular or scientific knowledge, may, as respects the true uses and enjoyments of life, be of no service whatever to them; but perhaps the reverse. Fully satisfied of the wisdom of such sentiments, and of the propriety of the prayer of the petitions which are now under our consideration, I shall, therefore, without further preface, move the resolution now in my hands, as I think it is perfectly in accordance therewith. The hon. gentleman then read the following resolution, and moved its adoption by the committee:—

“Whereas it is inexpedient that any law or rule should exist by which the use of the Holy Scriptures should be excluded from the Central Academy and Normal School of this Island, in any case where the parents or guardians of any scholars placed in those institutions may require such Holy Scriptures to be used or read therein by such scholars:

“Resolved, therefore, That it is necessary to provide, by law, that the Holy Scriptures may be read and used by any scholar or scholars attending either the Central Academy or Normal School, in all cases where the parents or guardians of such scholars may require the same to be so used by them while attending such institutions respectively.”

Hon. COL. TREASURER.—The School Act, by which no religious test is imposed, or any course of religious instruction prescribed, has now been in operation for some years; and it has, I believe, in its working, given general satisfaction; I cannot, therefore, think that it would be right, or even safe, if we value the existence of social harmony and good feeling throughout our community, to make any alterations in it, which we know very well are not generally called for, and would not be acceptable to all; and such an alteration is that which is called for by the Resolution which has just been submitted to the Committee by the hon. member for Princetown (the Hon. T. H. Haviland). It has been said, with respect to the Normal School, that, when that institution was inaugurated, it was declared that a Bible Class should be taught daily therein, and that the Scripture lessons would be explained by the teacher, whoever he might be. I believe that the present master of the Normal School is well qualified to explain the Scriptures in general, according to the received and professed religious opinions, or mode of faith of that Christian Church, in which he has been brought up and indoctrinated; but, as all the pupils and students under his care and tuition do not, and certainly will not, (so long as the institution is, as it ought to be, open for the reception and tuition of young persons of every Christian denomination, belong to the same body of professing Christians as himself, it would surely be very improper to allow him to teach and explain the Scriptures, in such a way as to sustain, and inculcate upon the minds of his scholars his own peculiar religious views and doctrines; and, if he taught at all in an effective or conscientious manner, in no other way could he explain the Bible lessons. In every free and enlightened country, it is now practically acknowledged that the State ought not to interfere with, so as to control, or seek to control the religious education of children, contrary to the desire of their parents or other proper guardians of their youth; and I hope every such attempt, as often as it shall be made, in this Colony, will be wisely and yet temperately resisted by the Legislature. I entertain as high a regard for the Church of which I am a member, as, perhaps, is felt by any other layman belonging to it; and I sincerely desire that my children shall, as respects their religious education, be brought up in due observance of the doctrines and discipline of that Church. In expressing this desire, I state, not only my right, but my duty; and what I clearly perceive to be my own right and my own duty, in this particular, I, as clearly, perceive to be the right and the duty of every other parent, to what religious denomination soever he may belong; and, consequently, if I would preserve intact, my own rights and privileges, in this respect, I must, not only be willing, but anxious, that every

other man should be fully protected in the same liberty and freedom of conscience which I myself desire to exercise. I believe the creed and discipline of my own Church to be the best; and I allow every other Christian who may differ from me on that subject to think the same of his. With these views, I will move, as an amendment to the Resolution submitted by the hon. member for Princetown, (the Hon. T. H. Haviland,) a Resolution which I hold in my hands, and which I will now read. The hon. gentleman then read the Resolution as follows:

"Whereas the Legislature of this Colony has hitherto acted on the principle—so generally adopted in every free and enlightened country—of keeping its educational establishments free from religious tests, believing that these tests tend rather to retard than advance the cause of Education, while they never fail to promote acrimony and ill-feeling in a community composed of different denominations of Christians, and are, consequently, as injurious to the spread of true morality and religion, as they are to education:

"And whereas the Law entitled 'An Act for the establishment of an Academy in Charlottetown,' passed more than thirty years ago, provides that no religious test whatever shall be used in the said Academy; and during this long period only one attempt has been made—and that by a small section of the general public—to enforce, by Act of Parliament, the reading of one version of the Holy Scriptures in the said Central Academy:

"And whereas, by an arrangement between the Board of Education and the Master of the Normal School, certain hours have been set apart for the reading of the Bible in that institution by those children whose parents may desire the same; and as there is no obstacle to the adoption of the same practice in all the common schools of the Colony, this House is of opinion that legislation upon the subject is quite unnecessary, and, if resorted to, would be subversive of the rights of conscience:

"And whereas certain petitions now before the House, purporting to emanate from the Protestants of Prince Edward Island, wherein the petitioners claim a right to have their children instructed in the Protestant Bible, which they believe to be 'the fundamental Law Book and the recognized standard of true morality'—concludes by praying that this House shall 'adopt such means as shall redress their grievances, and grant them the enjoyment of their rights,' by enforcing the reading of the Holy Scriptures in the Normal School and Central Academy—thereby inferentially leading to the conclusion that the use of the Scriptures is not prohibited in the common schools:

"And whereas it has been shown in these premises that there is nothing to prevent the voluntary use of the Bible in the Normal School, while its introduction as a class book into the Central Academy, which would constitute a religious test, is expressly forbidden by a law which has remained on the statute book for thirty years; and that successive Houses of Assembly since never regarded this law as an infringement of the rights of any portion of the inhabitants of the Colony; nor has any complaint been made of the enactment in question, by any considerable number of the Protestant parents of children who are sent to the Academy for instruction, and who might be reasonably supposed to be the most deeply interested in the matter: The House, therefore, deems that as there has been no infringement of a right, no substantial grievance can be said to exist.

"Resolved, therefore, That it is inexpedient to comply with the prayer of the several petitions now before the House, asking for an Act of the Legislature to compel the use of the Protestant Bible, as a class book, in mixed Schools, like the Central Academy and Normal School, which were established for, and are supported by, Protestants and Catholics alike—this House feeling assured that so unwise and so unnecessary a measure is not desired by a majority of the inhabitants of the Colony, nor essential to the encouragement of Education and Religion."

The hon. member having read the above, concluded by moving the same in amendment to the Resolution, submitted by the Hon. T. H. Haviland.

R. B. Irvine, Reporter.

(For continuation see page 65.)

## LEGISLATIVE COUNCIL.

WEDNESDAY, February 24.

### WORRELL ESTATE.

(Concluded.)

Hon. ATTORNEY GENERAL would remind their Honors that, in many cases, deeds could not be made out, in consequence of the surveys not having been completed, but the payment of the instalments was sufficient guarantee for the completion of the payment of the purchase money by the applicant for any particular location. But, if such should not be the case, the Land Purchase Bill invests the Commissioner of Public Lands with summary powers to sell the land by public auction, the purchaser at which sale can forthwith eject the previous occupant from his holding, and at once enter into possession. As to the conduct of the auditors, he could not but consider their action in refusing to place to the credit of the Land Office the balances due on lands sold, as extraordinary indeed, more especially when he reflected that the Land Purchase Bill, while it provided the form of the deeds, also gave the form of the defeasance to be endorsed, and the amount of which was declared to be a specific charge upon the whole property conveyed by the deed. As an illustration, if the applicant purchases land to the value of £100, and pays an instalment of £20, the whole property, one-fifth of which has been paid for, becomes security for the remaining £80. While the Government had, on the sales of public lands, the personal security of the purchasers, and also the lien on the real property, surely the Auditors would be justified in considering such security as being far more safe and easy of recovery, than bonds in the Treasury which were strictly personal. Without following his Honor the President into the detailed statements he had made, shewing the advancement of the Colony since the introduction of Responsible Government, he could not but view the fact of the Government being in possession of such a quantity of lands, as affording a pleasing contrast to the condition of the Island previously, when there was not an acre of public domain.

Hon. Attorney General, by command, laid on the table two messages from the Lieutenant Governor, one on the subject of Bonds to the Government, and the other on the subject of the Militia, with copies of despatches relative to the latter subject.

SATURDAY, February 27.

Hon. Mr. Craswell presented a petition from the Indian Commissioners relative to lands on the Worrell Estate. The petitioners alleged that the late Mr. Worrell had set apart some 204 acres for the permanent occupation of certain resident families, which had gone into possession, and cultivated and built upon the lands, subsequently, their holdings were occupied by some of the other settlers on the Worrell Estate. The object of the petitioners was to obtain a grant of lands in lieu of those of which the Indians had been dispossessed, and he trusted that the Government would accede to the prayer of the petition.

Hon. ATTORNEY GENERAL explained, that an application had been made to the Executive for a grant of lands in lieu of those formerly reserved by Mr. Worrell, but the Government had no power under the Land Purchase Bill to comply with the request. The interposition of the authority of the Legislature was necessary to enable the Government to purchase for the object realizing the wish of the petitioners. He would state, that the lands referred to were never conveyed to the Indians, or to any one on their behalf, by Mr. Worrell, they were merely marked on a plan of his property. One of the Commissioners, he believed, recovered last years some 20 acres; but it was scarcely fair to turn out parties who had been long in possession of their lands, and who were willing to pay for the continued peaceable occupation.

Petition referred to committee on miscellaneous petitions. The following petitions were presented by Hon. Mr. Craswell:—From inhabitants of Lots 14, 15 and 16, for aid to build a bridge at Trout River; Alexander McDonald and others, residing on rear of Lot No. 7; Pierre Jacques's settlement, Brae River and vicinity; inhabitants of West Cipe settlement and vicinity, for aid to improve road communications. Referred to committee on roads and bridges.

Hon. Attorney General, by command, laid on the table the estimates for the year 1858.

MONDAY, March 1.

The following petitions were presented by Hon. Attorney General:—From John E. W. Alleyne, Esq., and others, for aid to repair Mount Stewart Bridge; inhabitants of Lot 52, for a grant for road from Montague to Union Road. Hon. Mr. Aldous—from inhabitants of Lot 31 and vicinity, for aid towards the erection of a wharf. Referred to special committee on roads and bridges. Hon. Attorney General—from Louis Muttart and others, Couriers, for aid towards construction of an ice boat. Referred to committee on miscellaneous subjects. Hon. Mr. Aldous—Mary Kelly, for aid to support family. Referred to committee on paupers; inhabitants of Lot 18 and vicinity, praying for the introduction of the Bible into the public schools. Referred to committee on education. Hon. Mr. Dingwell, for aid to James King; also to John and Eliza Garnett. Referred to committee on paupers.

Hon. ATTORNEY GENERAL, by a brief summary of the revenue with the estimated receipts last year, found that the increase of the *ad valorem* duties from 5 to 6½ per cent. had been estimated to produce £2,000—the amount actually realized, from the augmentation, was £1,802 7s. 6d. In some items there had been a falling off, while in others an enlarged importation had taken place. The quantity of tea had not equalled that of the preceding year, while, if the accounts of the imports afforded any criterion of the social habits of the people, it might be safely predicted from the comparative quantities of spirits and tobacco brought into the Island, that there was less rum and more smoking. It was gratifying to find that, in contrast to the neighbouring Colonies, the public expenditure of the Island had been in some respects diminished. Last year the Telegraph Company had received £520 9s. 5d.; this year they got only £300. The expenditure on account of the public lands would be less in consequence of the rapid and satisfactory disposal of lands on Lot 11.

On the 2nd, 3rd and 4th of March, the Council adjourned for want of a quorum.

FRIDAY, March 5.

Hon. Mr. Beaton's excuse for non-attending, viz., urgent private business, was received.

Hon. Messrs. Dingwell and Craswell respectively obtained leave of absence for a week.

Hon. COLONEL SWABEY, in presenting the annual report of the Medical Superintendent of the Lunatic Asylum, spoke as follows:—In laying upon the table this tabular statement with the letter which accompanies it, I feel confident that your Honors will participate with me in the satisfaction I experience, in the gratifying progress which has taken place in the amelioration of the unfortunate conditions of the inmates of the institution. This amelioration will be found to have been really a subject of congratulation, especially when considered in connection with the limited means at the disposal of the trustees. I shall read the letter of the medical officer accompanying the report, by which your Honors will see that benefits which have been conferred upon the lunatics, during the period embraced in the report, fully justify the language I have used.

“JANUARY 31st, 1858.”

“GENTLEMEN,—I have the honor of submitting, for your inspection, my eighth annual report, comprising the medical statistics of the Lunatic Asylum, with the admissions, discharges and remedial results, on the patients under treatment, during the last twelve months. On examining the details of the accompanying statistical chart, you will observe that the total number of lunatics, treated during the past year, amounts to 31. Of these, 19 remained in the house at last report—the greater number being chronic cases of long

standing, and adjudged incurable. Of the total number of cases admitted since February 23rd, 1856, amounting to 17, and which are comparatively recent cases, nine have recovered, being nearly sixty per cent.—a large proportion, which many Asylums, with more ample endowment and more efficient appliances, have failed to exceed. The total number of recoveries, since last report, amounts to 10; those much improved, 9; improved, 5; not improved, 7. Among the lunatics, 2 deaths have occurred; one from bronchitis, and another, apparently, from old age; and 11 have been discharged. The number of paupers, remaining at last report, amounted to 10; since which time, 6 have been admitted and 3 discharged; 1 absconded after recovery, and 2 have died; 1 from apoplexy, and the other from disease of the heart—remaining, 16.

“I again beg to direct the attention of your Board to the heating of the building. The brick stoves have been found perfectly inadequate for diffusing the heat over more than one room. The pipes even never exceeding the blood-heat; and the fuel is, therefore, unnecessarily consumed without effecting the purpose.

“I trust that some more effectual method may be adopted before next winter, as I frequently had serious apprehensions for the safety of the patients in the solitary rooms during the late severe weather.

“I have the honor to be, gentlemen, your obdt. servt.,

“J. MCKIESON.

“To the Board of Trustees, Lunatic Asylum.”

One circumstance disclosed by this report is of a most gratifying nature. I refer to the proportion of cures effected in cases of recent insanity. It is true, that, in instances of long standing lunacy, the result has been different, and a similar issue could not be reasonably expected; but the advantages which the Asylum confers on the community are conclusively proved by the restoration to their families of those unfortunates, whose friends placed them in the institution in early stages of their cases. While, on this subject, I may allude to one or two erroneous impressions which have gone abroad, and have been partially adopted by people not conversant with the details of the management of the Asylum. Some have imagined that the sum voted last year, £900, was exclusive of the usual endowment. That was not the case: the greater portion of that amount was expended in improvements, which the increasing demands of accommodation rendered absolutely necessary. The Government had, with wise liberality, assumed the charge of maintaining any insane person whose friends might be unable to defray the expense of supporting him in the Asylum, and thus has been the means of restoring several whose malady would probably if not promptly treated, have been confirmed. Another mistaken opinion has gone abroad, to the effect that paupers are excluded from relief at the institution. This I have read in one of the public journals; but it is not the case. Paupers are not rejected; but it is to be regretted that the means at the disposal of the trustees prevent their more extended alleviation of misery and destitution. It is imagined that because the designation “House of Industry” is united to that of “Lunatic Asylum,” it bears some analogy to the Union Workhouses in England. Now this is an erroneous idea; and I, for one, have had so much personal knowledge of the working of the English Poor Laws, that I have no desire to see their principle engrafted upon our system. Your Honors will find that the amount of lunacy in this Island is not great in proportion to the population; and I can assure you, that relief is afforded to all whose friends and neighbours interest themselves for them.

Hon. Attorney General, by command, presented copies of



a despatch from the Secretary of State for the Colonies on the subject of the Fishery Reserves, of His Excellency the Lieutenant Governor's reply thereto, and Attorney General's opinion on the Bill relating to the Reserves. Also, messages and copies of despatches relative to the Newfoundland Fishery Convention with France, on the Cape Race Light-house Toll Bill, and also on the subject of the erection of Light-houses on North Cape and East Point in this Island.

Hon. Mr. Wright presented the following petitions, viz:— From inhabitants of Middleton district, Lot 27, praying for the establishment of a post office; from inhabitants of the same district, praying the House not to sanction the passage of the Board of Works and Municipal Incorporations Bill; referred to committee on miscellaneous subjects. From Leland Stumbles, late teacher, Nail Pond district, for allowance for 5½ months services as such; referred to committee on education. Hon. Attorney General presented a petition from John Hobbs, of Charlottetown Royalty, praying the House to concur in such measure as may be adopted by the House of Assembly, in encouragement of the establishment by him of a Silk Hat Manufactory; referred to committee on miscellaneous subjects.

Hon. Attorney General laid upon the table a return showing the state of the Bank of Prince Edward Island on the first Tuesday in September, 1857, and on the 2nd of March instant.

His Honor the President presented and read a message from the Lieut. Governor desiring that the Council adjourn until Tuesday, the 16th instant. Adjourned accordingly.

#### TUESDAY, 16th March, 1858.

Hon. Col. SWABEY, on presenting a petition from several parties in Charlottetown, praying that the Council would sanction the passage of a Bankruptcy Law, took occasion to remark, that while it was his duty to present the petition, he wished not to be understood as pledged to support any measure which might be introduced into the Legislature, in accordance with its prayer. While he readily admitted the soundness of the principle of bankrupt laws, yet so much depended on the details of any measure based on such principle, that no one should commit himself to the support of a measure of the nature referred to, without his judgment having first approved of its details. If the Bill which might be brought before their Honors resembled the one under the consideration of the Legislature some years since, it should receive his unqualified opposition. Referred to the Committee on miscellaneous subjects.

Message from the House of Assembly by the Hon. Colonial Secretary, with a Bill relative to the publication of notices and advertisements relating to the public service.

Hon. Mr. Aldous presented the following petitions, viz:— From certain inhabitants of the first electoral district in Prince County, praying grant for the erection of a room for the Court of Commissioners of Small Debts, and a lock-up in the district; from certain inhabitants of Campbelltown, for grant in aid of a library; referred to the committee on miscellaneous subjects. From Ewen Morrison, ferryman at Ellis River, Lot 14, praying remuneration for his services in that capacity; from inhabitants of Nail Pond and Big Brook, for aid to complete a road; from certain inhabitants of Lot 7 and the western end of Lot 4, praying aid towards re-opening a road; from certain inhabitants of Lots 10 and 11, praying aid for a road. The four preceding petitions were referred to the committee on roads and bridges. From James McNeill and others, inhabitants of Lot 7, for aid towards the support of Rachel Morrel; from Francis Metherall and others, inhabitants of Lot 7, for aid to Elizabeth Doran, a cripple. Hon. Mr. Craswell presented a petition from Isabella White, widow of the late Thomas White, praying aid. Referred to the committee on paupers. From Michael Dalton and others, inhabitants of Lot 7, praying aid towards repairing a bridge and causeway. Referred to the committee on roads and bridges. Hon. Mr. Bagnall presented a petition from Jas. Proudfoot and others, inhabitants of Queen's County, against the passage of the Board of Works and Municipal Incorporation Bills. Referred to the committee on miscellaneous subjects. From Isaac Linklater and others, inhabitants of Lot 17, for aid to complete a road. Referred to committee on roads and bridges. From Alexander McDonald and others, inhabitants of Lot 22, for aid to a road. Referred to same committee. From James Kelly, teacher, Lot 52, for remuneration as such, the number of pupils under his tuition being less than the number prescribed by law, as entitling the teacher to the statutory salary.

Hon. Col. Swabey stated that the subject matter of the petition came within the legitimate jurisdiction of the Board of Education, which was authorised to grant relief in such cases. Referred to committee on education.

Hon. Attorney General presented a petition from the Reverend A. McKay and other Protestants, inhabitants of Belfast and vicinity, praying for the authorised use of the Bible in the Normal School and Central Academy.

Hon. COL. SWABEY.—The petitioners are praying for a matter which already exists. In the public educational institutions of the Island the teacher is at liberty to read the Bible. In the Normal School the principal is authorised to, and I believe does, read the scriptures before or after school hours. The only exception to the exercise of this practice is in the Central Academy; into which the law prohibits the introduction of any religious test, which the use of the Bible has been pronounced by high legal authority to be.

Hon. ATTORNEY GENERAL.—His Honor Col. Swabey labors under a partial misconception of the object of the petitioners. They ask that the scriptures may be read at convenient hours, alleging that the times at present sanctioned for that purpose are not convenient. The law with reference to the Central Academy is as stated by his Honor.

#### WEDNESDAY, 17th March, 1858.

Hon. Mr. Forgan introduced a Bill authorising aliens to hold lands in this Island, notwithstanding their alienage. He explained that the Bill was a transcript of an Act which had been passed in Nova Scotia; and he considered that it was calculated to confer benefits on the Island, by the introduction of capital from abroad, and the influx of an educated and intelligent population. Read first time, ordered to be read second time to-morrow.

Hon. Attorney General moved the 2nd reading of the Act continuing the Act regulating the publishing of notices and advertisements relating to the public service.

Hon. Attorney General introduced a Bill confirming the appointments of constables and fence viewers for King's County, appointed at the late sitting of the Supreme Court at Georgetown. This measure had become necessary in consequence of the Grand Jury panel, by whom these officers were nominated, having been defective. The object of the Bill was to obviate the inconvenience which must necessarily ensue from the want of such officers in the County, and to render valid any acts done by them, in their official capacities, since their appointments. Read first time, and ordered to be read second time to-morrow.

Hon. Mr. Forgan presented a petition from John Hearts of Charlottetown, praying remuneration for the support of Alexander Baanister, a foreign seaman who had been left near petitioner's house, in utter destitution, with his feet badly frozen. Referred to the committee on paupers. Hon. Attorney General presented a petition for aid to William Muggford, of Lot 21, a bed-ridden cripple. Referred to committee on paupers. Hon. Mr. Walker presented a petition from Philip Lane and others, of Lots 49 and 50, for aid towards opening a road. Referred to committee on roads and bridges. Also from the Reverend Mr. McDonald, Rector of St. Dunstan's College, praying the Council to concur in any grant which the House of Assembly might pass in favour of that institution.

#### THURSDAY, 18th March, 1858.

His Honor the President suggested the propriety of a joint Address, from both branches of the Legislature, to Her Majesty, congratulating her upon the marriage of the Princess Royal. He observed that a similar course had been adopted in other Colonies, and it was but right that we should follow their example. He read the draft of an address which he had prepared. Hons. Messrs. Swabey, Beaton and Aldous, were appointed a committee on the part of the Council.

His Honor also presented a petition from the Horticultural Society, praying aid. Referred to the committee on miscellaneous subjects.

The Alien Bill having been read 2nd time, was ordered to be committed to-morrow.

The Bill confirming the appointments of constables and fence viewers in King's County, was read a second time and committed. Hon. Attorney General in the chair. The Bill was reported as agreed to, without amendment.

Hon. Attorney General laid upon the table the blue book for 1856. Also the impost accounts for the last year.

Hon. Mr. Dingwell presented a petition from certain inhabitants of Princetown and its vicinity, praying the Council not to sanction the passage of the Board of Works and Municipal Incorporations Bills.

Hon. COL. SWABEY said, that until the Bills were before the Council, they had nothing to do with the subject. They had not been introduced, and it would be time enough to discuss the expediency of passing them when they were. He would say, however, with reference to one of the subjects, namely, Municipal Incorporations, that he considered that the public

generally were not aware that they would have the effect of adding to their privileges, by the immediate control their establishment would enable them to exercise over their local affairs. Of course, he did not wish to be considered as pledged to the details of the Act which had been published; but the sooner any country adopted the principle of self-government in local matters, the sooner would it reap the benefit resulting from the immediate supervision and management of those most interested in the general well-being and improvement of the district in which they resided and held property.

Hon. Mr. DINGWELL.—The people appear so well satisfied with the present Government, that they are willing to leave to it the management of their local affairs.

Hon. Mr. Dingwell presented a petition of John Stewart, of Lot 47, teacher, praying remuneration as such, ill health having rendered him incapable of acting for the full period of his engagement. Referred to committee on education. Also a petition of certain inhabitants of Lot 18, praying aid towards a road. Referred to committee on roads and bridges. Also a petition from inhabitants of St. Peter's Bay, Cardigan Road, Baltic, Grand River and Launching Place, praying grant to open a new line of road. Referred to same committee.

Hon. Mr. Craswell presented a petition of A. C. Beckford, one of the oldest teachers in the Island; petitioner had received two certificates as a licensed teacher, but had not been qualified as such under the Education Act. Referred to the committee on education. Also the following petitions:—From inhabitants of Lot 14, Richmond Bay, Lot 15, Lot 14, Lots 1, 2, 3, and Cascumpec and vicinity; severally praying aid to improve their road communications. Referred to the committee on roads and bridges.

On motion of the Hon. Attorney General, the Act continuing that regulating the publication of notices and advertisements relating to the public service, was committed, reported agreed to without amendments, read third time and passed.

Hon. ATTY GENERAL, on presenting a petition from a debtor confined in the jail at Charlottetown, remarked on the anomalous state of the law relative to debtors. Parties against whom judgments for amounts under twenty pounds had been recorded in the inferior Courts, if unable to satisfy them, were compelled to remain in jail for periods varying according to the amounts. In fact, the law provided a tariff of confinement by which a certain amount was paid off by each month's imprisonment. This was the law with reference to small debtors, but the man who might owe his thousands was allowed the privilege of going on the limits, and at the same time, of receiving support from his creditor.

Hon. COL SWABEY could see no reason why the benefits of the Insolvent Act should not be extended to the man who owed little as well as to him whose liabilities were heavy.

The petition was then laid upon the table.

Hon. Mr. Forgan presented a petition from Margaret Morrison, praying relief. Referred to committee on paupers.

## HOUSE OF ASSEMBLY.

FRIDAY, March 19, 1858.

### BIBLE QUESTION.

#### PETITIONS RELATING TO EDUCATION.

(Continued from page 62.)

Hon. COL. SECRETARY.—I second the motion. The Resolution submitted by my hon. friend, it may be said, by some hon. members, is not so much a Resolution, as a statement of the views and reasons, on which he grounds his dissent from the opinions of those who, in the last Session, moved and supported a Resolution, similar to that which the hon. member for Princetown (Hon. T. H. Haviland) has submitted this evening; and that it is so, I freely admit. The fate of the similar motion, made last Session, by that hon. gentleman, was decided by the force of a mere negative on the part of the majority of this House. But, both in justice to the majority of the House who decided against that Resolution, and who, I doubt not, will negative the similar Resolution which is now before us; and also in justice to the country, who ought to be freed, as far as possible,

from every feeling of doubt concerning the propriety of the principle, and the impartial regard for the conscientious scruples and settled convictions of their fellow subjects, of every denomination, in the Colony, by which that majority were influenced, in deciding against that Resolution; it has, by many, been judged proper that we should draw up, and send forth, a sort of brief, yet plain, manifesto of our views with regard to a question, which has already been too mischievously agitated; and which cannot, for the sake of the social harmony of the community, be too soon completely determined; and, therefore, to that end it is, that a preamble, so unusually long, introduces the Resolution which, as an amendment, has just been submitted, by my hon. friend, and, in support of which, I mean now to speak. The hon. member (Hon. T. H. Haviland) has said that, although he failed to carry his Resolution of the last Session, respecting the Bible; yet still a part of what was asked was subsequently granted. He alluded, I suppose, to the reading of the Bible in the country district schools; but, as he ought to be aware, no change has been made, since his Resolution was moved and lost in this House, with respect to the Bible, in the system by which the free schools in the country are regulated. At the time the hon. gentleman moved his Resolution, and, indeed, from the very day on which the Free School Act went into operation, the majority of parents, having children attending any of these schools, were at perfect liberty—and they still are so—to have the Bible read therein or not, as they themselves thought it right to determine. Respecting that question, no arrangement has been made, except by the parties immediately concerned themselves; and, so little difficulty was there experienced in determining concerning it, in any settlement, until zealots, for coversand ulterior purposes, began to agitate the country about it, that Mr. Stark's own Report, concerning the use of the Bible in the Country district schools, shews that it was read in a majority of the schools in which the children of Catholics were taught. To leave the matter on such a footing, will be perfectly fair and just; but to establish, by law, the reading of the Bible, in all our public schools would be most arbitrary and unjust; for, to do so would be to establish a religious test, the impolicy and injustice of which is now practically acknowledged in every free and enlightened country. The impolicy, nay the impracticability of such a law, in a country like this, of which the population consists of mixed religious denominations, is easily proved. As, for instance, suppose a Catholic were the master of a school, in which a part of the scholars were children of a majority of Protestant parents, who desired that the Protestant version of the Bible should be read therein; or suppose the case were the very reverse, in which a Protestant master should be required to give lessons in the Catholic version of the Scriptures; how could either of these teachers, in such circumstances comply conscientiously with the law—a law directly imposing a religious test? In no way whatever: and, surely, then, we cannot, as reasonable and conscientious men, agree to pass a law, a compliance with which might, in so many cases, in the way in which I have instanced, cause, either a neglect of the duty enjoined, or a violation of conscience in the performance of it. The state of the matter, as we left it last year, has given general satisfaction; and many, even of those who were persuaded, by officiously overzealous friends, to petition the Legislature to enforce, by law, the reading of the Bible, in our District Schools, are now convinced, by pleasing experience, that the majority of this House, by rejecting the prayer of their petitions, on that score, did much towards the preservation and promotion of good fellowship, good will, and neighbourly kindness, in the different settlements, in the Island. And now, that the question is again before us, in a rather different form, if we adhere to the views, by which we were governed last session, with respect to it, and which, in the amendment, submitted by my hon. friend, are so clearly and distinctly set forth, we shall, I feel certain, be sustained therein by the general liberality of sentiment and good sense of the people. As to what the hon. member, my colleague (Mr. Laird) has read from the speech, delivered by Mr. Stark, at the inauguration of the Normal School, with the intention of shewing that it was then intended that the Bible should

be read daily in that institution, I beg to observe that what Mr. Stark said, on that occasion respecting the reading of the Bible, was not concurred in, either by His Excellency, the Lieutenant Governor, myself, or any other individual immediately connected with either the Government or the Legislature, although I admit, it was certainly not just then contradicted. Mr. Stark, in his speech, gave an explanation of the Normal School system as devised by Mr. Stowe, and carried into operation, by him, in a strictly Protestant community; and, perhaps, he thought there was no harm in his delineating it, in all the features which belong to it, as it is practised in Scotland, the country in which he had been initiated in, and trained to it. But he had no authority whatever from the Government to say that an expounded lesson in the Bible would be a part of the prescribed daily exercises of the Institution, as in fact, the very reverse was the case; and, in fact, Mr. Stark was, on his arrival in this Colony, made acquainted with the non-interference principles, with respect to religion, which were to be carried out, in our public schools, with which the expounding of Scripture lessons, by him, or any teacher therein, according to his own views, could not, by any means, be made to accord; and, that he never contemplated as admissible or practicable such reading of and teaching from the Bible, in our public schools, is sufficiently evidenced by the tenor of his first Report, as School Visitor. Still, although what was said, with respect to the Bible, on that occasion, by Mr. Stark, was not only unauthorized, but contrary to the principles, as respects the religious element in education, on which, it had been foreseen, that it would be necessary to conduct that institution; it was not thought advisable directly to contradict his declaration on that head; as the doing so in a mixed assemblage, such as that which was then congregated, would, perhaps, have destroyed, or, at least, impaired the harmony of the meeting; and, particularly, as they who especially noted the unauthorized declaration of Mr. Stark, knew very well it would not be allowed to go into effect. With respect to the Bible Question, as it is called, in general, I am proud to say, that, on its being left to the good sense, good feeling, and moderation of the people, to decide it for themselves, no misunderstanding or disagreement arose concerning it, except in one solitary instance, with respect to a school on Lot 48. Now, as to the Normal School the Board of Education is empowered to make, by laws, from time to time, as they may see fit, for the altering the course of instruction in our public schools, as respects the books which are to be used therein; but such by-laws cannot take effect unless they shall have been sanctioned by the Government; the by-law, therefore, which the Board of Education passed, to authorize the use of the Bible, as a class book in that institution, having been disallowed by the Government, because they were of opinion that if allowed to go into operation, it would be an interference with the rights of conscience, on a regard for which our present system of public education is based; and also because, as we all know, its allowance, by the Government, would have made it as much the law of the land, as if it had been distinctly enacted by a separate clause, in the Education Act; and it was rescinded accordingly. But another arrangement respecting the reading of the Bible in that school, being in no wise objectionable, was freely approved of, which was that a Bible lesson should be given, daily, to all pupils whose parents might desire it, either before the commencement, or after the closing of the business of secular education; and the master said he had, no objection to read a chapter of the Bible daily, in accordance with such arrangements, to those amongst his pupils, to whom their parents wished he should do so; and this mode, I think, is a far more effectual way of making children acquainted with the Scriptures, than causing them, in their very imperfect manner, to read portions of it, verse by verse each, in turn. Now, if this be done every day, for the benefit of the scholars whose parents desire it, about ten minutes, or a quarter of an hour,

before the opening of the school, for the general business of tuition; so far from there being involved, in such a regulation, either annoyance or disappointment to any, I do not see how it can fail to give general satisfaction. It will, certainly, be much better than detaining a Bible class, twice a week, for half an hour, after the rest of the scholars are dismissed. But, should we agree to force, by law, the reading of the Bible, in the Normal School, at any time during the regular hours of tuition, we would, by so doing, greatly narrow the sphere of its utility; and, in fact, reduce it, from a public educational institution, conducted in accordance with the enlightened policy and diffusive liberality of the age; to the standard of a mere exclusive sectarian or denominational seminary. The liberty enjoyed, in our country District Schools, with respect to the use of the Bible, gives general satisfaction; then, why should not a similar measure of freedom, with respect to the use of the Sacred Volume in the Normal School give equal satisfaction to all who are immediately interested in the regulations, discipline, or management of it? No good reasons, I feel certain, can be assigned why such an arrangement for the daily reading of the Bible therein, as that of which I have just spoken, should not be readily acquiesced in by all parties. And, as for the Central Academy, which has now been in operation for thirty years, and which, throughout that period, has been extensively useful in imparting sound, useful, and scientific learning, amongst all classes and denominations of professing Christians in the Island, the introduction of the Bible, as a class book, or text, into it, is expressly forbidden, by the very law which called it into existence; and which, through so many changes of individual composition and opinions, in the Legislature, has sustained it to the present time. The clause of the Academy Act, to which I allude is this; "And be it further enacted, that no religious test shall be used in the said Academy, in order that the classes in the same may be free and open to all." Now, if we were to declare, by law, that the Bible, no matter which version, the Protestant or the Catholic, should be read daily in the Academy; should we not, thereby, be entirely setting aside a fundamental law of the institution, and actually breaking faith with the people? Most undoubtedly we should; for, by doing so, we would virtually enact, that there shall be classes in the Academy which shall not be free and open to all. And, were we merely to repeal that clause of the Act which prohibits the use of any religious test in the Academy, we would, in my opinion, commit quite as serious an error, as if we were positively to enact that the Bible shall be a class book, in the institution; for then, the question, whether it shall, or shall not be so, would be regarded as left undetermined by the Legislature, and its decision referred to the Trustees or Governors of the Institution, in that respect unfettered, might, at one time be in favor of the Bible's being made a class book, therein, and, at another be exercised to exclude it; and thus, the public mind a state of uncertainty concerning it, would be liable to be agitated concerning it, almost at the will of any man, possessed even of only the most common influence, in the community. I find, on reference to the Journal of the House, for 1845, when this question was, as now, brought before the Legislature by a number of petitions, seventeen I believe, praying that the Bible might be introduced into the Academy, some honorable members who then thought, as their votes testify, that it would be a serious infringement of the rights of conscience, on the part of the Legislature, either to authorize the introduction of the Bible, as a class book, in the Central Academy, or simply to repeal as much of the Academy Act as prohibits the use of the Holy Scriptures, without note or comment therein, by children whose parents or guardians shall not object to the same; are now, with respect to the same question, of an opinion quite the contrary; and maintain

that the exclusion of the Protestant version of the Holy Scriptures, as a Class Book, from the Academy, is a grievance of which the Protestant portion of the community have much cause to complain, and the redress of which ought to be forthwith granted by the Legislature. With reference to this question, I find it stated, in the Journal of the House for 1845, that the House went into Committee on the consideration of the several petitions, praying that the Bible may be introduced into the Central Academy, and all other schools throughout the Island, receiving grants of public money; Mr. Aitken in the Chair; and that on the House's being resumed, Mr. Aitken reported that the Committee had come to a Resolution. This resolution, I find is preceded by a long preamble, which, after quoting the words of the several petitions, states that as the committee, "deprecates any plan of Education which does not recognize free liberty of conscience, it consequently approves of that system of national instruction established by Law, now in progress in the Central Academy—its being based on a due respect for the rights of conscience—which leaves the Institution open to all; and whereas the introduction of the Douay Bible, as a Class Book, into the Central Academy, would give offence to one portion of the community, whilst the introduction of a different version thereof would be condemned by another; so nothing can be more injudicious than to make the reading of the Bible a necessary and indispensable condition of receiving the advantages of secular education; nothing more unjust, than to impose a tax upon a large portion of the people for supplying the means of general instruction, and yet, by compulsory regulations as to the use of the Holy Scriptures, to exclude them from a participation in its benefits, unless they thought fit to accept it on terms of which they conscientiously disapprove." Then follows the Resolution,—"Resolved that this Committee deem it inexpedient to adopt any compulsory measures for the introduction of the Bible, as a Class Book, into the Central Academy, or the other schools throughout the Island receiving grants of public money." I, being a member of the House, and present at the time, not thinking all the preamble necessary, moved that all but the simple Resolution should be struck out; and my motion was carried by a majority of one. Then Mr. Maclean moved that the word "compulsory" be struck out of the Resolution; but he stood alone; and that Resolution of the House which was then finally agreed to, was the general rule, with respect, not only to the Central Academy, but all other public schools throughout the Island; and was most cheerfully and harmoniously acquiesced in by all induced to believe that the working of so impartial a rule parties, until last year; when many out of doors having been was a grievance to them, petitioned the Legislature, as they have now again done, for its redress; and some hon. members of this House repudiated their votes of 1845, concerning the question; as I suppose they will now do again, whether because they are become better Christians than they then were, or for some other cause, I will not undertake to determine. Whatever it may be, however, which has occasioned so direct a change of sentiment in the minds of some honorable members, on this subject; of one thing I feel quite certain, and that is, that the grounds which induced them to declare, in 1845, that nothing could be more injudicious or more unjust than to adopt any compulsory measures for the introduction of the Bible, as a Class Book, into the Central Academy, are precisely the same as they then were. It was then agreed—most justly agreed—by them, as well as myself, that as the people generally were taxed for the support of the Academy, it ought to be open to all, and that secular instruction therein should not

practically, be withheld from some, unless they would consent to receive it at the expense of conscience. I most certainly consider it to be the duty of every Christian parent to instruct duty, or cause his children to be duly instructed, in the principles of the Word of God; and, were it practicable, without a violation of the rights of conscience of any, to have the Holy Scriptures read in the Central Academy. I would be as earnest in the desire that a regulation to that end should be carried into operation, as the Hon. member for Princetown (Hon. T. H. Haviland) who has just submitted a resolution to pledge the House that it shall be so, or, perhaps, as any of those who, from genuine purity of motive, have subscribed any of the petitions now before us which pray for it; but, so long as no law exists to prevent the reading of the Bible in the Normal School, or any of our public schools, in Town, or country, by scholars whose parents shall desire that they shall read it therein; and so long as it is clear that arrangements, which cannot reasonably be objected to by any, may easily be made to that end; I shall sustain, with respect to the Bible, that system of National instruction which is, at present, and has, for the last thirty year-, been happily established in this Island; and to the wisdom and propriety of which our Judges, our Crown Law Officers, and our Legislature have, hitherto, borne testimony; both as regards the share which some of them had in framing the original Academy Act with the test-prohibiting clause; and, afterwards, in approving of it, as Trustees of the Academy, and in confirming it as Legislators.

At the request of the Hon. E. Palmer, the resolution submitted by the Hon. T. H. Haviland was again read by the Chairman.

Hon. Mr. PALMER.—I second that resolution; and, before going into the subject matter of it, it may be as well to remark, that whatever difference there may be in the petitions now under our consideration, literally considered, the intentions, the object, the prayer of all are perfectly identical; and all that they set forth or pray for is supposed to be comprised in the resolution which the chairman has just now read. Unless, then, some other resolution, based on similar grounds, shall be submitted, I shall confine myself to a support and advocacy of the original resolution, which, I think, is calculated fully to carry out the views and wishes of the petitioners. Therefore assuming, for the present, that hon. members who are prepared to support the petitions are satisfied with the resolution, and do not wish to go beyond it, and that no other will be submitted asking for more, my observations shall not now exceed its very obvious scope. The resolution itself is couched in the most moderate language; and must defy the ingenuity of those who may oppose it to put upon it any other construction than the very clear and plain one which it is intended to bear. It merely states that it is inexpedient that any law or rule should exist by which the use of the Holy Scriptures should be excluded from the Central Academy and Normal School of this Island, in any case where the parents or guardians of any scholars placed in those institutions may require such Holy Scriptures to be used or read therein by such scholars; and provides that, if any such law or rule exists, it shall be annulled or rescinded. With respect to the religious scruples which may be conscientiously entertained by some of my Roman Catholic fellow subjects, concerning the reading of the Bible in our public schools, I can only repeat what has been said by my hon. friend, the mover of this resolution (Hon. T. H. Haviland), that I duly respect those scruples, and would not be a party to any legislative measure which I thought would have a positive tendency directly to interfere with the due exercise of any of their civil or religious rights and privileges; but that the resolution of

my hon. friend has any such tendency, either immediate or remote, I positively deny, and defy any man to prove that it has. The resolution has been drawn up with due regard to the religious feelings and principles of all whom, should it be agreed to, its operation could possibly affect; and I do not see how the legitimate and important object which the petitioners, and they who support them in this House, have in view, and its attainment, could have been declared or proposed in language, or in a manner more guarded and delicate, whilst at the same time sufficiently explicit, than has been done in that resolution. As long as any law or resolution is in force which may exclude the Bible from the Central Academy and Normal School, so long is the propriety or the expediency of that law or that resolution liable to be called in question. Now, if we are Christians and live under a Christian government, I positively deny the propriety, the expediency of the law or resolution, under the colour or sanction of which the conductors of those institutions have, or may claim to have, the power to exclude the Bible from them; and I maintain that it is at once morally and politically wrong to allow any such law or resolution to exist. It is very true that it is better to place the Sacred Volume in the hands of the parents, for the instructing or teaching from it of their children, than to place it in the hands of schoolmasters for the same purpose; but it is to be remembered that in this admission there are two things implied as presupposed; first, requisite ability, and then needful time and opportunity, for the fulfilment of the duty. For every family in which the blessing of such parental scripture teaching is enjoyed, there are in this community, as I think all must admit, scores, if not hundreds, in which, either from want of education or of time, and on the part of parents, in too many instances, for the want of both, it is altogether impossible. It is not in the power of many of the poorer classes to impart religious instruction themselves to their children; and, consequently, unless it be communicated to them in the public schools which they attend, they must grow up without it; and how far individuals so uninstructed are likely to prove inoffensive, useful or valuable members of society, I leave those who know the value of Bible or Christian education, or who have beheld amongst their fellow men the lamentable consequences of the want of it, to determine. It is clear enough that parents who cannot read cannot assist their children in the reading and study of the Scriptures; and it is also nearly as clear, I think, that even they who have had some advantages of education themselves, but who are obliged, for the maintenance of themselves and their families, to labour hard from an early hour in the morning until late at night for six days in the week, cannot afford fifteen or twenty minutes at a time, even for only two or three days a week, to impart Biblical knowledge to their children. But parents of this class, who wisely desire that Bible learning should be communicated to their children, think that, as, out of their hard earnings, they pay rates and taxes for the support of our public educational institutions, they have a right to expect, nay to demand, that that knowledge, without which all other knowledge is vain, the knowledge of the Word, of the revealed will of God, shall, in those institutions, be regularly imparted to their children, by their being therein taught to read and reverence the Bible; and, in so thinking, they think justly: and if this can be done, if this can be accomplished, without giving offence to others, as we maintain and are prepared to show that it can, we ask that it may, and insist that it should, be done. Now, sir, in this there is nothing intolerant, arbitrary, or compulsory; for, instead of seeking to practise or rouse a spirit of intolerance, all we desire is toleration. We ask only that, in any case in which the parents or guardians of any children placed as

scholars in the Central Academy or the Normal School, may require the Holy Scriptures to be used or read therein by such scholars, such use or reading of the Holy Scriptures shall be tolerated or allowed. I am well aware, sir, that a great deal of ingenious argument was used, in various ways, to make it appear that the resolution of the last session, on this subject, was conceived in an arbitrary spirit, and I would, had it been agreed to, have been carried out in a manner that would have been offensive, if not positively unjust, to a portion of the community. In the spirit or intention of that resolution, I have always said there was nothing arbitrary; and have always maintained that its operation could not have been unjust, inasmuch as there was nothing compulsory in it upon any party or parties. It merely proposed that it should be declared by the Legislature that the reading of the Scriptures in our public schools shall or may be allowable to scholars whose parents shall or may desire that they shall therein read them; that is, simply that such reading should be tolerated by law. Certain parties, however, who looked upon the object of that resolution with a jealous eye, or who were positively inimical to it, succeeded in making a very unfavourable impression upon the minds of many concerning it; an impression which is not yet, in every instance, wholly obliterated. The same parties, or any others, may now, however, be safely defied to make a similar impression upon any intelligent and truly liberal portion of the public mind, concerning the present resolution of the hon. member for Princetown (the Hon. T. H. Haviland.) The words which express it are plain and unmistakable. It merely says that it is necessary to provide by law that the Holy Scriptures may be read and used by any scholars, attending either the Central Academy or the Normal School, in all cases where the parents or guardians of such scholars may require the same to be so used by them, while attending such institutions respectively; whether it be for ten, fifteen or twenty minutes daily. It does not say that, during the reading of a scripture lesson in school, any of the scholars whose parents do not desire that scriptural knowledge should be so imparted to them shall be compelled to sit and listen to such lesson. No such thing; and the internal accommodations, both of the Academy and of the Normal School, are such that arrangements may easily be made in either, or both, by which the mere appearance even of such compulsion might be avoided. The amendment by which it is proposed to supersede this simple and unpretending resolution, which has here at the desk been penned without any studied preconcert, is certainly a very ingenious and pretentious document, and one the construction of which has evidently cost much time and consideration. But ingenious and cunningly devised as the preamble of that amendment may be, I hope it will not have the power to blind the judgment of any who have already been able, or who may now be disposed to take a fair, calm, dispassionate and independent view of the question. That resolution is based upon the supposition that the permitting of the use of the reading of the Bible in the Central Academy and the Normal School, would be the establishing of a religious test therein. [Hon. Col. Secretary. The petitioners admit it.] No; but that is the view which they who are opposed to the use of the Bible in those institutions wish the unwary to put upon it; and all the arguments which have been used by the Hon. the Colonial Secretary, in opposition to the original resolution, are intended to establish that view of it as the correct one. The Academy Act, with respect to religion, merely provides or enacts, That no religious test whatever shall be used in that institution; and in the resolution of the hon. member for Princetown (the Hon. T. H. Haviland), there is nothing inconsistent with that provision of the Act.

The meaning of a religious test, as used in the Act, is clearly conformity to any particular church discipline or teaching; or the acknowledging or subscribing of any particular religious doctrines or tenets, as a rule of Christian faith and practice; with which, if any parent or guardian, on behalf of any young person, for whom he sought admission as a scholar into the Academy; or with which any young person, seeking such admission of himself, refused to comply; then such young person, in either case, would not or could not be admitted. But our resolution neither requires any such conformity or compliance at present, nor contemplates the necessity of it in any time to come; and, therefore, it is quite evident that it seeks not the establishment or the imposition of any religious test whatever, either in the Academy or in the Normal School; for, surely, the requiring liberty simply to read the Bible for such of the scholars in these institutions as may be required by their parents or guardians to do so, cannot with propriety be called a religious test in a community professing to receive and venerate the Bible as the Word of God. Look at the original resolution, however, and compare it with the resolution submitted as an amendment—a document which, as I have before said, has, I doubt not, cost its authors much consideration, time and trouble—and it will be quite evident that the latter has not and can have no direct reference to the former; but has been ingeniously drawn up as a specious device, whereby to persuade the unwary and the less thinking portion of the community, particularly amongst the Protestants, that the intention of the petitioners, and of those who are friendly to their petitions in this House, is to establish a religious test, to the subversion of the rights of conscience of members of the Roman Catholic Church, and to the retardment of the cause of education. Than this nothing can be more unjustly assumed and set forth as the object of the petitioners and of those who are prepared to support their views in this House; for nothing more is sought by them, or on their behalf, than that it shall be acknowledged that their children have a right to read their Bible in our public schools, provided it shall be done with a due regard to the religious scruples of those who belong to a different Christian Communion, but who have, with them, a common interest in these schools. The petitioners who, most undoubtedly, constitute a very large portion of the intelligence, education and substance of the community, are compelled, through the wrong construction put upon a certain clause of one of our statutes, and the operation of a certain resolution founded in error, to present themselves before the Legislature in the humiliating position of Christians suing for liberty to enjoy what they justly account their dearest privilege—the privilege of having their children educated and trained in the morality and religion of the Bible—and what I once thought was their inalienable right. They who oppose the petitions say they have been got up by means of unnecessary agitation. They say that, after the close of the last session, due enquiries were made, and it was found that the Bible was read in nearly all the district schools, even in some of which the majority of the pupils were the children of Roman Catholics; and they ask us why we seek to disturb or alter the arrangements through which such agreement or unanimity of feeling, with respect to the question, has been produced. We answer, that we have not the least desire to disturb such agreement or unanimity; but, on the contrary, we wish to perpetuate and secure it by law. All that we at present seek is that the Bible may be as freely introduced into and read in the Central Academy and the Normal School, as they who oppose the petitions say it has been and is in the majority of the District Schools. The Hon. the Colonial Secretary says the petitioners wish to have the Bible introduced as a class-book into the

Academy and the Normal School. In reply, I say that in that point he is mistaken. To require that the Bible should be made a class-book in those institutions, would be to require that it should be read, in common with other class-books, by all the scholars therein who were capable of reading it. But this we do not require; we only ask that all the scholars whose parents or guardians may wish them to read the Bible in those schools, may be at liberty to do so. The Hon. Colonial Secretary says we ought not to enforce by law the reading of the Bible in our public schools. I reply, that we do not desire the enactment of any such compulsory law: we merely wish to have repealed a clause of a statute which, as some contend, gives power to the trustees or governors of the Academy to prohibit the reading of the Bible by the scholars in that institution. The Hon. the Colonial Secretary says the use of the Bible is permitted in the Normal School; because it may be read by any of the scholars whose parents desire that they should read it, ten minutes before the opening, or ten minutes after the closing, of the school. But I beg leave to tell him that such permission cannot possibly be satisfactory to those who desire that the Bible shall be read in the school. School commences when the business of tuition commences, and school ends when the business of tuition ends. Therefore, allowing the Bible to be read, either before or after school, in the school-house, by any of the scholars who attend the school, is not allowing the Bible to be read in school. For so preposterous and inconvenient an arrangement as this there should be no necessity; and even were it acquiesced in by parents who desire that their children should read the Bible with their schoolmasters, it would be a very injudicious one, inasmuch as it would, by an increase of school hours, naturally render the generality of children averse to that portion of their education, in connexion with school, which, to Christian parents, is dearer and more eagerly desired for their children than all merely secular knowledge. The Hon. the Colonial Secretary has also said that the petitions are all from the country, and expressed his surprise that whilst the people in the country have reason to be satisfied with the existing arrangements, concerning the reading of the Bible, in their own District Schools, they should busy themselves about the government or discipline of the Academy or the Normal School in Charlottetown. I reply, that the principle which actuates the petitioners and them who, in this House, cherish the same sentiments which they entertain concerning the necessity of the early initiation of their children in the morality and religion of the Bible, is a principle which pervades the whole of the British dominions; and all throughout their wide extent who truly regard the destiny of man, or who, in any measure, duly estimate what constitutes true worth or true happiness on earth—and none but Christians can do so,—must and do admit that, for whatever line of life or profession, public or private, any individual may be intended, nothing can afford a guarantee for peace and enjoyment in the prosecution of it, or for the final attainment of honourable success or distinction therein, but a religious education. I have made notes of some other remarks made by the Hon. the Colonial Secretary, with the intention of replying to them; but as others are doubtless waiting to give expression to their sentiments on this most important question, I shall, at present, say no more.

MR. H. HAVILAND.—The observations which I shall offer, on this occasion, will be very few and very brief: not so, however, because I am either unable, or indisposed to speak to the question; but simply because the hon. and learned member for Charlottetown (Hon. E. Palmer) has so happily anticipated me in most that I would, otherwise, have said. With the doctrine laid down by the Hon. the Colonial Treasurer, (Mr. Warburton), in the preamble to his resolution, I cannot by any means agree.

By that preamble it is declared, as an axiom, that the state has no right to interfere with national educational establishments, for the purpose either of causing religious instruction to be imparted to scholars therein, or even of providing by law that it shall be allowable to impart it therein, to those by whom, or for whom, it may be desired. [Hon. Col. Treasurer—Yes, in mixed communities.] Well, take it so; let your axiom be so limited then; I reply that secular education, unless it be based upon, or founded in, the doctrines of the Holy Scriptures, is worse than no education at all; because secular learning, unless controlled, rectified and directed, by religious principle, betrays its possessor, in almost every case, as is but too well and sadly known, into practices most certainly injurious to the best interests of society, if not positively destructive of them; but also, too often in the end, fatal to himself. In youth, in childhood, the human mind, as we all know, is most open to receive initiatory lessons, whether of good or of evil; and if it be not, at a very early period, pre-occupied by what is good, evil will take possession of it. Influenced by this consideration, therefore, the petitioners and we, in the House, who support their views, desire that our children may, in school, as well as at home, be regularly taught, by reading the Bible, to know, regard, and observe those truths, on the right knowledge and observance of which, depend both their temporal and everlasting welfare. But, whilst we are anxiously earnest to secure this blessing to our own children, we are, at the same time, very far from insisting that others, of another Communion, who do not think with us on this subject, should, in any way, be constrained to unite with us in the performance of that, which, although we hold it to be a duty most highly obligatory upon us, they conscientiously regard in a very different light. But the doctrine of the Hon. the Colonial Treasurer is not tenable in any way, unless he can show (which we well know he can not) that, in any Christian or civilized country, there exists any sect, society, or body of men who say that religion should not be admitted as an element into education. Catholics, as well as Protestants, think that their children cannot be properly educated, unless religion be the primary element of their education; and, therefore, religious instruction, being deemed as needful by the one as by the other, is equally desired by both. This being the case then, it is quite evident that the enjoining, the sanctioning, the permitting of the instructing and training of our children in the principles of Christianity, by the State, is positively required, nay absolutely necessary, provided that the members of any particular church or denomination shall have no authoritative power to interfere with the religious teaching of those of another; and this privilege, this birth-right of men born in a land of freedom, is all we now ask for, without seeking to pre-judice in any way the rights of others. The Hon. the Colonial Treasurer has said that the people are quite satisfied with the liberty, as respects the Bible, which is at present silently accorded to our public schools, and this assertion has been vouched for, by the Hon. the Colonial Secretary, as an indisputable fact. But that it partakes very little indeed of the qualities of a fact, there is ample evidence in the petitions which are at present before this committee; one of them which I have just accidentally taken up, having no less than 1342 signatures—signatures which should the committee choose to investigate them, would, I feel certain, be all found to be genuine: the question is of too serious a character, and they who have anxiously agitated it, in any section of the Island, have done so with feelings too solemn and conscientious to admit of any trickery and deception being practised in the obtaining of signatures to the petitions. They who oppose the object of the petitioners—which object is simply the right of the petitioners, and of all who desire it, to have their children who may attend our public schools, educationally trained in the knowledge of God's Holy Word, by being allowed to read the Bible therein—say that the introduction of the Bible, into our educational establishments, would be the establishing of a religious test therein. But I say, that they who really believe, and seriously assert, that the declaring, by law, that it shall be allowable, for parents who may require it, to have their children, who may, as scholars, attend either the Central Academy or the Normal School, therein taught from the Bible, by reading it therein, do not know what is meant by a religious test. In my opinion a re-

ligious test purely means an act which must positively be performed as a condition precedent to an individual's entering a Christian sect or institution. If it is optional in all scholars attending the Normal School and Central Academy, whether they shall read the Bible or not, it is a delusion to call the Bible a test-book. We all, both Catholics and Protestants, believe that the Bible is the Word of God; that it is the revealed Will of God to man; but we differ as to which of the versions, the Catholic or the Protestant, is the correct one. The resolution, however, does not say which is the correct one; but, so far as its contemplated operation extends, leaves every one to exercise his own unlettered judgment upon that enquiry. If it did otherwise, it would be intolerant, and subversive of liberty of conscience. I certainly do not wish to force Catholics to read the Protestant version of the Holy Scriptures, or to deprive them or their children of the right of choosing what version of them they shall read. My wish is to leave them perfectly uncontrolled and unconstrained in the matter, as they have a right to be; but the same liberty which I willingly concede to them, on that subject, they ought to be equally willing to extend to me, and all other Christians who are not of their Communion. We wish that our children shall be at liberty to read our version of the Bible in our public educational institutions; but we neither wish to force their entrance to do the same; nor do we wish that ours should do so in a way that would operate to what they might esteem the prejudice of the religious creed or opinions, which they desire that their children should entertain. Opposition, on their part, to the concession to us of a Christian privilege which we claim for our children, and the granting of which involves no innovation of any right, either civil or religious, of theirs, would be surely most unjustifiable. We ask that our children shall be permitted to read the Bible, in the Central Academy and the Normal School; and not that their children shall be forced or compelled to read it therein. Their opposition to this fair and inoffensive demand of ours would be no more in accordance with justice and reason, than was the conduct of the dog in the manger, who would neither eat the hay himself, nor suffer the ox to eat it. All that we ask, in fact, is the liberty of having our children educated in the way which we believe the most likely to ensure their becoming good citizens. To say, as the Hon. the Colonial Secretary has done, that the Bible is not excluded from the Normal School is mere assumption. To say that the Bible is read in that institution, because it may be read in the school-room, by young persons who attend it, either before the business of tuition commences, or after it closes, is to say what is not correct; for, as has been shewn by the hon. and learned member for Charlotte town, (Hon. E. Palmer), if it is not allowed to be read therein during school hours, it is positively excluded from the school. With one observation, however, made by the Hon. the Colonial Secretary, respecting the Bible, I fully agree. He has said that the Bible, if let alone, will find its way without any legislation in favor of it. So say I; but I would, at the same time, observe that there is a wide difference between legislating in favor of the reading of the Bible, and legislating against it. All that we desire is that the Bible—the Word of God—shall have free course, and that no legislation shall obstruct it; and that is the entire object of the petitions now under our consideration.

Hon. Mr. MOONEY.—Mr. Chairman, I feel disposed to state my sentiments, concerning the Bible question, in the plainest and most undiguised manner; and I hesitate not to say at once that the agitation of it had its origin in any thing but Christian charity, and that it has been sustained by bigotry and promoted by duplicity. It is not religion, but the want of religion and rank intolerance, which are at the root of it. Veneration for the Bible has had nothing to do with it; but pretended regard for the Scriptures has been found a very convenient political engine, whereby a faction hope to arouse sectarian prejudices, and to enlist and engage them as allies in the prosecution of their own selfish projects and designs. The bigoted intolerance by which some of the leading agitators of this question are apparently influenced, seems to be much of the same nature and spirit as that which caused Sam Grey to boast that he had killed four priests;

and the insulting expression which has just been used by the hon. and learned member for Georgetown (Mr. Heath Haviland), in which he compares the Catholics to the dog in the manger, who would neither eat the hay himself nor suffer the ox to eat it—meaning thereby that the Catholics will neither read the Bible themselves nor allow others to read it—is a gross and unwarrantable calumny, and too much akin to the spirit of Sam Grey. But I can tell that hon. and learned member, and them whose sentiments, on this occasion, he represents in this House, that the children of Catholic parents are not, as he seems to believe, brought up in ignorance of the contents of the Bible; and neither is the reading of it prohibited to them in the manner in which he seems to suppose it is. As a proof of what I now say, I could bring forward a little girl of the Catholic communion, whose knowledge of the Bible, from the first to the last, from the beginning of Genesis to the end of Revelation, is such as, upon a trial, would, perhaps, make the learned gentleman blush for his own; and would, I feel pretty confident, greatly surpass not only that of many of those who have signed these petitions, but of some of those who have been the most busy in agitating the country upon the question and getting up the petitions. No, Sir, the children of Catholics are not, by any means, as a rule, brought up in ignorance of the Bible; but we do not think that they ought to be allowed to read every portion of it; and as respects myself, I hesitate not to declare that there are portions or passages of the Bible which ought not to be read by young persons; and if I found my daughter reading any one of them, I would at least very quickly find her something else to do. And as for making schoolmasters Scripture teachers or expounders of the Bible, nothing, in my opinion, can be imagined, in connection with school education, which, in its operation, would be more absurd and mischievous. [Hon. Mr. Palmer. It is neither proposed nor intended to make schoolmasters teachers or expounders of Bible truths.] Yes; it is all very well to say so; but let the schoolmasters be authorised and commanded to have Bible classes in their schools, what consideration will prevent the most incompetent, who will generally be found the most presumptuous, from arrogating to themselves the right and duty of explaining every Scripture lesson which is read to them. All, I think, will admit that the diversity of opinions now existing among Christians, on points of religious doctrine, is already great enough; but if every incompetent, although conceited, schoolmaster were, in his school, to have full license to inculcate his own crude ideas of Bible truths upon the young minds under his tuition, the winds of doctrine would soon become more numerous and conflicting than they are at present. Indeed it would soon be found that, to the Bible in the hands of such men, and as expounded by them, there would be but too much reason to apply the sarcasm directed, on one occasion, by one man to another, with respect to it, in the North of Ireland. Their conversation had been respecting the Bible, and what it teaches or does not teach, each of them having maintained his own peculiar views thereon, (for they were not of the same persuasion), by reference to the Bible itself; and as it grew to a close, each of them being of the same opinion as he was at the commencement of their disputation, the one said to the other, who had rather outdone him in his quotations from the Scripture, and in his own application of them: "Toot mon, your Bible is just like Wully Weir's fiddle; ye can mak' it play ony tune ye like." [Murmurs of disapprobation.] Of such unprofitable disputation there is, I fear, too much just now in the country; but set up every young conceited, presumptuous schoolmaster for a Bible teacher, and widely and mischievously indeed will

the seeds of it be sown in the minds of the rising generation; and how many religions we shall have in the end, it will be in vain for me or any other man to conjecture. I honestly and conscientiously entertain and cherish the tenets and doctrines of the church of which I am a member; but I am not uncharitably or intolerant towards those who I believe conscientiously differ from me on points of Christian faith; and neither was I, in my youth, trained in a way likely to make me so. The first learning I received was from a schoolmaster of the Presbyterian persuasion; and well do I still remember many of the lessons which he gave me in my childhood. I have travelled a little in my time; and I have frequently, both before I came to this Island and since, been brought into the closest contact with men, both Scotch and English, of religious opinions different from my own; but, notwithstanding my being a member of a Church from which they were distinctly separated, I never, on that, or indeed on any other account, experienced any thing but kindness and hospitality at their hands; and, as a public character in this Island, I can truly say that I have more reason to be grateful to the Scotch and the English, for the public support which they have extended to me, than for that which I have received from my own countrymen and co-religionists; and truly sorry am I that bigoted and narrow-minded men—a sort of firebrands in the hands of a restless, overweening and selfish faction—should have found so much acceptance among them as, from the signatures attached to the petitions now before us, they appear to have done. As one proof that these petitions have not originated in, and been urged upon the people out of, pure regard for the Bible, I will just instance one school, of which I have a personal knowledge. This school is upon St. Peter's Road; the parents of the scholars are, I believe, Protestants to a man; and yet, notwithstanding the great outcry which is made about the pretended exclusion of the Bible from our public schools, and notwithstanding these parents have generally, if they have not all, signed one of these petitions, the Bible is never read in the school; although, if the parents, being all Protestants, wished it, it might be read therein every day, and all day long, without let or hindrance from any person connected with the school. This fact of itself, even could no others of an equally conclusive character to the same end be adduced, is almost quite sufficient to shew how little any thing like veneration for the Bible, or real religion, has to do with the agitation. Whatever other object may be aimed at by some, that of the men who have most gladly promoted the agitation is nothing but a thoroughly selfish and political one. This is the last session of the present Assembly; and their sole aim is the destruction of the present Liberal majority of the House, as respects the next; to the end that, for their own especial benefit, they may be able, as far as possible, to revive the old irresponsible system of office-holding, upon which they so long fattened, and under which the people so long groaned. Others who have been prominently instrumental in promoting the agitation, and in getting up the petitions, may be partly influenced by motives of a character in some respects different; but, to me at least, it seems that, whatever else may enter into their motives, Christian charity, forbearance, and good will to all men, have not the largest share in their composition. But the good sense of this House and the good sense of the country will withstand all their efforts, and the only harvest they will reap from them will be disappointment and vexation; and woe, I say, be unto them, and to all who wickedly and irreligiously seek to make a selfish and political engine of the Bible, and who insidiously seek to destroy the peace and harmony which have so long prevailed, in this Island, amongst the different denominations of Christians.



Mr. H. HAVILAND.—The hon. member from Flinty Glen (Hon. R. Mooney) has said he would express his sentiments, concerning the question now at issue, in this Committee, fully and without reserve; and, in the very bitter and uncharitable speech which he has just delivered, in which he has accused the petitioners and their supporters in this House, of bigotry and duplicity, and attributed to them the being influenced by the very worst spirit of intolerance, I presume he has done so, as he declared he would, in the most undisguised manner. And all the bigotry, duplicity, and intolerance, with which he has presumed to charge us, in the most direct language and unsparing spirit, he tells us has been called into action, for the unhallowed purpose of converting the Bible into a political engine; that is an engine which we merely regard as a means whereby we may be able to abuse the party at present in power, and elevate ourselves in their stead. The idea of individuals, the leaders of a party, professing and accounting themselves Christians, being so base, wicked, and daring, as, for such an object, to make so profane a use of the Sacred Volume, seems to me to be most easily and most naturally conceived by men who would be the most likely to carry it into effect. If the agitation however which has for some time been strongly operating amongst the most serious, well disposed, and sober-minded of our Island community, be directly traced to its real, its positive cause, it will be found to have been occasioned, neither by bigotry nor intolerance; and least of all in a desire for political status or power; for they who first became sensible of its necessity, and who have been the most consistently zealous in sustaining and promoting it, are men whose objects are of a kind very different from those of men whose hearts are set upon the attainment of political power or wordly emolument. We are accused—most falsely accused—of seeking to coerce Roman Catholics into the allowing of their children to read the Bible in our public schools. But what is the simple fact? It is that, instead of seeking to coerce Roman Catholic parents into the allowing of their children to read the Bible in our public schools, we merely refuse to be coerced, or rather remonstrate against our being coerced into the abandonment, for our children, of so great a privilege as we hold the reading of the Bible to be, in connexion with their merely literary or secular education, of which it ought to stamp the value. We have not, by any action or declaration of ours, been the aggressors. The agitation has not been produced by any manifestation of intolerance on our part; no, Sir; but we all know full well in what it had its origin. To the reverend dignitary to whom I must allude, I am most willing to accord all the respect due to the character with which he is invested and pre-eminent station which he occupies, in his own Church; but, in order to make myself clearly understood, and that I may do justice to those petitioners and others, with whose opinions on this subject, my own are identical, I must speak in plain and unambiguous language. The provocation to agitation, sir, was the spirit of obstructive intolerance, which the Roman Catholic Bishop of this Island displayed in that letter which he addressed to the Board of Education, and in which he broadly and positively declared that nothing but the exclusion of the Bible from our public schools,—nothing but making those schools “godless,”—would satisfy the members of the Roman Catholic Communion, in this Island. If a declaration like this, coming from so highly influential a quarter, and directly addressed to those whom it could sway, through a fear of the political consequences which might ensue to themselves, from their refusing to be guided by it, had failed to alarm the Protestant portion of our community, and to unite them in the defence of what they profess to regard as the dearest of all their earthly privileges,—the right, not only of themselves, but of their children, freely to read and study the Bible;—then they would have shewn themselves to be some of the coldest, the most hollow-hearted, the most insincere and underserving amongst professing Christians. Let not then the hon. member from Flinty Glen, or any one else, presume to tell us that our movement is either aggressive or political; and if he and they with whom he acts and loves to be identified, wish to free themselves from the suspicion of intolerance, or the charge of seeking to conciliate, for political purposes, one portion of the community, by withhold-

ing from another portion of it their religious privilege, to which they are constitutionally entitled, if not by a law expressly declarative thereof, yet most certainly by prescription; they can do so in no other way, than by ceasing to oppose the just, the reasonable, the moderate request of Protestants, that the Bible may not be refused admission into our chief public educational institutions, any more than it now is into our common public schools. This yielding, this moderation on their part would, however, at least as they apprehend, cost them too much politically, for us to look for it at their hands. But they cannot altogether resist the power of public opinion; and as, although in the last session, we failed to attain all that we asked, yet such a concession, in consequence of the demonstration then made by us, has silently followed it, that it is almost tantamount to a complete triumph of our principles; I now venture to flatter myself, although I fully anticipate the defeat of our resolution, that the present struggle will eventuate in a further concession, or rather practical acknowledgment, of religious privileges. As to the denunciation and threats, thrown out by the hon. member from Flinty Glen, I beg leave to tell him that, so far as I am myself concerned, I feel myself, with regard to my views concerning the present question, so strongly sustained therein by honesty and integrity of purpose, that I can utterly disregard both them and the displeasure of any who may be offended with either my open declaration of those views, or my vote in support of them.

Hon. COLONIAL SECRETARY:—I hope hon. members who supported the prayer of the petitions of the last session, do not mean to take credit to themselves for the good feeling and harmony which have existed throughout the Island, since the close of that session, concerning the reading of the Bible in our District Schools, or its admission, as it is called, into them. If they do, I must take leave to tell them, that that good feeling and that harmony were in existence long before any discussion took place, in this House, concerning the use of the Bible in our common public schools. Indeed I think I may safely venture to say that, until then, they were in existence from the very time at which those schools were first instituted; and I feel certain that they would have remained undisturbed and unbroken till this day, and for a much longer period, had it not been for the mischievous activity of a few men of indiscreet zeal, who awoke, in the minds of many, feelings of jealousy and alarm; of which disappointed politicians have, with pretended sympathy, most eagerly availed themselves, as a means whereby to damage the party at present in power, and place them in a minority in the next Assembly. With respect to the present Resolution, submitted by the hon. member for Princetown (Hon. T. H. Haviland) I would wish to know whether it is meant by it, as it was held, by some, was meant by his Resolution of the same nature last session, that the Bible shall be read in the Academy and the Normal School. [Hon. T. H. Haviland. We mean only that it shall or may be read by scholars whose parents shall or may desire it.] On this side of the House we put no other meaning than that upon the Resolution of the last session; but the editor of the pet paper of the opposition, put a very different meaning upon their “shall and may,” maintaining that they made the Resolution altogether compulsory and arbitrary, and commended the majority of the House for rejecting it. But as respects the present Resolution, the object of it is to cause it to be provided by law, that the Holy Scriptures may be read and used in the Central Academy and Normal School; and I say that if the Bible is, by law, to be used, in either or both of these institutions, the law makes it a class-book in them, as much as the Irish School Books are now in our common schools, they having been declared so by the Board of Education, according to a power vested in them by the Free Education Act. The hon. and learned member for Charlottetown (Hon. E. Palmer) and the hon. and learned member for Georgetown (Mr. H. Haviland) say that religious education in all our public schools is the constitutional and inalienable right of all the children who are sent to them; but I contend that it is not, and refer to the existing practice in Great Britain and the neighbouring Provinces, in proof that it is not so; and in support of our position, as set forth in the amendment submitted by the Hon. the Colonial Treasurer (Mr. Warburton) that the State is not

required to provide for the religious education of children in its schools. It is now especially acknowledged, although I think it has always been practically allowed, in every free and enlightened country, that the inculcating of religious principles, upon the minds of the young, is a duty which is always most happily and successfully discharged by fathers and mothers and spiritual pastors. And wherever it can be accomplished in this way, I think it ought to be so effected. Of parents, who can read and who love to read the Bible, I believe, notwithstanding the declaration of the hon. and learned member for Charlottetown, Hon. E. Palmer, to the contrary, there are but very few, even amongst the laboring classes, who cannot devote half an hour daily to the hearing of their children read a chapter in the Bible; and, no doubt, if they be truly Bible-loving and God-fearing parents, they will account the half-hours, devoted, by them, to the discharge of that duty, the most pleasant and profitable of every week. And, with respect to parents who, in their youth, enjoyed no advantages of school education, and who, consequently, cannot discharge such religious obligation themselves; but who, nevertheless, earnestly desire that their children shall be better trained than they themselves were, and especially, that they shall be taught to read and study the Bible, will they not consider that in extending to them the blessing of a free education, in acquiring which they are acquiring the ability to read and comprehend the commands and precepts of the Bible, we are bestowing upon them nearly all that they can reasonably expect from the state on that head; and particularly when such an arrangement is made as affords them an opportunity of being taught, two or three times a week, by their schoolmaster to read in the Bible itself. The hon. and learned member for Charlottetown (Hon. E. Palmer,) and the hon. and learned member for Georgetown, (Mr. H. Haviland,) indeed speak very slightly of that privilege; and say that, because such lessons are given before the business of secular education commences and all the scholars are assembled, they are not given in school. I, however, think that the presence of the schoolmaster, for the express purpose of giving scriptural lessons to such of his scholars as are required by their parents to receive them, must and does constitute what is properly termed "school," and, further, I am fully persuaded that all parents, who really and truly, in the sincerity of their hearts, out of pure love and reverence for the Bible, desire such educational religious training for their children, and who are neither captiously nor factiously influenced by feelings or motives of a different kind, will cheerfully and thankfully avail themselves of it for the moral benefit of their children. That such, however, are not the dispositions of heart of those who clamour against our present system of public school education, because it does not recognize or embrace that Bible teaching, which could not be made acceptable to all; and who censure and abuse the majority of the House who cannot be made to comprehend the possibility of sending people to Heaven by Act of Parliament; is, I think, very apparent from the uncharitable spirit in which they have excited and kept up the agitation concerning it throughout the country. And, they too who support the petitions in this House, seem to argue, that children who attend the Normal School and the Academy, will be shut out of Heaven, unless they be allowed to read the Bible therein. We, on the contrary, in our opposition to the prayer of the petitions, argue, that the providing by law that the Bible should be read in these institutions—the scholars attending which belong to different denominations of Christians—would be injurious, both to the spread of true morality and religion, and the diffusion of secular knowledge; and would, in fact, be fundamentally subversive of the noble, patriotic, and comprehensive design of both institutions, which, from the first, has been the education of the youth of the Colony, without distinction of creed or denomination; and it is purely out of a sacred regard to the grand national objects of these seminaries of knowledge, that I am opposed to the prayer of the petitions; for, could it be granted without positively involving the destruction of the general utility of these schools, I would be very willing that it should be acceded to.

Mr. LAIRD.—The Hon. the Colonial Secretary has commented upon the Resolution with much severity; and has declared that it is not, with respect to the Normal School, founded

in fact, as it assumes that the Bible is excluded from that institution, which is not the case. How the hon. member can make it appear that the Bible is not excluded from that school, when it is not allowed to be read in it, by any of the scholars, during the regular hours of tuition, I cannot imagine; but what has been argued, on that head, by the hon. and learned members, (the Hon. E. Palmer and Mr. H. Haviland,) is, I think entirely conclusive in proving quite the reverse of what is stated by the Hon. the Colonial Secretary. If the Bible is not excluded, and they do not wish it to be excluded from the Normal School, why do they oppose the Resolution? If not in opposition to their views, they would account it perfectly harmless and inoffensive; and could not be interested in resisting it. That the Bible is, however, positively excluded from the Normal School, as well as from the Academy; and that such exclusion is in conformity with their views and wishes on that head, (whatever may be the basis of those views and wishes,) are facts clearly enough established by that of their determined opposition to the Resolution. That the Resolution is not founded in fact, is what no one can truly assert; or that it is not sufficiently clear and explicit, is, I think, what no one will affirm who can comprehend the meaning of the most plain and simple English. They accuse us who support the petitions, of endeavoring to manufacture political capital out of them, against the coming general election. For myself, I can only say, that they who are the best acquainted with my private sentiments, concerning the imparting of religious instruction, in connection with secular education, will not accuse me of being influenced by any motives so unworthy, in my support of the prayer of the petitioners; and I honestly declare I am not. But the truth is, they who oppose the Resolution are so fully convinced how injurious their opposition to so just, so fair, and reasonable a demand, as that which it contains, must be to their popularity, with a very large section of our community, that they labor hard to convince those who, they think, will lend willing ears to their assertions, that the agitation of the demand is a mere political engine, by which the opponents of the party at present in power hope to be able to wrest the government out of their hands. Before I sit down, there is just another observation of the Hon. the Colonial Secretary, as connected with this view of the question, on which I will venture to remark. That hon. member has said that the country people, having obtained all they want, with respect to the use of the Bible, in the District Schools, have no right to interfere with the regulations concerning the Bible in the Normal School and the Central Academy; and has asked, what have they to do with any schools but those in which their own children are taught? Well, I will tell him what they have to do with the Normal School and the Central Academy, although their own children may not be taught in either of these schools. It is in these institutions that they who are to be the future teachers in the District Schools, are taught, or, at least, receive their finishing course; and the country people very properly think that they to whom, in future, is to be entrusted the moral training of their children, should be duly prepared for the proper discharge of that duty, by being themselves trained according to the only sure and safe standard of moral propriety and purity—the Bible; and, therefore, they petition that the Bible may be read in those institutions.

Mr. COOPER.—Since the passing of the Roman Catholic Emancipation Bill, it has not been possible to give any education save a purely secular one, in our public Schools. The entertaining of such petitions, concerning the use and the reading of the Bible, in our public schools, as those which were sent up to the Legislature, in its last session, and such as have again been sent up to it, in the present one, and are now before us, is calculated to do a great deal of mischief in the community, by placing in the most antagonistic position to each other the members of different Christian Communions, and the sowing amongst them of the seeds of jealousy, strife, hatred, malice, and all uncharitableness; for such, in all communities is the effect of contention or rivalry with respect to questions of religion; and I think it is presuming a great deal too much, on the part of those who have sent up these petitions, to suppose that we have nothing else to do, than to decide on any points of religious controversy, or even that it is our province to do so at

all. It requires no argument to prove that in schools, partly composed of Catholic children and partly of Protestant children, it is impossible to impart religious instruction which parents and pastors, on both sides, would deem allowable. In such cases then, it is quite evident that the only proper course is not to tamper or meddle with it all. It has been said, that Catholics cannot reasonably take offence at its being required by Protestants, that their own children shall be morally trained, by reading the Bible, in our public schools. But this very requirement itself seems to cast an imputation upon Catholics, to the effect that they are not morally trained; and is therefore calculated to give offence, although I will not say that offence is intended. But he will be a bold man, I think, who shall dare to stand up and say, that Catholics are not as moral and correct in their lives and conversation, as Protestants. That they are so, we all know; and we know, besides, that no man's immorality is caused by his adherence to the one Communion, or to the other. The education to be imparted in our public schools, is to be such as can be equally extended to all, and equally received by all; to—and by Protestants and Catholics alike; and any teaching, discipline, or course of training, which would lessen or disturb that equality of privileges, would be subversive of the great aim of national education; which is the raising up of youth to become good and useful citizens, fit to discharge the duties of every state and calling of life, and, as a people, united by the bonds of brotherhood. Being brought up and educated together, in school, upon a footing of perfect equality as to all privileges, and in pursuance of a system which most carefully excludes everything tending to excite any feelings but such as animate to honorable and friendly competition, in the pursuit and the attainment of literary and scientific knowledge; affords the surest foundation for the future general harmony and prosperity of such individuals, when they come to be the men, or the people of the day. I do not wish to blame the petitioners; for many of them are not able to see quite so far, and, not a few of them have, I fear, been duped and deceived into the signing of the petitions by artful and designing men; but, for the reasons which I have given, I will oppose the Resolution which has been drawn up in accordance with the prayer of the petitioners.

Mr. CLARK.—I rise distinctly to express the sentiments of my own mind on this very serious question; for, if it do not positively prove the last time I shall have an opportunity of declaring them, in this Legislative Chamber, as one of the representatives of the people, it will, I believe, certainly be the last time for some years. Mr. Laird says that he and others with whom he acts on this occasion, do not desire the compulsory introduction of the Bible into any of our public schools. [Mr. Laird. Yes; we do not desire to have the Bible forced into any of our schools: we merely wish to have it declared, by the Legislature, that it is freely admissible into them all, for the use of scholars whose parents desire that they should read it in school.] If such be the opinion of the hon. member, with respect to the introduction of the Bible into our public schools, he ought, I think, for consistency's sake, to separate himself from the Christian denomination to which, I believe, he professes to belong, and unite himself with a congregation of the High Church, as they are called; for we Dissenters deny that the Government or the State ought to be allowed to interfere with what affects matters of religious opinion, for the purpose of controlling, in any way, the religious sentiments or observances of any body of men who socially comport themselves as good, peaceable and loyal subjects. We Dissenters maintain that every man should be left to worship God according to the dictates of his conscience, independently of all civil authority, provided his doing so does not, in any way, infringe upon, or interfere with the civil and religious rights of his fellow men or fellow subjects; and we, therefore, on principles purely conscientious, maintain that the State ought not to interfere in matters purely religious, or seek to establish, by law, any course of religious training or instruction in our public schools. This, however, to a

certain extent, is the object of those who now petition this House that the Bible may be read in the Central Academy and the Normal School; and consequently, for the reasons which I have just stated, I am opposed to the prayer of their petitions. If the State has any duty which in particular is bound to discharge with respect to its subjects, on the score of religion in general, to me it appears to be this: that with the whole weight of its authority, and by every means in its power, it shall endeavour to prevent any particular church or religious denomination from interfering with, or having it in their power, through the enforcement or establishment by law of their own particular views and modes of worship, to annoy, or alarm those of religious persuasions greatly, or even but slightly, differing from their own. If this is not the real object of the present movement touching the reading of the Bible in our public schools, it cannot be denied that such unfortunately is already, to no small extent, the real effect of it; and it is quite evident that, if it should be completely successful, it would excite much ill feeling and foment much dissatisfaction, disunion and bitterness of spirit, generally throughout the whole of our hitherto peace-loving community, and be the cause of much dissension and strife amongst the inhabitants of many settlements in the Island, which the angry which religious controversy almost invariably engenders, have never yet disturbed. I see reason to oppose the movement from whatever point of view I consider it; for in every light in which I can place it, it appears to me to be uncalled for and impolitic. It is now urged that the majority of our population are Protestants, and that this movement, being in harmony with the sentiments, feelings and wishes of the Protestant majority, the Legislature ought therefore to promote it by a compliance with the prayer of the petitions which have been sent in in favour of it. Well, granting that, at the present time, the majority of our population are Protestants, what security have we, if it were desirable, that, in the lapse of a very brief period, the majority will not be Catholics? And, should this be the case, if it be now admitted that the Protestant majority have a right to force the Bible into our schools, in opposition to the wishes of the Catholics, would not the Catholic majority then have an equal right to exclude it from our schools, in opposition to the wishes of the Protestants, if they thought it right to do so? Certainly they would. If the Bible may be legislated into our schools, it may also be legislated out of them. Nay more, if the majority of our population were Jews or Mormons, would not either the one or the other, as the case might be, have, according to the principle recognized in the petitions now before us, a right to enforce by law the reading of the Jewish Scriptures, or of the Mormon Bible, in our public schools? I maintain they would. The Mormons, I see by the papers, are just now in a very unsettled state; and in the event of their abandoning their present country, or being driven from it, they might arrive here. [A laugh.] I am quite serious. In that case, I say, they might arrive and settle here, in a body so numerous as to constitute them the majority of the inhabitants; and should we now acknowledge that Protestants, on the principle of their being the majority at present, have a right to force the Bible into our schools, it could not, without an entire abandonment of that principle, be denied that Mormons, although the majority, had not a right to force their Bible into our schools. The High Church party, as they are called, claiming the closest unity, if not identity, with the civil government, are, I believe, guided by such a principle wherever they have power to enforce it; but we who are styled Dissenters, professing to be ruled by a very different spirit, decidedly repudiate it as unjust and arbitrary; and, on this ground, I go wholly against the petitions which pray

that the Legislature will enforce the reading of the Bible in the Central Academy and Normal School. [Hon. E. Palmer. They do not pray for its compulsory introduction, but only that it may be permitted.] They who have petitioned wish to have a law passed to that effect; and if, in compliance with the prayer of their petitions, such a law were to be passed, it would be compulsory, for the spirit of all laws is compulsory. Last session several petitions were sent into this House, praying for a law to enforce the reading of the Bible in all our common public schools; but we refused to comply with them; and yet the majority of the people are now quite satisfied with the determination of the majority of this House with respect to them. The policy and considerations by which we were governed, last session, with respect to this question, we are now, however, called upon to reverse and disregard, not altogether, it is true; but yet to a very great and material extent, by directing that the Bible shall be read in our chief, our parent seminaries—the Central Academy and Normal School; but, I believe the majority of the House, convinced that were they to do so, the results would be the very reverse of those most satisfactory ones which have been experienced throughout the country, in consequence of the conclusion at which they arrived last session, with respect to the same question more generally, will adhere to their former opinions concerning it, and decline every thing like compulsory action with respect to it.

Hon. D. MONTGOMERY.—Hon. members who have opposed the Resolution and supported the amendment, have all said that the liberty of reading the Bible, in the District Schools, which is freely extended to all scholars whose parents wish them to read it in school, works well, gives satisfaction to such parents, and in no way offends those who do not approve it, or wish their children to participate in it. Well then, this being allowed to be the real state of the case, as respects our District Schools, for it is not disputed by any one, I think it will puzzle those hon. members to prove that, if the same liberty were extended to the Central Academy and the Normal School, it would not, with respect to parents whose children attend, or may attend either of these institutions, be productive of the same happy results. [Hon. Col. Secretary. It does so with respect to the Normal School.] No; I say it does not; for the privilege of reading the Bible, to the Master of that School, by such scholars as may choose to attend half an hour before school, or to stay half an hour after school, two or three days a week, for the purpose, or whose parents may direct or command them to do so, is not, by any means, extending to any the privilege of reading the Bible in school; but, on the contrary, it is the inflicting of a punishment, by extra confinement, both upon such scholars and the master himself. And, sir, the tone and mode of argument in which some hon. members have indulged, in their opposition to the Resolution, are, I must say, of a character the very reverse of that which ought to distinguish speeches, delivered during the discussion of so serious a question, as that which now engages our attention. Such a question ought to be decided solely upon its own merits; and nothing extraneous, especially of an irritating or offensive character, ought to be connected with it, to prevent our bestowing upon it the most impartial and equitable consideration. This sense of propriety has, I am sorry to say, been much disregarded during the discussion; and the hon. member from Flinty Glen, is not the only one who has done violence to it. Hon. members who opposed the Resolution seem to be particularly anxious to establish, or at least to create a suspicion of some previous connexion between members who support the resolution and the petitioners; and earnestly wish it to be believed that we have no better motive or higher design in

the support which we give to the prayer of the petitions, than the aim and expectation of, thereby, being able to prepare the way for the defeat, at the coming elections, of the party at present having the majority in this House. Now, for my own part, I can truly say—and I imagine every other member on this side of the House can as truly say very nearly the same—how much soever I may desire the overthrow of the party at present in power, and how willing soever I may be to aid in the endeavour by honorable and constitutional means to hasten their downfall, I had no share in getting up the petitions for such purpose; and more, I knew nothing about any of them until they were sent into this House, and sincerely believe that the idea of affecting a change in the Government of the Colony, by their means, was never, for one moment, entertained by those who most earnestly desired to see them numerously and respectably signed. That the people throughout the country are not, however, generally satisfied with the limitation to which the use of the Bible is confined in our public schools, is sufficiently and most convincingly proved by the signatures to the petitions now before us. Reverence for the Bible, as the Word of God, and dependence upon the sacred truths which it reveals, is a test of religion, amongst all Christians; but yet, we know, all Christians do not agree as to the extent and freedom with which it ought to be read by children and the laity in general. We who are Protestants think that our children ought to be taught to read it, and to be daily instructed from it, even from their most tender youth; and hence our earnest desire that they should be freely allowed to read it in our public schools. Catholics, on the contrary, however do not wish their children to read it in that way; and I am very sure no desire exists on our part to force them to do so. We are unwilling to be coerced ourselves, and, therefore, do not seek to coerce others. When I went to school, children of Catholics as well as of Protestants, were my school-fellows; and the Bible being regularly read in school, we all, both Catholics and Protestants, with the most kindly feelings, one to another, and utterly ignorant of any cause for distrust or jealousy amongst us, read the Bible together in one class. I am sorry that the same harmony of feeling does not still exist throughout the country, with respect to the Bible in our schools; and perhaps, I may be permitted to say also, that I am sorry that such feeling has not been as prevalent as it ought to have been during the present discussion. I support the Resolution of my hon. colleague.

Hon. J. WIGHTMAN.—On a question concerning so grave a subject as that which now engages the attention of this Committee, I cannot think that I could justify myself as having done my duty to my constituents were I to give a silent vote. I shall, therefore, endeavour briefly to state my reasons for the vote which I mean to give on this occasion. The Petitions which are now before us, have reference to the Normal School and the Central Academy only; showing by their silence with respect to the District Schools in the country, that the people are perfectly satisfied with what was done, by this House, in its last session, touching the use or the reading of the Bible in those schools. If the fact were otherwise, the people would have got up petitions, setting forth their dissatisfaction with it. The question then concerning the use of the Bible, we may consider as wholly and finally settled, so far as it concerns our public schools in the country; and what we are now, in an especial manner, called upon to do is to settle the same question, as it respects the Central Academy and the Normal School. In approaching this immediate question, I feel constrained to say that I have been much surprised to hear it questioned whether the people in the country have a right—nay indeed to hear it almost denied that they have a right—to interfere, even by petitions to the Legislature, with the public educational institutions in Charlottetown,—the Central Academy and the Normal School. Are not these institutions supported by appropriations made by us from a revenue derived from the people? Do not our agriculturists contribute to their maintenance, as largely as do the citizens of Charlottetown? and, although but very few of their children are educated in these seminaries, are they not directly concerned, not only as to the kind and extent of secular knowledge imparted to scholars and pupils therein; but are they not also most especially, interested in the moral training bestowed upon them; in as much as their District

schoolmasters must be selected from amongst those who have been educated, or who, at least, have graduated therein. These questions cannot be truly answered except affirmatively; and surely then it follows that the people may freely petition the Legislature concerning the kind of education and moral training imparted in those schools; and good right have they to expect that any of their petitions relative thereto, sent up to the Legislature shall, if expressed in respectful language be respectfully considered; and more especially so in that branch of it which is composed of their own direct representatives. In my opinion that system of education which, whilst it admits the necessity of religious teaching in our schools, does not make it compulsory, either in appearance, or in reality, is the best adapted to schools which are attended by Roman Catholic children and Protestant children together; and, in conformity with this opinion, I would propose that, in the Central Academy and the Normal School, which are attended by young persons of both Communions, the Board of Education should authorize the reading of the Holy Scriptures, in the version of each Communion; by Protestant youth, in the Protestant version; and by Catholic youth, in the Catholic version; but yet without making it compulsory upon either; leaving it entirely to the parents of the children of each Communion, to avail themselves of such liberty for their children, or not, as they might think proper; and such a permissive regulation would, I think, be the best evidence we can give of our being actuated by the true spirit of Christian liberality. To compulsion on this subject, I am most decidedly opposed; for it would, if admitted, greatly impair the efficiency of our present impartial system, and positively imperil its existence. My wish is that, in our schools, religious instruction shall be secured to all, without shocking the principles, or opinions of any. As far as my own feelings are concerned, I would be well pleased that the authorized version of the Holy Scriptures should be read in all our schools; but, as our present system of education has been established on non-sectarian grounds, and for the purpose of extending the advantages of education to all, I shall never give my vote for the establishment of any rule which might operate as an exclusion to children of the Roman Catholic persuasion. According to my views, the authorized version of the Holy Scriptures might be appropriated for the reading of such by the children of such parents as should desire it; and the Douay version for the reading of such by the children of such parents as believe that version to be the more correct. The entire exclusion of the Bible from our public schools, is what I cannot approve of; for I am fully convinced that, if we would instruct children in the relative duties which as children, they now owe, and, by such instruction, prepare them for the proper discharge of the relative duties which, on emerging from the control or restraint of parents and of school, they will have to perform in the fulfilment of their obligations as citizens, we cannot lay a sure foundation of such instruction on any code of morality or rule of life, save on that which is found in the Word of God. The system of Free Education which we have lately established in this Colony, is, in my opinion, of vital interest to the wellbeing and perpetuity of a free government; as upon the intelligence and moral culture of the people, depend their capacity for self-government; and it is therefore to the education and moral training imparted in our public schools, that we must chiefly look for the broad foundations of the civil and social structure in the erection of which we ought all to be deeply concerned. No greater obstruction to its completion could arise, I feel certain, than jealousies and discord created by placing the members different Christian Communions in antagonistic positions one towards another; and nothing, I am equally certain, will tend more to the future well-being of a people, composed of different religious denominations, than their having their children educated in the same schools, subject to the same authority and discipline, daily occupied together with the same mental exercises, and daily engaged, in the freest companionship, in the same physical sports. So reared, they could not fail to grow up in the exercise of the most kindly feelings towards one another, and their youthful friendships would be the foundation and guarantee of their union as a people. I hold in my hand a Resolution which I have drawn up in conformity with my opinions on this subject; which I mean to submit if the Resolution of the hon. member for Princetown (the Hon. T. H. Haviland) be lost; and which I will now read. The hon. gentleman then read his Resolution, which is as follows:

“Whereas, while the House repudiates the principle of encroachment upon the religious opinions of any denomination, it considers that the most effectual evidence of the true spirit of Christian liberality will be afforded by allowing to each class of Christians the use of the copy of the Holy Scriptures in which it believes:

“And whereas the parties attending for instruction at the Central Academy and Normal School belong to the Protestant and Catholic Communions, and it is not inexpedient that the Copies of the Holy Scriptures to which they respectively adhere should be read without note or comment to the parties belonging to each denomination respectively:

“Be it therefore Resolved, as the opinion of this Committee, that the Board of Education should authorize the reading, in the above institutions, of the Holy Scriptures, without note or comment, during school hours, in such

versions and to such of the pupils and students whose parents or guardians may require it.”

Hon. COLONIAL SECRETARY.—The Journals of the Session of 1845, shew that the hon. member for Princetown (Hon. D. Montgomery) and the hon. member for the Third District of King's County (Hon. J. Wightman) both voted against a Resolution, the object of which was “the repeal of that clause in the Academy Act which prohibits the use of the Holy Scriptures, without note or comment, as a Class Book, in the Central Academy, by children whose parents or guardians shall not object to the same;” as also to that Resolution which “deemed it inexpedient to adopt any compulsory measures for the introduction of the Bible, as a Class Book, in the Central Academy, or the other Schools throughout the Island receiving grants of public money.” It now however appears that their opinions on that question are the very reverse of what they were then.

Mr. H. HAVILAND.—A reference to that Journal will, I believe, shew that these two hon. members are not the only individuals in this House, who have changed their opinions upon that question since that time; and that such may be found on both sides.

Hon. COLONIAL SECRETARY.—As the hon. member, my colleague, (Mr. Laird) has, in his own way, endeavoured to prove against me, not only that I have said the people in the country have no right to petition the Legislature concerning the discipline or course of instruction, or other internal regulations, observed or practised in the Central Academy or the Normal School; but that, with respect to the latter institution, I, at its inauguration, gave my sanction to the mode of moral teaching and training which Mr. Stark said was to be practised therein; I will, sir, by your leave and that of the Committee, take this opportunity to rebut both of these charges, to the end that the people may be fully and correctly informed concerning both, particularly the last. First, as to my having said the people in the country have no right to petition the Legislature concerning the Central Academy and the Normal School, I must take leave to tell the hon. member, my colleague, that in understanding me to say any thing of the kind, he has certainly very strangely misunderstood the meaning of my words. What I did say, with reference to the petitions, and which the hon. member seems to have so strangely misunderstood, was, that the petitions are all from the country, and that, if any part of the public felt themselves aggrieved by the rules and regulations now in operation, concerning the use of the Bible in the Central Academy and the Normal School, one would naturally conclude it would be those whose children were scholars in these institutions; and as such children, with scarcely an exception, belonged to Charlottetown, it was pretty clear that they who had the most direct interest in these institutions did not believe that, in these rules and regulations, there was any thing of which they could reasonably complain. So much for that. Now for Mr. Stark, who, by certain parties, has been represented as one who had been victimized on account of his love of the Bible. I hold in my hand a pamphlet, copies of which are, by the same parties, eagerly circulated throughout the country, in which that individual is represented as having been obliged to leave this Island in consequence of his resistance to Popish aggressions upon the public schools. This statement, I hesitate not to say, is a most wicked and groundless falsehood; and the object of its dissemination throughout the country is one which no truly Christian man can entertain; being nothing less than the revival and the perpetuation of disagreement, bad feelings, and discord of the most hateful character in our midst. The object of the ex-Visitor of Schools, in representing himself, in Scotland, as having been unjustly deprived of his appointment in this Island, and driven from it, through Papal persecution, is plain enough in that country. It is evidently to engage in his favour, as an ill used man, the sympathies of his fellow countrymen and co religionists; but, in this Island, we know, concerning him, what they cannot so well know in Scotland. We know that his representations concerning “Papal aggression upon the public schools in this Island,” are positively false; and we also know that he has been, most basely ungrateful to the Government of this Island, by which he was most leniently and kindly dealt with, not only before, but even after they knew he had been both inefficient and unfaithful in the performance of his duty; for so far did they carry their lenity and kindness to him, that they actually allowed him his full salary for three months, after he had ceased to discharge any of the duties of his appointment. To the history of Mr. Stark's retirement from his office, I would not now advert, did I not feel it necessary to do so, in order to counterway the influence which certain parties are covertly and basely seeking to establish over the public mind, by surreptitiously circulating such falsehoods concerning it as that which I have just noticed. When Mr. Stark undertook the duties of Visitor of Schools, at a salary of £200 a year, the Royal Agricultural Society, being desirous of conferring upon our farmers the benefits of modern discoveries in agricultural science, agreed to set apart £100 of their legislative grant for lectures on Agricultural Chemistry; and Mr. Stark having undertaken to deliver such lectures, it was agreed that this sum should be paid to him annually for such service. Finding, however, after a short trial, that he had not knowledge enough of Agricultural Chemistry, to enable him to lecture thereon in an acceptable or edifying manner, he properly enough abandoned the lecturing part of his business. He still, however, continued to draw the £300; but his unfaithfulness in the discharge of his other duties as School Visitor gave rise to much murmuring and complaint; and it was with some difficulty that, in the session of 1856, the Government induced their supporters to

vote for his full salary of £300 a year. The Government, having engaged his services for a certain period, felt that they were, in honor, bound to give him the £300. They accordingly applied to the Legislature for this amount; and it is worthy of remark that every one of the Conservative opposition, they whose friendship he thought was surely his, resisted the vote for £300, and declared their opinion that he should have only £200, as he had ceased to be a lecturer on Agricultural Chemistry; whilst it was sustained by most of the Government supporters, including three of the libelled Catholics. The Government, however, carried the vote of £300, with the understanding that their supporters should not be called upon to sanction a similar vote in another session. The Government then finding that the lectures on Chemistry had ceased, and that there was no likelihood of the Legislature's continuing the £100 formerly given for that service out of the Agricultural grant, gave notice to Mr. Stark, that after the quarter which would end in the following April, the salary for the Chemistry part of the business should also cease. Surely this was fair enough. Mr. Stark, however, in reply, wrote to the Government expressing his desire to be at once relieved from his duties as Superintendent of the Normal School, and announcing, at the same time, his intention to relinquish all his duties in May next. The Government then perceiving that Mr. Stark was getting rid of his duties by piecemeal—first having declined the lecturing, and then having abandoned the Normal School, besides instead of visiting the public schools twice in the year, as he was bound to do, not having visited several of them even once,—very properly answered Mr. Stark's letter of resignation, by intimating to him that he was at once relieved from all his duties, since a part of them had become so disagreeable to him. The truth, in few words, is that Mr. Stark was not dismissed; but that he rather dismissed himself; for, so far from his having been driven out of office, on account of his firm Protestantism, and his unwillingness to succumb to Papal aggressions, as it seems he has contrived to make his present sympathizers believe, he was merely relieved, at his own request, from the burden of duties, which he had previously in part abandoned, and in the discharge of which he had been found neglectful. What is meant by Papal aggressions on the public schools in this Island, is a false representation of the ground which was taken by the majority in the Legislature, concerning the use of the Bible in these schools; which is, that the Education Law does not prescribe the use of the Bible—that the Board of Education has made no rule against its being read in the public schools,—but, on the contrary, has expressly declared that the Bible may be introduced into the public schools wherever the people desire it,—that the school returns (Mr. Stark's) shewed that the Bible was freely read in many of the schools,—and that, as the voluntary system had given great satisfaction to all classes and all denominations, it would not only be useless, but dangerous to interfere with it. Mr. Stark's gross misrepresentations of these facts, and those of the chief agitators of the Bible question, together with his concealment of the fact that, on his arrival in this Colony, he was told by Sir Alexander Bannerman, that as the students and scholars of the Normal School would be of different religious denominations, Stow's system of moral training, by the master's hearing and explaining Scripture lessons, during the regular hours of tuition, could not possibly be adopted,—constitute the Papal aggressions spoken of in this pamphlet, and make up the whole of the persecution to which Mr. Stark was subjected in this Island. I have entered somewhat into detail on this subject, to the end that it may be seen by the people how easily, by the simplest statement of facts, the foul libel upon the Catholic portion of our community may be refuted; and how unworthy and base must be the purposes of those who industriously circulate it. Some hon. members say that the resolution is not compulsory; but, even as these hon. members themselves explain it, its operation might frequently be very and most unjustly compulsory. Suppose, for instance, that there were, in the school, only two or three scholars whose parents wished them to read the Bible, it would, in such case, under the operation of the resolution, be necessary for the master to devote, perhaps half an hour daily, to the hearing of these two or three read a lesson from the Bible, whilst all the rest would, in a manner, be compelled to be idle for the want of a teacher. The objection made by the hon. member for Princetown (Hon. D. Montgomery) to the voluntary or permissive principle, as it

respects the use of the Bible in the Normal School, is exactly that which has been made by other hon. members of the opposition, and as I have already answered them, I need not, I think, occupy any of the time of the Committee by answering the hon. member on that score.

Mr. YEO.—I can truly say that no church or sectarian prejudices weigh with, or influence me, in my consideration of the question now before this Committee; and that I would, at any time, be as ready to serve a Catholic as a Protestant, and quite as unwilling to sanction an infringement of either the religious or the political rights and privileges of the one, as of the other. My children have grown up, and my grand-children are growing up, among Catholics in perfect good will and harmony with them; nothing like bigotry on either side, having ever provoked the least feeling of religious animosity between them. That the reading of Protestant versions of the Bible, in the Central Academy and the Normal School, or in any of our public schools, in which Protestant children are required by their parents or their guardians to read it, agreeably to the resolution of the hon. member for Princetown, (the Hon. T. H. Haviland,) would give offence to Catholic parents having children in the same schools, is what I cannot easily persuade myself to believe. There is not, in my opinion, anything in the resolution, or in its contemplated operation, which can justly give offence to any Catholic, how strict and zealous soever he may be in holding the tenets and observing the doctrines and practices of his church; and, therefore, as it otherwise is intended only to secure to Protestants that privilege which they account their highest and their best,—the privilege of having their children trained in the morality of the Bible, by being regularly taught to read it in school, I freely and heartily give it my support. If, in a school, there should be only nine or ten Protestant children, among forty Catholics, the allowing of these nine or ten Protestants to read in the Bible, to the master, by themselves, could not be either unjust or injurious to the Catholics; but the prohibition of such reading by these Protestant children, if such reading were required by their parents or guardians, would be an act of great injustice to them, even although the Catholic children were four times more than they; and, were the case the reverse, with respect to the mixed composition of scholars in a school; that is, if there were in it four Protestants for every Catholic, the injustice to the former denomination of scholars and parents, would be still greater and more manifest; yet the principle of the prohibition would be the same in both cases. There should be no compulsion either in one way or the other; nothing arbitrary or aggressive on either side: and neither would there be, if both parties would make true religion the rule of their conduct with respect to the question. With the present Catholic Bishop, I have been acquainted thirty years; and I am fully persuaded that although he is, as it well becomes him to be, duly zealous for the preservation and promotion of the real interests of his Church, he is a man of a truly liberal and enlightened mind; in no way disposed to the practice of intolerance, and by no means desirous of infringing upon the religious privileges of the members of any other Christian Communion. He condemns all strife on account of a difference of opinions on questions of religion; and, one day, freely conversing with me, touching disputes or misunderstandings, falsely called religious, he very pointedly said, "Such disputes or quarrels are never caused by religion; on the contrary, they are occasioned by the want of it." The publication of His Lordship's letter, to which allusion has just been made, has, no doubt, been productive of much misunderstanding and consequent bad feeling throughout the country; but it ought to be remembered that the publication of that letter was not an act of the Bishop's. His attention had been drawn to what had been said, by Mr. Stark, at the inauguration of the Normal School, about the reading and the expounding of the Bible in that Institution, which had awakened the conscientious scruples, and aroused the jealousy, of many of the Catholic Communion throughout the Island, who positively believed that the Protestants were going to thrust the Bible down their throats, as some of them phrased it. This being the case, the Bishop, simply with a view, I believe, to remove the cause of annoyance, so largely, however needlessly, experienced amongst his flock, addressed that letter to the Board of Educa-

tion, the publication of which has, unfortunately, occasioned so much undue excitement and clamour throughout the country. Now, however, when it has been so clearly shewn that the object of the Protestant petitioners, as expressed in the Resolution of the hon. member for Princetown (Hon. T. H. Haviland,) is one which, even, if carried out to its fullest extent, can in no way interfere with the religious scruples of members of the Catholic Church, I cannot see how any individual of that Communion can reasonably object to it.

**Hon. COLONIAL SECRETARY.**—The observation made by His Lordship, the Catholic Bishop, to the hon. member from Port Hill (Mr. Yeo,) was, in my opinion, a perfectly correct one; and I hesitate not to say that the clamour concerning the existing regulations affecting the use of the Bible in our public schools, has been called forth and promoted, in too many instances, by individuals who, in judgment, seem to have little, or no religion at all. The clamour, however, if there has been any, has proceeded from those who have been mainly instrumental in the getting up of the petitions and in the procuring of signatures to them; and not from us, who desire to maintain unimpaired both in principle and in practice, that national system of education which recognizes the propriety of non-interference with respect to religion, in our public schools; whilst it, by no means, prohibits or precludes the reading of the Holy Scriptures therein, but leaves it perfectly optional with parents.

**Hon. J. WIGHTMAN.**—They who have sent in the petitions which are now under our consideration, have, I sincerely believe, been influenced by nothing, with respect to them, but by an overruling veneration for the Word of God, and the simple, yet earnest desire that, in school, as well as at home, children should be taught, that it is not only their duty, but the dearest of all their privileges to read and study the Bible. The petitions have, I believe, been, in every instance, got up and signatures added to them, in an open, fair, decorous, and Christian spirit; nothing like clamour having, in any case, proceeded from any parties having any connection with them; and it very ill becomes the Hon. the Colonial Secretary to lay anything like clamour to their charge.

**Hon. COLONIAL SECRETARY.**—It was the hon. member from Port Hill (Mr. Yeo,) not I, who did so.

**Mr. POPE.**—I have listened with pain to the speech, which, on the question now under our consideration, the hon. member from Flinty Glen (Hon. R. Mooney,) has inflicted upon the committee,—a speech so indecorous, insulting, and irreverent, as ought to draw forth an expression of condemnation from every member of the House. It has been said that the *voluntary or permissive* system, as it respects the use of the Bible, in our District Schools, which is now in operation, is good, and gives satisfaction to all parties having a direct interest in these schools; and this is not denied. But the case is the very reverse with respect to the Central Academy; for what is called the test clause of the Academy Act, prohibits, it is said, the reading of the Bible in that institution. Whether or not this be the right interpretation of that clause, I will not presume to determine; but, as it is allowed to operate to the exclusion of the Bible from the institution, it ought to be repealed; for certainly every privilege of education, whether classical, scientific, or religious, which either is, or may be, extended to scholars in our district schools, ought to be as much within the reach and option of those who study in the Academy. If the repeal of that clause were effected, all our public schools—the Academy, the district schools, and the Normal School—would all be under the same voluntary or permissive system, with regard to the use of the Bible: for the Hon. the Colonial Secretary and the Hon. the Colonial Treasurer both maintain that there is neither any law in existence, nor rule in force, which prohibits the use of the Bible in the Normal School. This uniformity and universality of freedom, with respect to the use of the Bible in our schools,—which are, in fact, all that the petitioners and they who support their petitions in the Legislature desire—are evidently most easily attainable; and not a single argument, based upon genuine principles of either rational or legal equality, as respects the different religious denominations in the Colony, can be advanced in opposition to their concession and establishment. What the petitioners, and we who support them in the Legisla-

ture, call for, is not a law to force the Bible into our public educational establishments; but simply a law which shall declare that the Bible is admissible into all our public schools, without exception, for the use of such scholars or students, in those schools, as shall or may be required, by their parents or guardians, to read it therein. They who, in the Legislature, support the petitions which pray for the enactment of such a law, have not the most distant idea of, thereby, slighting the religious opinions, much less of doing violence to the conscientious scruples of Catholics; for we are convinced that it would not, in any way, directly affect them. From the entertaining of any feelings inimical to the civil or religious rights and privileges of the Catholics, or in any way adverse to the Catholics as a Christian Communion, I am quite as far, I think, as any man possibly can be. I have gone to school with Catholics, I have played with Catholics, I have lived with Catholics, I have travelled with Catholics, and I have traded with Catholics; and in all the different relations in which I have stood to them and they to me, I can truly say I have entertained for them, as much friendship, good will, and regard, and have justly placed as much confidence in them, as ever, in like circumstances, I have done or had cause to do towards Protestants. This being the case, I cannot possibly desire any action on the part of the Legislature, or of any other power, which would be at all likely to militate against the just and constitutional rights and privileges of Catholics, or which could reasonably give them cause of offence; but, whilst making this declaration, I feel it to be my duty also freely to declare that I will never go with any measure, how plausible soever may be the reasons which are advanced in its favour, which has for its object the exclusion of the Bible from all or any of our public schools. I consider all our public schools, the Academy and the Normal School, as well as our district school, to be, in a very great measure, either directly, or indirectly, under the control of the Government of the day; and to them, therefore, almost wholly attaches the discredit, if any other system of education than one based upon the morality and the religion of the Bible, prevails in any of them.

**Hon. COLONIAL SECRETARY.**—The Government have nothing to do with the Academy. That institution is regulated by an Act, expressly framed for its government; and I again say with respect to the Normal School, that the reading of the Bible in it is not prohibited, either by Law, or by any rule or resolution of the Board of Education; but, on the contrary, the reading of the Scriptures by scholars, therein, is optional with parents.

**Mr. H. HAVILAND.**—The Hon. the Colonial Secretary utters his dictum in such a tone and manner as are enough to convince us that, in his own opinion at least, it is quite conclusive. Some of us, however, of whom I am one, have not the same high opinion of its weight and authority which he himself seems to entertain; and I say again, that its being made allowable, for scholars of the Normal School, to read the Bible, if their parents wish them to do so, in the school-room, either before school opens, or after it closes, is not allowing the Bible to be read in the school; and neither is such allowance, with respect to the Bible in that school, that which is asked for by the prayer of the petitions.

**Hon. R. MOONEY.**—I hope I shall never see the day when the schoolmaster shall have power to teach my children the tenets and principles of religion. And, as to the sincerity of the regard for the Bible, by which some hon. members maintain the petitioners have alone been influenced, the fact that the Bible is not read in the Glebe School, Lot , in which there is only one Catholic amongst the scholars; nor in the District School, at Belfast, in which the scholars are Protestants; nor in the District School, on St. Peter's Road, of which I have before spoken, and of the scholars in which the parents are all good Protestants; affords but a sorry proof. If when Protestants may have the Bible freely read, by their children, in school, every day, and expounded to them also, they do not avail themselves of the privilege for the benefit of their children, their real estimate of its value must be very small indeed. No, sir, as I have before said, neither real religion nor the love of Bible reading has anything to do with the agitation which has been got up about it; but the truth is that they with whom the

agitation has originated and they who have promoted it, have merely used it as a handle against the Government; and, fiery as they seem to be in their zeal for the reading of the Bible in all our schools, could they only overthrow the Liberal Party and bestow political supremacy upon the old Tory party, it would very soon appear that in that supremacy they had obtained all they wanted.

**Mr. POPE.**—The hon. member from Flinty Glen (Hon. R. Mooney) stoutly maintains, although without advancing even the shadow of a proof in support of his assertion, that the only object entertained by the petitioners and them who support the prayer of their petitions in this House, in the agitation of the Bible Question, is the wresting of the government from the party in whose hands it is at present, in order that it may fall into the hands of their opposers; and that to that end they have made a political engine of the Bible. Hon. members who have condescended to reply to these unfounded charges of the hon. member from Flinty Glen, have clearly shewn that they are groundless assumptions; but that every speech which he delivers in this House is intended to be a political engine, all on both sides of the House, who listen to him, must feel persuaded. Over-charged and ill-directed, however, as most of his speeches are, they generally miss the aim, and if they effect anything at all, it is merely his own prostration. The resolution which has been submitted by the Hon. the Colonial Secretary, as an amendment to the resolution submitted by the hon. member for Princetown (Hon. T. H. Haviland) is no amendment at all; and, in fact, has no reference to it. That resolution, which is, indeed, a very specious device, was, no doubt, prepared some time ago, in expectation of what would be proposed, by members, in this House, favourable to the prayer of the petitions; and as much ingenuity as the Government party in the House possess,—and perhaps as much as the nature of the question would admit of being exercised in opposition to it—has been employed in the drawing up of that document; yet I think it will not induce any to admit the wisdom and propriety of the views therein enunciated, except those who were previously prepared, for party reasons, to sustain it.

**Hon. COLONIAL SECRETARY.**—It was not intended to be either an amendment or an answer to the resolution of the hon. member for Princetown (Hon. T. H. Haviland), nor in fact to any resolution which might be proposed, by any hon. member, in support of the prayer of the petitions. It was intended to be simply what it is; and that is, a full, plain, argumentative, and yet brief exposition of the views of the Government party, concerning the impropriety, and, in fact, the impossibility, of connecting religious instruction, or training, with any system of National Education, where a community, like ours, is composed of different religious denominations. And its main object is the final disposal of the question, in such a way as will effectually discourage the over-zealous, in future, from getting up such agitation, concerning it as can never fail, whenever it occurs, to produce, in a greater or a less degree, that discord and rancorous feeling which as His Lordship most justly observed to the hon. member from Port Hill, (Mr. Yeo.) are always an evidence, not of religion, but of the want of it. But it seems one hon. member of the House (the Hon. J. Wightman) is not satisfied either with the resolution in amendment, or with the original resolution; for he has prepared one of his own; and, no doubt, he will be able to give good reasons why it ought to be preferred to either of them.

**Hon. J. WIGHTMAN.**—It is the right of every member upon every question, especially upon so grave a one as the present, to think and determine for himself; and to submit, if he shall see fit so to do, a resolution in accordance with his own sentiments concerning it.

**Hon. the COLONIAL SECRETARY.**—I do not, for one moment, mean to question the right of the hon. member to submit a resolution of his own. I merely wish to draw him out in support of it.

**Hon. J. WIGHTMAN.**—I make no pretensions to uncommon oratorical gifts or ability; but, on the contrary, am generally satisfied with expressing my sentiments or opinion, in a plain and direct manner, and with as little waste of words as possible; and I think that who, in few but well chosen and forcible words,

deliver their sentiments in debate, are often found to be more effective and convincing speakers, than they who protract their harangues by mere multiplicity of words.

**Hon. COLONIAL SECRETARY.**—The object of the resolution which the hon. member for the Third District of King's County, (the Hon. J. Wightman,) has read to us, is a most liberal one indeed; for, in its spirit, it embraces not only the two authorized versions of the Scriptures,—the Protestant version and the Catholic version;—but would admit also the new version which, by the newspapers, we learn is at present being prepared for publication. Of the want of liberality in the hon. gentleman's resolution, therefore, no one can have any reason to complain. But unfortunately its liberality is of an utterly impracticable character; for, in any imaginable case in which the two versions would have to be used, the one for Catholic children, and the other for Protestant children; unless there were two teachers,—one for each denomination of scholars, the teacher, in order to discharge his duty, in that respect, to both, would have to do violence to his own religious feelings; for, if a conscientious member of either Communion, it could not be expected that he would equally approve of and respect both versions; and I cannot, for one moment, believe that the hon. member would, for the sake of carrying out his liberal conception, would any man to make such a sacrifice of sentiment or principle. The hon. member is undoubtedly most anxious that something should, if possible, be done to satisfy such of his constituents as have entrusted to him the presentation of their petitions, praying that the use of the Bible, in the Central Academy and the Normal School, may be authorized by the Legislature; but, seeing, as he must, that they who have the greatest, the most direct, the most immediate interest, in these institutions, (I mean parents in Charlotte-town and its vicinity,) are perfectly satisfied with the moral discipline and training of which their children, being scholars therein, are the subjects;—for, had it been otherwise, the fact would certainly have been made known, by petitions, from these parents to the Legislature;—he would, I think, have been quite as well satisfied if he had not been called upon to support, in this House, any such prayer, as that of the petitions now before us; or to have, in any way, to acknowledge them, as setting forth his own views concerning the necessity of such a regulation as that which they demand. But we can easily imagine how difficult a man may find it to refuse to sanction, or sign a petition, when his minister requests or urges him to do so; especially when he does not know the sentiments, concerning its object, of all whom it might affect, many of whom may either simply not desire it, or, for good reasons, may be directly opposed to it. The great majority of those parents who are most directly interested in the educational systems of the Central Academy and the Normal School, will, however, I feel pretty confident, (although their sentiments relative thereto are not now before us in the form of petitions, or in any other form,) feel better satisfied with the resolution of this side of the House, than with that of the other, or even with the more liberal one of the hon. member for the Third District of King's County, (the Hon. J. Wightman.)

**Mr. DOUSE.**—It is scarcely to be expected that I should give a silent vote on so important a matter as that which at present engages our attention; especially since I have presented, from my constituents, one of the most numerous and respectably signed of the petitions, the prayer of which is the subject of our immediate consideration. The main object of the petitioners is, that the young persons who are studying, or who may hereafter study, in the Central Academy, or the Normal School, with the view of qualifying themselves to become teachers in the District Schools of the Island, may receive a good moral education, to the end that they may be duly qualified to impart such an education to others, when they themselves shall become schoolmasters; and such an education they justly believe cannot be imparted independently of the reading and the study of the Bible, wherein is contained the only safe and sure code of morality. The petitioners, and we who support the petitions in this House, are very far from insisting that the Bible shall be put into the hands of the Roman Catholic children who may be in these institutions; but we most earnestly desire that it may therein be freely read, every day, by all scholars whose parents



of guardians may wish them to do so; and we think that scholars who belong to the Catholic Church may very easily otherwise usefully employ themselves, either in a separate part of the school-room, or in another room, if necessary, in conning their tasks, or in attending to other educational duties, for the quarter hour or half hour, each day, during which the others might be reading the Bible. With the principle so dogmatically laid down in the preamble to the resolution of the Hon. the Col. Treasurer, and the propriety and wisdom of which are so strongly insisted upon by those who have spoken in favor of that resolution, I cannot by any means agree. I cannot agree, as on that principle it is declared, that all religious tuition should be repudiated from our national system, and the Bible altogether banished from our educational institutions. On the contrary, I think that the principles and doctrines of Christianity should be blended with the elements of useful secular knowledge; and that, whilst youth, in our schools, are taught the sciences which will qualify them to practise the arts, and engage in the honest and honorable pursuits of life, they should also acquire that learning which maketh wise unto salvation. The Bible, I am certain, cannot be too much read and studied, either by the young or by the old; and they who read and study it the most, for the purpose of being guided by its precepts and its doctrines, have, I believe, the largest share of happiness upon earth, and the fullest assurance of happiness hereafter. Such being my convictions, I cannot think that children can be too early or too carefully and earnestly trained in the morality of the Bible, or too soon taught to read, to reverence, and to love it. The Hon. the Colonial Secretary has said that children should be taught to read in, and instructed from, the Bible, rather by their parents at home, than by their teachers in school. That it is the duty of parents so to teach and instruct their children when they are able to do so, I fully admit; but, at the same time, I remember that there are many parents, in this Island, who can neither read nor write, and who, therefore, are utterly incapable of discharging such a duty. Now, if the children of such parents be taught to read, and be instructed from the Bible, in school, the consequence, in many instances, may be that such children will read the Bible to their parents, and become their earnest and affectionate instructors in Bible truths, the knowledge of which had been imparted to themselves in school. This consideration of the great moral good, which may arise from religious training in school, ought to impress upon our minds the necessity of taking care that such an education shall be given to those who mean to embrace the calling of schoolmasters; that they may be duly qualified to become, not only instructors in secular knowledge, but guides and exemplars in piety and morality to the youth entrusted to their tuition. So instructed and trained, schoolmasters would be worthy of being classed next to clergymen; their calling would be an honorable one; and the talented and faithful among them would, indeed, be prized, honored, and respected; and well remunerated, at all times, and wherever they are found, ought such men to be. In the opinions which have been expressed by hon. members who have preceded me, in speaking in support of the resolution which has been submitted by the hon. member for Princetown, (Hon. T. H. Haviland), I fully concur; and particularly in repelling the charge which an hon. member has preferred against the leaders in the movement concerning the Bible, and those who in this House support the prayer of the petitions, accusing them in the most unjust and rancorous spirit, and in the most illiberal and indecorous manner, of bigotry and duplicity, and of their using the Bible as a political engine for the attainment of party purposes. Those hon. members to whom I allude have disclaimed, justly I believe, the unchristian feelings and selfish motives attributed to them in that charge; and, for myself, I do the same. By feelings of bigotry, or a want of charity, either towards Catholics or any other denomination of Christians, not in the same Communion with myself, I can safely defy any one to show that I have ever been influenced, in any action of my life, whether private or public. So far indeed have I been from entertaining any prejudices against those who are members of the Catholic Communion, on account of their creed, that one of the dearest, the most esteemed, the most honored of the friends I have ever had, was a member of that Church, and a strict and consistent

approver and observer of her doctrines and her practice, whilst, at the same, his heart was, I am convinced, filled with love towards all men.\* His death, I mourned as the death of one who had been a brother to me indeed; and his mortal remains, I followed to the grave with as sincere and heart-felt sorrow as I have ever experienced in the whole course of my life. I am as far as possible from seeking, either on sectarian or political grounds, to cause Protestants to assume a position of antagonism to Roman Catholics; but I am truly desirous, and I believe the petitioners are equally so, that Protestants should live on the most amicable terms with their Catholic fellow-subjects. And further, I can also truly say, that I have never, even in the most distant way, tampered with any of the people, on the Bible question, with a view of thereby influencing the coming elections. Still, however, whilst we seek not, and whilst we have no desire to force upon the children of Roman Catholics, in any of our public schools, the reading of the Bible, we are most anxious to do away with any or every regulation or rule, by means of which the reading of the Holy Scriptures, in any of our public educational establishments, either is, or may be, prohibited to scholars whose parents or guardians may desire that they should read them therein. Therefore feeling in this matter that I am bound, not only by the duty which I owe to my constituents, but by my own individual convictions concerning it, to support the prayer of the petitioners, I will vote for the original resolution.

\* [The reporter take the liberty to state that "the friend," so highly eulogized and feelingly spoken of by Mr. Douse, in the above speech, was the late Donald Macdonald, Esquire, Merchant, Charlottetown.]

The chairman then put the question on the resolution submitted by the Hon. Colonial Treasurer, in amendment of that submitted by the Hon. T. H. Haviland; and the Committee divided:

For the Hon. Col. Treasurer's amendment:—

Hon. Col. Secretary, Hon. Col. Treasurer, Hon. the Speaker, Hon. R. Mooney; Messrs. Clark Muirhead, Coopers, Macintosh, Dingwell, McDonald and Perry.

Against it:—

Hon. T. H. Haviland, Hon. E. Palmer, Hon. D. Montgomery, Hon. F. Longworth, Hon. J. Wightman; Messrs. Douse, Yeo, H. Haviland, Pope, Munro and Laird.

The numbers being equal, it was carried by Mr. McGill, the Chairman, giving his casting vote in favor of it.

HOUSE RESUMED.

Mr. McGill, the Chairman of the House in committee, reported the resolution as above agreed to therein; and, on the Hon. the Speaker being about to put the question thereon, the Hon. E. Palmer rose, and moved, That all, after the word "whereas," be struck out, and the resolution submitted in the committee, by the Hon. T. H. Haviland, be substituted in stead thereof.

On the Hon. the Speaker having put the question thereon, the same division took place as in the committee; they who had voted therein for the resolution submitted by the Hon. the Col. Treasurer, voting against the Hon. E. Palmer's motion; and they who, in the committee, had voted against the resolution submitted by the Hon. the Col. Treasurer, voting in favour of the Hon. E. Palmer's motion;—Mr. McGill voting against the motion in his place, and the Hon. the Speaker giving his casting vote against it from the Chair.

The Hon. J. Wightman then submitted the resolution, as above given, which he had read in the committee of the whole House; and on the Hon. the Speaker having put the question thereon, it was lost on the same division on which the Hon. E. Palmer's motion had been lost; the Hon. the Speaker giving his casting vote in the negative.

So the resolution of the Hon. the Treasurer, reported agreed to in committee, was adopted by the House.

R. B. IRVING, Reporter.

TUESDAY, March 16th, 1858.

FORENOON SESSION.

The order limiting the time for the reception of private petitions, was suspended for this day.

The Bill, entitled "an Act for regulating the publishing of

notices and advertisement relating to the public services," was read a third time as engrossed, and passed.

Hon. Col. Secretary presented a petition of Charles Blampied, setting forth that, in the year 1844, he shipped a quantity of goods at Africant, which were cleared out at the Custom House there, for Prince Edward Island or elsewhere; that he arrived at Cascumpec, and entered at the Custom House there, in what he conceived to be the customary manner, so much of the said goods as he intended to land on the Island; that he also made entry at the Impost Office, and paid duty on such goods; that before he had landed any of the goods for which duty had been paid, the Impost Officer seized and carried away goods to the value of three hundred and fifty pounds or thereabouts, and which, he had been given to understand, have been since sold, and the proceeds paid into the Treasury; and, believing that the goods were illegally seized and sold, he prayed that such compensation be awarded to him as the case merits. Laid on the table.

Mr. Muirhead presented a petition of Lewis Muirart and others, contractors for conveying the Winter Mails between this Island and Cape Tormentine, praying for a grant of twenty pounds to aid in defraying the expense incurred by them in providing three new ice boats this season, in place of the old insufficient ones. Laid on the table.

Also, a petition of Rubina Richardson, praying for an allowance to encourage her to continue teaching at Sunnorside, where she has taught a school for a period of six months, without any lawful claim to a Government salary. Referred to committee on school petitions.

Also, a petition of inhabitants of Middleton, Lot 27, praying for the establishment of a Post Office in that District. Referred to committee on new Post Offices.

Hon. Col. Treasurer presented a petition of the School Trustees of West Point, Lot 8, praying that some compensation may be granted to David MacWilliams, in consideration of his trouble and expense about the last illness and interment of James Gillanders, teacher, deceased. Referred to committee on school petitions.

Mr. Cooper presented a petition of Red Point, Lot 46, and adjacent Settlements, praying for the establishment of a post office at Cross Roads, Red Point; also, for the removal of the Post Office from MacVean's to the Cross Roads, Lot 47, and for a change of the present mail route, that instead of coming and returning by the north side, the carrier may continue along the south side to Souris, which would shorten the distance by six miles; or, otherwise that a mail bag be made up and sent from either Souris or MacVean's. Referred to committee on new Post Offices.

Hon. Mr. Mooney presented a petition of Angus McInnis, Lot 37, setting forth that, on the 23rd day of last month, his house, with all its contents, including provisions and clothing, was totally consumed by fire, leaving him and his family destitute, and praying aid. Also, a petition of James McDonald, William Hickey and others, praying for a grant to extend McConnell's Wharf, south side of Hillsborough River. Also, petitions of inhabitants of Lots 65 and 31; of inhabitants of Lot 65; of inhabitants of Lot 37, Mount Stewart, Pisquid and adjacent localities; of Peter Coil, Lot 35—all praying aid to improve their road communications. Laid on the table.

Mr. McGill presented a petition of inhabitants of the Five Houses and adjacent settlement, Lot 36, praying for a grant to extend the wharf at Cranberry Point. Also, a petition of inhabitants of Scotch Fort, Lot 36, praying aid to improve their road communications. Laid on the table.

Hon. Col. Treasurer presented a petition of inhabitants of Lots 1, 2, 3, and Cascumpec and vicinity, praying aid to improve their road communications. Laid on the table.

Hon. Mr. Wightman presented a petition of inhabitants of Sparrow's Road, and the head of Montague River, praying aid to improve road communications. Laid on the table.

Mr. Yeo presented a petition of inhabitants of Lot 2,

praying aid to improve road communications. Laid on the table.

Mr. Perry presented petitions of inhabitants of Lots 18 and 15; of inhabitants of Egmont Bay, Lots 15 and 14, praying aid to improve road communications. Laid on the table.

Hon. Col. Secretary presented petitions of inhabitants of Friston Road, and its vicinity; of inhabitants of Goose Head and Stanhope; of William McKay, Corbett's Woods, and others; of inhabitants of the eastern precinct of the Old Town Road, Lot 23—all praying aid to improve their road communications. Laid on the table.

Mr. Laird wished to present to the House the following petitions:—

'Unto the Honorable the House of Assembly of Prince Edward Island, convened for the dispatch of business—

'The petition of the undersigned inhabitants of New London, South West and vicinity, humbly sheweth—

'That there is a petition from certain parties now before your Honorable House, praying for aid, special grant, or endowment from the Provincial Treasury, for the Roman Catholic Institution, near Charlottetown, called "the College." That all such institutions are designed and employed to advance their peculiar system, the essential principles of which are subversive of civil prosperity, as well as religious freedom. That, while no other denominations are asking, it would be unjust to give special grants to particular bodies out of the common funds of the Province: Your petitioners, fully convinced upon these, as well as many other grounds, that such a grant would be against the wishes, and an infringement upon the rights and interests of the large majority of the people of this Province, earnestly pray your Honorable House to refuse the prayer of that and any other similar petition. And your petitioners, as in duty bound, shall ever pray.'

Signed by Hugh McKay, and 185 others.

'Unto the Honorable the House of Assembly of Prince Edward Island, now convened in Session—

'The petition of the undersigned inhabitants residing upon Lots 67, 22 and 30, humbly sheweth—

'That, whereas, a petition from certain parties, praying for a grant of money, more or less, an endowment on behalf of the Roman Catholic Institution, near Charlottetown, called "the College, is now before your Honorable House. And, whereas, all such Romish Institutions are designed and directed to the advancement of their system as such: the essential principles of which are inconsistent with civil prosperity or religious freedom, as is manifest wherever these principles can be developed. And, whereas, no other denomination would ask, or would be at all likely to receive, such aid or endowment.

'Your petitioners are fully satisfied on these and the like grounds, that it would be impolitic in itself, and inconsistent with the rights and interests of the great majority of the people of this Province, to grant the said petition, and pray your Honorable House to take these particulars into serious consideration, and to refuse any special aid to the College, or any other such Roman Catholic Institution. And your petitioners, as in duty bound, will ever pray.'

Signed by Alex. Sutherland, Minister, and 472 others.

[Mr. Laird made a motion that the petitions be received and read, to which Mr. McDonald moved, as an amendment, to leave out all after the word "that" in Mr. Laird's motion, and substitute the following—"The petitions be not received, as they contain language reflecting offensively on the religious principles of a large proportion of the inhabitants of this Island." The amendment, after a short discussion, was

unanimously adopted. About the close of the debate, the Speaker rose in his place and addressed the House, stating that if petitions of a similar nature were brought before the House, from Roman Catholics of the Island, aspersing the religious tenets of the Protestant Church, he would most positively refuse to put the question on them.]

Mr. MacIntosh presented a petition of inhabitants of St. Catherine's Settlement, Lot 45, praying aid to improve their road communications. Laid on the table.

Mr. Laird presented a petition of Benjamin McEwen, James T. Clark and other Protestants, praying the House to adopt such means as shall redress their grievances, and grant them the enjoyment of their rights, by conferring on all who may desire it, the privilege of having their children morally trained, at an early hour, every day, from the Holy Scriptures, in both the Normal School and the Central Academy, and by causing to be appointed, if necessary, such teachers as are both able and willing to impart such moral training. Laid on the table.

Mr. Yeo presented a petition of Allan Fraser, George S. Hardy and other Protestants, praying for a similar object. Laid on the table.

Hon. Mr. Wightman presented a petition of Peter Landrigan, setting forth that, in the month of December last, his barn, crop, and the chief part of his stock, together with all his provisions and implements of husbandry, were consumed by fire, and praying aid. Laid on the table.

Hon. Mr. Montgomery presented a petition of inhabitants of Princetown Royalty, Lot 18 and vicinity, setting forth that they have revived their old Agricultural Society, under its former rules and regulations, and have a paid up capital of forty pounds, and praying for a grant in aid of the funds thereof. Laid on the table.

Mr. Pope presented a petition of inhabitants of Summerside and vicinity, praying that an Act may be passed to prevent the running at large of Hogs, within the following limits, viz:—From the wharf at Summerside, as far northwardly, eastwardly and westwardly, as the School District of the said place extends, or otherwise as will seem meet.

A special committee, to report upon the above petition, by Bill or otherwise, was appointed, and composed of the following gentlemen:—Mr. Pope, Hon. Mr. Montgomery and Mr. Muirhead.

Mr. Perry presented a petition of inhabitants of Lot 17 and adjoining settlements, praying the House to provide, in the Lunatic Asylum or otherwise, for William Daly, more generally known as "Wandering Daly," a lunatic, and diseased in body. Referred to the special committee on petitions relating to paupers and lunatics.

Hon. Mr. Longworth presented a petition of James Stewart Richardson, a debtor in Queen's County Jail, setting forth the hardships connected with his incarceration since December last, under judgment given against him for debt in the Police Court of Charlottetown, being, under the present law, liable to detention in the jail until the 17th of August next, and praying the House to interpose for his relief by the enactment of some remedial measure.

Hon. Mr. LONGWORTH said, on presenting the petition, that some measure ought to be advocated whereby a debtor confined, under the Small Debt Court, should have the benefit of being allowed to get out on the limits. The present was a very hard case. The debt was only £12; and yet the poor debtor, who was a stranger in this Colony, was incarcerated for two-thirds of a year, simply because he could not pay the amount.

Hon. COL. SECRETARY said, the person complained of being locked up in a small cell in the Police Court. Now,

he was not aware that a person could be locked up in any place before being convicted of the debt. In the case of a capias being issued, the constable has to take the debtor before a Justice of the Peace to prove the debt before he can lock him up, and, then, the law said that it was to be in the County Jail; but to lock a man up before the debt was proved, was contrary to all justice or law.

Hon. Mr. LONGWORTH thought it was the duty of the constable to keep his prisoner in custody, but he would not be justified in locking him up, and in the present instance he believed the person, as stated in the petition, had been locked up in a small cell for a night, in a season of the year when the weather was very cold. He would move that the petition be referred to a special committee to report thereon.

Hon. Mr. Longworth, Mr. McDonald, and Hon. Mr. Wightman were appointed the said committee.

Hon. Mr. Longworth presented a petition of George T. Hassard, and other printers of Charlottetown, praying that the home manufacture of this Island may be put on an equal footing with that of the other Provinces, by the free admission of paper and printing materials, equally with printed books and newspapers. Referred to the committee of the whole House on ways and means.

Hon. Mr. Palmer presented a petition of John Hobbs, Hatter, praying for a small grant to enable him to import a sufficient stock of materials, whereby he may obtain constant employment; also, praying that the House may insert a clause in the Bill for raising a Revenue, to the effect that all Hatters' materials, &c., be imported free of duty.

Hon. COL. SECRETARY said, that it had always been a principle of his to give every encouragement to all manufactures originated in this Island; but he thought that the prayer of the present petition was not reasonable. It was also unreasonable to expect that the House would omit the duty on materials of the description named in the petition, without laying themselves open to a similar request from all other trades. And the idea of imposing a heavier impost tax he could not entertain, but would rather give Mr. Hobbs a small grant, which was the only reasonable way to encourage him that he (Hon. Col. Secretary) knew of.

Mr. CLARK said, he would ask, in case a grant were given to Mr. Hobbs for the purpose named in the petition, what guarantee had the House that he would carry on the Hatters' business. For his (Mr. Clark's) part he was opposed to the prayer of the petition in toto.

Mr. LAIRD thought the best way to compete with imported manufactures was for the domestic manufacturer to undersell them. Let Mr. Hobbs adopt this principle, and he had no doubt he would succeed; but as to imposing heavier duties he, for one, was not willing to go for such a measure. In fact, he was altogether opposed to the prayer of the petition.

Hon. Mr. PALMER (who, on presenting the petition, moved that it be referred to the House on ways and means), said, that his reason for making such a motion was simply to ascertain the opinion of the House on the subject. There were various opinions as to taking imported articles with a view of protecting the domestic manufacturer; but if the petitioner had any claim on the House, it could be duly considered at the proper time.

Hon. Mr. MONTGOMERY said, if the referring of the petition to supply did not pledge the House to any particular line of action upon it, he was not opposed to its being so referred; but as to the petition itself, he was not disposed to vote for a grant, or otherwise to alter the present rates of the Revenue Bill, as prayed for.

Mr. COOPER said, it had been the custom to encourage

beginners, but they were those who manufactured on a large scale, and had extensive establishments. The present petitioners had no such establishment, but unreasonably asked the House to start him in business. This would not do. If the petitioner could not make a living at his trade without the House granting him money—a request that many others had as much right to make as he had—why did he not take a farm?

Mr. LAIRD said the petition had better be withdrawn, and he would make a motion to that effect.

Hon. Col. SECRETARY thought it might be as well to refer the matter to the House in committee of the whole on ways and means, because he felt inclined to encourage anything that would lead to extend and develop the manufactures of the Colony. If Mr. Hobbs could manufacture hats cheaper than the imported article he ought to be encouraged; but it was well known that in a new country the manufacturer has but a poor chance of making a fortune—and among the rest a hatter had not the best opportunity of support and patronage. Why, he knew of an individual now in Charlottetown, who carried on that business some years ago, but was nearly starved for want of support. The only consideration that might operate favorably to the petitioner would be to increase the duty on hats imported; but it seemed that the House would not be willing to make such increase. He thought, also, that the principle of encouraging one tradesman any more than another by augmenting the duty on the particular articles imported which were manufactured by such tradesman, was unsound, and he would not be willing to adopt such a precedent.

Hon. Mr. LONGWORTH agreed with the last remark of the Hon. Col. Secretary, and in this particular case he thought there was no trade so well protected by duty as the hatter, for the freight and duty on hats amounted to about one third the value of the article. He was therefore against the grant.

Hon. Mr. MOONEY was decidedly against the prayer of the petition; for if manufacturers were so protected by the increase of duty, and fostered by the Legislature by grants of money to set them up in business, it would throw competition on board at once. He thought the business of a hatter, if properly prosecuted, would pay as well as any other branch of manufactures.

Hon. Mr. PALMER again urged that the matter be referred to supply, where it could be properly discussed. He was not over sanguine as to the benefits that would arise from it, but still it was only fair to give it a just consideration. He admitted at the same time that, if a grant were given to Mr. Hobbs, all other tradesmen had as strong claims on the consideration of the House as the petitioner.

Mr. McINTOSH was opposed to the prayer of the petition, which, if it was for the establishment of anything new and of public benefit would be something; but a common hatmaker, he thought he asked too much of the House when he expected it to set him up in business.

The question was then put on Mr. Laird's amendment to reject the petition, which was carried.

Hon. Col. Treasurer moved that the House do resolve itself into a committee of the whole to consider of ways and means, to-morrow, as a great many petitions had been received, which would require attention.

Mr. Laird presented a petition of inhabitants of New Glasgow and adjacent Settlements, praying the removal of the Commissioners Court, for the recovery of Small Debts for the District, to New Glasgow Bridge. After a short discussion the petition was rejected, the remedy being elsewhere. Adjourned for one hour.

T. KIRWAN, Reporter.

## LEGISLATIVE COUNCIL.

FRIDAY, 19th March, 1858.

On motion that the Alien Bill be committed—

The Hon. COL. SWABEY spoke as follows:—I consider this Act as the beginning of a system which may have the result of alienating the Colony from Great Britain. Your Honors, I am actuated, in my opposition to this Bill, by a

spirit of loyalty; and though I do not for a moment dispute the loyal feelings of his Honor who introduced it (Hon. Mr. Forgan), yet I think he has not fully considered the measure with that deliberation which its importance deserves. A measure introducing a change in our constitution, of a nature so important as this, should not be adopted suddenly; and really I can see no reason why such an alteration should be adopted into our system. In fact, your Honors, the principal difficulty which I experience in dealing with the question, is to discover any reasons for passing the Bill. If it be said that it will have the effect of benefitting the commercial interests of the community, I certainly should like to know in what way it will do so. But I foresee many changes which would result from its adoption. Consider what would be its effects upon the operation of the Land Purchase Bill. That Bill has for its object the conversion of the tenantry into freeholders. But once let this Bill become law, and the operation of that Act may be effectually checked, and the general character of our population totally changed for the worse. Men of the stamp of Walker and his filibusters may come and buy up large tracts of our lands; and the natural effect of extensive tracts being held by citizens of the United States would be to introduce and spread among our people a desire for approximation to the political institutions of the Union, and thus to pave the way for their adoption. I, for one, have no admiration for those institutions. Even American citizens of intelligence readily admit that, under our system, a greater amount of liberty is enjoyed than under theirs. I warn your Honors against the adoption of this measure, by which our soil may become the property of American speculators. The concession of such a privilege can only be compensated by some great positive advantage to ourselves; and I am at a loss to discover what that is. The Reciprocity Treaty gives to American citizens all that they have a right to expect. As a subject of the Crown, I am not willing to let our lands pass into the hands of others than subjects of the Crown. If it can be shewn that the Bill under discussion would have a beneficial effect upon our commercial relations, I could see some reason to induce me to support it; but that such is not the case is proved by the fact that citizens of the Republic can, and do, come among us, and transact mercantile business without restraint or distinction from our own people, to their mutual advantage; and all may come and do likewise. My honorable friend who introduced this measure founded an argument for its adoption on the fact that a similar law is on the statute book of Nova Scotia; but, your Honors, there is no analogy between the circumstances of the two Colonies. The great majority of the population of Nova Scotia are not tenants to landlords holding vast tracts, as with us. Besides, this Bill does not contemplate that foreigners holding lands in the Island shall become British subjects; and it may not be long before, under this law, the fee simple of our soil may become the property of aliens. Really, your Honors, I should feel obliged to any one who will inform me what is the object of this Bill, if it be not the cession of the Colony to Americans. While we have been legislating with the view of converting tenants into freeholders, pass this Bill, and some wealthy speculator may find it more profitable to receive the rents than to sell their holdings to the tenants in separate lots; and Americans would not feel that delicacy and consideration, in enforcing their claims against the poor tenants, which a long and intimate acquaintance with their circumstances induces the present landlords and their agents to manifest. It would have been but reasonable if the Government had intimated its action on a measure of this importance. Some resolutions declaratory of its opinion on a matter of this nature should have been before

us, if for no other object than to satisfy your Honors that it had received deliberation in the Executive Council. For these reasons, I move, your Honors, that the House go into committee on the Bill this day six months.

Hon. Mr. DINGWELL.—I do not consider that it would be fair to his Honor, Mr. Forgan, to postpone the consideration of this Bill for six months. At the same time, I think it had better lie over for a short time, as it has been introduced but a few days since.

Hon. ATTORNEY GENERAL.—I quite agree with the suggestion of his Honor, Mr. Dingwell. I certainly am not prepared to deal so suddenly with a measure involving so great a change in our constitution. With reference to the observation which fell from his Honor, Col. Swabey, I agree with him that the situation of Nova Scotia is widely different from ours. The land there is not held in large tracts as with us, and foreigners would not be so desirous of buying large properties as they might be induced to do here. We could add a clause to the Bill restricting the number of acres to be held by any individual, and thus obviate the objections urged by his Honor. While I throw out this suggestion, I do not say that I may not oppose the Bill; but at all events, I think it had better lie over for a few days, say till this day week.

The order of the day was then discharged, and made the order for this day week, for which day a Call of the House was ordered.

The Act confirming the appointments of Constables and Fence Viewers for King's County was read third time, and passed.

Hon. Col. Swabey presented a petition from certain inhabitants of Summerside and vicinity, praying for a law to prevent the running at large, within certain limits, of Swine.

Hon. Attorney General laid upon the table a copy of the Warrant Book for last year.

A message from the House of Assembly by the Hon. Col. Secretary, with a Bill making bonds and other securities to the Crown binding on Real Estate from the date of their execution.

Mr. McGill also brought up a Bill subjecting the Militia to the Mutiny Act and the Articles of War.

Hon. Mr. Beaton, by command, brought down a message from His Excellency the Lieut. Governor, on the subject of the transfer of the Barracks, and recommending an appropriation in aid of the equipment of a volunteer corps.

MONDAY, 22d March, 1858.

Hon. Colonial Secretary brought up from the House of Assembly a Bill to continue the Act establishing the Central Academy.

Mr. McDonald brought up from the House of Assembly the Act confirming the appointments of Constables and Fence Viewers in King's County, agreed to without amendment.

Hon. ATTY GENERAL moved the second reading of the Bill making bonds and other securities to the Crown binding on Real Estate from the date of their execution. In doing so, he explained that the idea formerly prevailed that they were binding in the Colonies as in England; but the decision of the Supreme Court in Nova Scotia had affirmed the opposite opinion, and the question had been so decided incidentally by the Judges here. The Bill would effect two desirable changes in the operation of the present law. It would afford greater security to the Crown, and also save to individuals, in many instances, the expenses attendant upon judgments being entered up against them. The Bill did not affect bonds already given.

Read a second time.

Hon. Attorney General presented a petition from John Stewart and others, Trustees of Dunstaffnage School, and others. Referred to committee on education.

Hon. COL. SWABEY moved the second reading of the Bill putting the Militia under the regulations of the Mutiny Act and Articles of War. The Bill had been prepared with a view to meet the suggestions contained in a despatch from the Secretary of State for the Colonies. It was desirable that the militia should be placed on an efficient footing, under the command of the Lieut. Governor. The Bill, however, it appeared to him, required an amendment. It provided for the calling out of the militia under certain circumstances, such as invasion or imminent danger; but he would suggest that it should be amended by the addition of the words "civil commotion." He instanced the occurrence of the riot at Belfast some years since, which would abundantly justify the presence of militia, and could only be termed a civil commotion.

Hon. Mr. DINGWELL would wish to know how it was proposed to arm the militia?

Hon. COL. SWABEY replied that the question had no connection with the subject of the Bill. He hoped, however, that the action of the House of Assembly would enable him to give his Honor the information he desired.

The Bill was then committed, Hon. Col. Swabey in the chair.

On motion of his Honor the President, the words "riot and civil commotion" were inserted. The Bill, as amended, was then agreed to.

The Bill making bonds and other securities to the Crown binding on Real Estate from the time of the execution, was committed, Hon. Mr. Aldous in the chair of the committee.

Hon. ATTY GENERAL thought that bonds already given should come within the operation of the Bill, from the date of its becoming law.

His Honor the PRESIDENT was strongly opposed to the idea of the Hon. Attorney General, on the ground of the great injustice to individuals which would result from it. Suppose a party applied to his friends to become his sureties on a bond, and they consented, knowing that their property could not be affected by the bond until it had become due, would it be right, by retrospective legislation, to alter their position and bind their real estate on account of a bond which they might not have signed had the law been at the time as this Bill contemplated to make it in future?

Hon. COL. SWABEY.—Does this Bill require a suspending clause?

Hon. ATTY GENERAL.—No.

Agreed to without amendment.

The Hon. ATTY GENERAL introduced a Bill to provide for the attendance of Jurors at Courts of Special Commission and other matters. As the law at present stood, the power to issue Special Commissions was one of the prerogatives of the Crown, and could be exercised by the Lieutenant Governor whenever he might deem it advisable to do so; but it was necessary to provide for the attendance of Jurors at such Special Courts. In former times, sheriffs could summon jurors whenever it was necessary to do so, but now the law prescribes the times and mode of procuring their attendance. The Bill had received the approval of both the Judges to whom he had submitted it. It provided that the jury summoned to serve at a court held under special commission should be taken from the panel struck at the previous court, and should be summoned six days previously to the sitting of that at which their services might be required. Should the number in attendance be insufficient, it was proposed that the sheriff should supply the additional number that might be required. In case of challenge to the array or individual

jurors, the party making the objection must do it before pleading, or must show that he was not aware of the grounds of the objection in time to have availed himself of it sooner. The presiding judge, by the Bill, would have power to amend the jury list, if there were objectionable names on it. Provision was made for granting a *tales de circumstantibus*. In consequence of the recent defects in the Grand Jury list in King's County, a Special Commission had to be issued for the trial of certain parties imprisoned on capital charges.

The Bill was then read a first time, and ordered to be read a second time to-morrow.

TUESDAY, 23d March, 1858.

Hon. Mr. Forgan presented a petition from certain inhabitants in Prince County, praying for the use of the Bible in the Normal School.

Hon. COL. SWABEY called attention to the fact that there were no signatures subscribed to the sheet on which the petition was written. Other petitions on the same subject were in a similar condition. This led to the natural inference that the majority of the petitioners had never seen them.

His Honor the PRESIDENT.—The rule is that there must be at least three signatures on the sheet on which the petition is written. It is, however, optional with the House to waive the rule.

The petition was then received and referred to the committee on education, as also were two others on the same subject, presented respectively by the Hon. Attorney General and the Hon. Mr. Bagnall; the latter of whom presented a petition from the inhabitants of New Glasgow and the adjacent settlements, praying a change in the place of holding the Court of Commissioners for the recovery of small debts to the vicinity of New Glasgow Bridge. Referred to the committee on miscellaneous subjects.

Hon. Mr. Dingwell presented a petition from Allan Fraser and others, praying the use of the Bible in schools.

The Bill making bonds and other securities to the Crown binding on real estate from the time of execution, was read a third time and passed.

Hon. ATTY GENERAL introduced the Bill providing for the registry of bills of sale of personal property, which had passed the Council twice before, but had been lost in the House of Assembly. The experience of every day but confirmed his opinion as to the necessity of such a measure. It formed part of the law in Canada, and a Bill similar in its object was before the Legislature of New Brunswick. The Bill being the same in its provisions as that which had been previously discussed, it was unnecessary for him to explain them.

Read a first time.

The Bill for subjecting the Militia to the operation of the Mutiny Act and the Articles of War, was then read a third time and passed.

The Bill prescribing the summoning of jurors, &c., was then read a third time, and committed to a Committee of the whole House. Hon. Col. Swabey in the chair.

On the clause empowering the Judge to supply deficiencies in the panel being read—

Hon. Mr. DINGWELL thought that the Judges might not wish such duty devolved upon them. It would be better that the Sheriff should perform it.

Hon. Mr. CRASWELL preferred leaving the authority in the Judges.

Hon. ATTY GENERAL.—The Court has power, under the old Act, to amend the original list when handed in. This clause merely gives the same power when a case is about to be tried.

Hon. Mr. DINGWELL did not, for a moment, mean to cast any reflection upon the Judges; but he considered that the clause would confer a very serious power, which they might not wish delegated to them.

Hon. ATTY GENERAL thought that the Sheriff, as being a resident in the County where the Court met, might be, in some cases, liable to suspicion of partiality, which would not attach to a Judge.

Hon. Mr. CRASWELL suggested that supplementary names should be drawn from the original list.

Hon. ATTY GENERAL stated that the inconveniences which had rendered the Bill necessary might not be experienced again for many years.

Hon. Mr. DINGWELL would suggest that for every absent Juror three names should be handed by the Sheriff to the Judge, who should select one to serve on the Jury.

The Hon. Attorney General introduced an additional clause, authorising Grand Juries at special Courts to present parties, not in jail, or on bail, or named in the commission, and providing for the issuing of bench warrants and subpoenas in such cases.

The Bill was agreed to with the additional clause.

The Bill continuing the Act constituting the Central Academy was read a second time.

Hon. Mr. Forgan presented a petition of James Clark and others, of Lot 65, praying for a grant to extend the ferry wharf at Rocky Point. Referred to the committee on roads and bridges.

A message from the House of Assembly by the Hon. Col. Secretary, with the Bill for the safe custody of insane persons, agreed to without amendment.

WEDNESDAY, 24th March, 1858.

Hon. Col. Swabey reported the joint Address to the Queen, on the occasion of the marriage of the Princess Royal to Prince Frederick William of Prussia, and on his motion, the same committee which had prepared the Address were appointed to prepare one to the Lieut. Governor, praying His Excellency to transmit it to the foot of the Throne.

The Act continuing the Central Academy Act was then committed, agreed to, read a third time, and passed.

Hon. ATTY GENERAL moved the second reading of the Bill to prevent frauds by secret bills of sale of personal property. The Bill was the same as that which passed the Council last year, but was rejected by the other branch. It was not necessary to occupy the time of their Honors in lengthy repetitions of what they had heard before, when this Bill was debated. He might, however, state that it did not render the registry of bills of sales in any way compulsory—that was optional with the holder; but it gave priority to registered over unregistered bills. The place of registry would be in the County wherein the grantor resides. If he should not be a resident of the Island, the bill would be registered in Charlottetown. A certified copy of any registered bill could be given in evidence. Any party bringing a bill to be registered could make a copy, and the Prothonotary could certify its correctness. The expenses attendant upon registering and getting certificate need not exceed three or four shillings; the registry fee would be only a shilling. One very strong argument in favour of the measure was the undoubted effect it would have in raising the value of personal property, as a means of borrowing money, by the security it would afford to the lender, who, at present, has nothing but the honor of his debtor to rely on. He had good reason to believe that the Bill would receive the sanction of the House of Assembly this session, as the want of it had been experienced during the last year in several instances.

His Honor the PRESIDENT knew of one case where a party had given no less than three bills of sale of the same property. Such conduct was the best argument of the necessity for such a measure.

Hon. Mr. DINGWELL thought that parties would be subjected to great inconvenience in having, in many instances, to travel long distances to have their bills proved and registered. In cases where the property transferred was of small value, it would not pay to travel to the registry.

His Honor the PRESIDENT explained that it was not necessary that a bill of sale should be registered, if the holder did not choose to have it so. The object of the Bill was merely the prevention of fraud.

Hon. Mr. BAGNALL.—Parties can send their bills by mail, and can have them returned with the certificates of the Prothonotary.

Hon. ATTY GENERAL.—His Honor Mr. Dingwell is under a mistaken impression. The Act provides for the proof of bills of sale before the present Commissioners for taking affidavits in the Supreme Court, of whom there are several throughout the different sections of the country.

The Bill was then committed, Hon. Mr. Aldous in the chair. Reported agreed to, with a few unimportant amendments.

Message from the House of Assembly by the Hon. Colonial Secretary, with the Fishery Reserves Bill, which was read a first time, and ordered to be read a second time on Friday.

Hon. Mr. Forgan presented a petition of Rubina Richardson of Summerside, school-mistress, praying remuneration for six months' services in that capacity; also a petition of certain settlers on Old Town Road, Lot 22, praying a grant to continue the services of a teacher; and a petition of Daniel McKinlay, district teacher in Charlottetown Royalty, praying that his salary as such be raised to £70. Severally referred to the committee on education.

THURSDAY, 25th March, 1858.

Message from the House of Assembly by the Hon. Colonial Secretary, with the Act for the imposition and collection of the Cape Race Light Toll, and the Act increasing the rate of interest on Treasury Warrants. Read a first time.

The Hon. Colonial Treasurer brought up from the House of Assembly the Act providing for the hearing and determining of causes in the Supreme Court in cases where the Judges may be interested or otherwise, agreed to.

Hon. Mr. Wright presented a petition of Lena H. Stumbles, school teacher, of Lot 56, praying remuneration for 5½ months' services as such. Referred to committee on education.

Hon. Attorney General presented a petition from Ewen McEachern and Hugh Campbell, for a grant towards a wharf at River. Referred to committee on roads and bridges.

His Honor the PRESIDENT introduced a Bill relating to the office of Surrogate. He explained that it was the same as that which had passed the Council last year, but had not been sanctioned by the House of Assembly, that body considering that it came before them at too advanced a period of the session. Their Honors would probably remember what were the objects of the Bill, as they were stated last year. They were two-fold. One was to empower the Surrogate to authorise parties to administer oaths in the country in matters appertaining to the business of his court. Their Honors Messrs. Wright and Craswell might remember some instances, which occurred in Prince County, where great delay and inconvenience had been sustained, and expense incurred, by the necessity which at present existed for parties to come to Charlottetown to be sworn before the Surrogate. One object of the Bill was to render unnecessary a recurrence of such

trouble. The other related to the division of estates of deceased persons. At present, if it is desired to divide any such estate, the only course is by a long and expensive process in the Court of Chancery. The Bill provided a more expeditious and much cheaper mode through the Surrogate, on whom it conferred a jurisdiction in such cases, not exclusive of, but concurrent with, that of the Court of Chancery, but at much less cost to the parties. He knew several estates which would have been divided, if it had not been for the expense which an application to Chancery entailed. At present the cost of getting a division of an estate of a deceased person was about £25; by the Bill, it would not exceed £4 or £5.

The Bill was then read a first time.

His Honor the PRESIDENT suggested the propriety of rescinding the 37th rule, which required petitions to be presented to the Council on all applications for money, in cases wherein petitions had been presented to the House of Assembly, so far as related to applications for aid to roads, bridges and wharfs. The House of Assembly voted the moneys for those services in gross, and the different members subdivided them according to their estimates of the requirements of particular districts. The present system developed a great deal of unnecessary trouble on the clerk, and occupied useless space on their journals.

Hon. Mr. DINGWELL.—The Council would not know what was required by the various sections of the country, if it were not for the petitions which come before them.

The Jury Bill was then read a third time and passed.

## HOUSE OF ASSEMBLY.

WEDNESDAY, March 24th, 1858.

PETITION OF DANIEL SCOTT, CONTRACTOR FOR THE BUILDING OF SOUTHPORT WHARF.

Mr. McGill, from the Committee to whom was referred the petition of Daniel Scott, to examine the same and report thereon, presented to the House the report of the said committee, which is as follows:—

“Your Committee to whom was referred the Petition of Daniel Scott, Contractor for the building of Southport Wharf, have to report:—

That on the 19th February, 1856, the Petitioner entered into a Contract, with the Government, to build the Southport Wharf, to be completed before the fifteenth July, a penal condition of the Contract being, that in the event of his not having completed the work within the time agreed upon, he should be liable in damages at the rate of 40s. per diem, for every day after the expiration of that time, until the final completion of the work.

That by the petition of the contractor it appears that whilst he was employed in building the wharf a heavy storm broke the boom by which the timber was secured, in consequence of which accident a great part of the timber was lost.

That the contractor failed to complete the wharf within the time specified for its completion; but his nonfulfilment of the contract with respect to time, he alleges arose from the breaking of the boom, and the large amount of extra work performed which was not specified in the original agreement, amounting to £264, being 50 per cent. over the first contract.

That from information which your Committee have received, it seems that the Government on finding that the contractor had not completed his engagement within the specified time, engaged parties to assist in its completion, to whom, for their assistance therein, was paid the sum of £349 4s 9d, and that this sum has been charged to the petitioner.

That the arbitrators, Mr. Benjamin Davies on behalf of the Government, and Mr. Colin McPhee on the part of the contractor, who were appointed to inspect the extra work, to value the same and report thereon, estimated the value thereof at £264.

That your Committee have examined the said Mr. Benjamin

Davies and Mr. Colin McPhee touching the premises, who have stated, that the performance of the extra work inspected and valued by them, involved a considerable extension of the time specified in the original agreement, for the completion of the wharf.

That the account of the contractor with the Government, independently of the penalty, stands thus:—

Dr.	
Cash paid by the Government to parties employed by them to assist in completing the wharf,	£349 4 9
Do. Cash to Contractor,	249 0 0
Balance due Contractor,	163 15 0
	£762 0 0
Ca.	
By amount of Contract,	£498 0 0
Allowed by Arbitrators,	264 0 0
	£762 0 0

Balance due Contractor, £163 15 3

That your Committee find that the number of days on which the Government claim the penalty of 40s. per diem, for non-performance of the contract is 118, making the whole penalty amount to £236, which, if insisted upon by the Government, will make their account with the contractor stand thus:—

Dr.	
To Balance on account of contract, extra work performed,	£163 15 3
Balance,	72 4 9
	£236 0 0
Ca.	
By amount penalty 118 days at 40s,	£236 0 0
	£236 0 0
Balance due by contractor,	£72 4 9

And that, disposed to take the most favorable view of the facts, the loss of a part of his timber and the performance of extra work necessarily requiring an extension of the time originally allowed for the performance of the contract as herein above set forth, and on which the petitioner bases his prayer for the remission of the penalty incurred by him; your Committee would recommend the petitioner to the favorable consideration of the House, and that the penalty incurred by him for breach of the agreement be forgiven."

Mr. McGill moved that the report be referred to the House when in committee of supply. After some discussion, on the suggestion of the Hon. D. Montgomery, Mr. McGill withdrew his motion, and moved that the Report be referred to a committee of the whole House. This motion being agreed to the House went into committee accordingly, Hon. E. Whelan in the Chair.

Hon. J. WIGHTMAN.—The petitioner had no doubt lost money by the contract; but the fault had been entirely his own. He knew what he was to receive for the work, and he knew in what time he was bound to complete it. The truth was not stated in the petition. His timber had not been properly secured. On the morning when it went adrift, I was at the wharf at six o'clock in the morning; the morning was perfectly calm; the timber was all scattered; but there was none of it adrift; none of it outside. Their might have been a storm the night before. I saw some men in a boat, and I asked them if they were come to look after the timber. They said they were. I told them that, if they did not secure it speedily, it would be lost. They said they would by and by. Complaints had been made to me about the contractor's great neglect of the work, and I laid them before the Government. I saw some of his securities, and they wished that the Government would take the work out of his hands, employ suitable men to finish it, and charge the expense to him. As to what was paid to Doirant, I know not whether it was quite reasonable or not; but he was accounted the most competent person whom the Government could engage to superintend the completion of the work. Mr. McGill has said that Scott told him I would be in favor of his petition as I knew the facts. I gave Scott no reason to say so; for I believe the loss which he has sustained has been entirely owing to his own negligence. It certainly would be most unfair that the country

should, in the first place, be made to suffer great inconvenience from his neglect, as they certainly did for a considerable time; and then be made to compensate him for the loss sustained by himself through that neglect.

Mr. COOPER.—In the report, I see nothing to justify the petition. Even although the special committee have drawn all their information from one side, from those who were referred to in support of the petition, they have not been able to set forth anything, whereby it can be sustained. It is time to put a stop to such petitioning. It has been too long encouraged. Members are, on account of such petitions, beset in the streets, and mobbed in the lobby. If matters such as Scott petitioned about, could not be left entirely to the Government; if they were not fit wholly to deal with them, they ought to be sent about their business.

Hon. D. MONTGOMERY.—The committee had not derived all their information from one side. They had examined Mr. Davies, the Government arbitrator, and Mr. McGee. Mr. Davies gave it as his opinion that the contractor was entitled, not only to extra pay, but extra time on account of the extra work not specified in the original agreement. Mr. Doirant was expected in town, and had he come, he would have been examined also. The allowances—12s. 6d., per day, for several days, in some instances—made by the Government to parties employed in completing the wharf, were certainly very high.

Hon. COLONIAL SECRETARY.—Had the special committee applied to the Government for information concerning the matter, as they ought to have done, they would have received it, and been convinced that they had no grounds whereon to recommend the prayer of the petition to the favorable consideration of the House. Why did they not send for the inspector of Public Works? The block was not touched until after the time fixed by the contract for the completion of the whole was expired. By his contract, Scott was bound to do any extra work within the time specified therein. Had he completed his work, even within a month after the expiration of the time, the Government would have passed by that breach of the contract, and would not have insisted upon any penalty on account of it. It was at the request of Scott's securities that Doirant and others were employed to assist in completing the wharf. Doirant was a suitable man—he had a head. The hon. member for Princetown (Hon. D. Montgomery) says he is the only man in the Island fit to build a bridge; he has told him so to his face; and no doubt Doirant, when so highly praised, must think himself entitled to good pay. The work done by the parties employed by the Government, was done late in the fall; it was an outer block; and the men, working in the water, underwent a good deal of hardship, and were entitled to good pay.

Hon. the SPEAKER said the report of the select committee was a very doubtful one. They say, in it, that they are disposed to take a favourable view of the facts; but it is evident enough that they themselves think they have none to set forth very favourable to the prayer of the petition. He thought, with Mr. Cooper, the Government were the best judges of the matter, and the House were not called upon to interfere. He knew something about the business, and was convinced that whatever loss the contractor had sustained had been caused by neglect and imprudence on his own part, which it would ill become the House to countenance. If the House allowed such cases as Scott's to be bolstered up, they would have plenty of them. It was not the first time that that individual had been accommodated with a special committee when he was not entitled to it.

Mr. POPE.—He quite agreed with what had been said by the Hon. the Speaker. The contractor was an old experienced hand in such matters. He had entered into and signed the agreement with a full knowledge of the penal consequences of a non-fulfilment of it to himself; and, having failed to fulfil it, he ought to take the consequences. From all he had heard about it, it seemed that Scott had been guilty of great neglect; and his own securities having gone to the Government and requested them to take the work out of his hands, was a sufficient proof of it. The arbitrators had cer-



tainly estimated the extra work at a very extravagant rate; but there had been also great extravagance on the other side, in the allowances made to Doirant and others employed by the Government.

Mr. MACGILL said the statement made by the special committee was not *ex parte*. They had consulted the original contract, in the office of the Hon. the Colonial Secretary; but they had not been allowed to take it out of the office. And as for Mr. Davies, whom they had examined, he was certainly not a party concerned, and they had the estimate of the extra work in his own hand writing. He would move a resolution to the effect that the House recommend that the penalty incurred by the petitioner be remitted.

Mr. LAIRD.—He believed that Scott's loss had been occasioned by his own neglect; but he thought the wages allowed by the Government to Doirant and others were extravagantly high. It seemed that £90 had been allowed for inspecting or superintending the work.

Mr. McGILL.—Shepherd had been allowed £43 for inspecting. Mr. CLARK stated that much of the work, either done by, or immediately under the direction of the contractor was so imperfect and unstable that it was found necessary to pull it down and rebuild it. But the chief consideration was the great inconvenience suffered by the public from the work's not having been completed until long after the expiration of the time within which Scott had contracted to complete it. He believed Mr. Jacob Dockendorf, Scott's own brother-in-law, represented his neglect to the Government, and requested them to employ suitable men to complete the work. It would be, not only an act of great impolicy, but one of positive injustice to the public, on the part of the House, were they to grant the prayer of the petition.

Hon. the COLONIAL TREASURER.—The petition did not state facts. Scott's own securities agreed that Doirant should be appointed inspector or superintendant of the work; and at the time the contract was signed, Scott and his securities both were told that the penalty would positively be enforced, if the contractor failed in the performance of his agreement. The wages paid to the men employed by the Government might be thought high; but it was well known that good workmen could not be got at that time under 8s. a day. If the House should agree to take the matter out of the hands of the Government, their doing so would serve as a notice to the Queen's Street contractors to petition in the same way as Scott. When the arbitrators gave in their estimate, it was thought too high; but, when it was referred to the umpire, he went still higher; so the Government had no other recourse than to fall back upon the contractor, as they have done. I move that the Speaker now take the chair.

Hon. D. MONTGOMERY.—He thought the petitioner was entitled to something more than the Government inclined to allow him. Doirant was certainly very competent as an inspector of bridges in the course of erection; but the wages allowed him, by the Government, and charged to Scott, whilst he was employed merely as a day labourer, were certainly rather high; and to other allowances also charged against Scott, the same objection, he thought, might very justly be made. Besides he thought Scott's non-fulfilment of his agreement was the first on which it had been thought right to exact the penalty; whilst it was very well known that scarcely one had ever been fulfilled within the time specified for its completion. This consideration should incline them to deal leniently with Scott, even although they could not quite exonerate him from blame. Rustico Bridge, for instance, besides other large bridges and wharfs, was not completed within the time specified and agreed upon. He did not blame the Government; for he thought their determination was one which had long been called for, with respect to such matters. He was convinced that greater strictness than had hitherto been exercised in that way, would be for the benefit of the public. He thought Scott had been to blame; but, as he had undoubtedly lost considerably, the House might very properly exercise some lenity in their consideration of his case. He could not support the

motion of the Hon. the Colonial Treasurer, that the committee rise without reporting.

Hon. COLONIAL SECRETARY.—Doirant was not employed as a common workman, or day labourer; but as a furrman is employed in a shipyard, and he was paid accordingly. Mr. McGill is wrong in supposing that Shepherd was paid for inspecting: he was not paid as an inspector; only as a common workman; but every thing in the account is charged at an extra price. Owing to Scott's neglect, the public could not get with carriages of any description to the wharf. Had the work been delayed only a month, at that time of the year—the fall—it would have occasioned very serious inconvenience to the public. Neglect to that extent, however, might, perhaps, have been overlooked in some measure; but it became evident that Scott did not intend to complete the work that fall; and had not the Government interfered as they did, by employing proper workmen to finish it, it would not have been finished that year. The Government advanced the money required for the prosecuting of the work, for Scott could not; and the securities had previously suffered. The Government and the country both have certainly had enough of Scott as a contractor for public works; and I hope he will never get another contract of that kind. (Hon. D. Montgomery.—Pay him off and be done with him.) Had the Government acted otherwise than as they have done by Scott, it would not have been fair to other contractors; and full soon would they have been told that, as he belongs to the Snatcher party, he had been allowed to escape. If all defaulting or dilatory contractors were served in the same way, they would soon learn to execute their contracts within the time specified and allowed for completion of them.

Hon. E. PALMER said, the Government must be acquitted of all desire to be hard with Scott. He believed that, touching the matter in question, they had done their duty to the country. Scott had agreed to stipulated damages. It was not usual to do so; but when done the damages could not exactly be accounted a penalty, as it was known by the party seeking the contract what they would be before he signed his agreement. It might be that Scott had a claim upon the Government; and he (Hon. E. Palmer) would not presume to say arbitrarily that he had not. He could not see his way clearly to say that something ought to be allowed him. If he (Scott) really thought he had a claim, the best way would be to allow him to have his case laid before a Jury in the Supreme Court, and there determined on its real merits. He imagined the Government would throw no obstructions in the way to prevent his doing so. If the House should take this view of the matter, and decline coming to any decision concerning the prayer of his petition, it would afford a precedent with respect to similar petitions in future, and the House might say to any such petitioner, As we treated Scott, so we treat you. In Great Britain, the performance of Government contracts was exacted to the very letter of the Agreements; and it would be at once for the credit of our local Government and the benefit of the country, if the case were so here. He was perfectly disinterested in the matter; but, as it was before the House, it was his duty to consider it, and give his opinion concerning it. He thought if the Government would waive any technicalities which might stand in the way of Scott's having his case laid before and determined by a Jury, he might have recourse to that mode of adjudication between himself and the Government; and he (Hon. E. Palmer) was of opinion that that mode would be the fairest and the best way of determining the question.

Hon. the COLONIAL SECRETARY.—Of course the Government would not object to his taking such a course.

The chairman then put the question on the motion of the Hon. the Colonial Treasurer, that the Speaker take the chair; and the committee divided:—

Ayes—Hon. the Colonial Treasurer, Hon. the Colonial Secretary, Hon. J. Wightman, Hon. R. Mooney, Hon. the Speaker, Hon. T. H. Haviland, Mr. Yeo, Mr. Macintosh, Mr. Munro, Mr. Cooper, Mr. Laird, Mr. Muirhead, Mr. Clark, Mr. Pope, Mr. Dingwell and Mr. H. Haviland—16.

Nays—Mr. McGill, Hon. D. Montgomery and Hon. F. Longworth—3.

And the Hon. the Speaker resumed the chair accordingly.

R. B. IRVING, Reporter.

THURSDAY, March 18, 1858.

FORENOON SESSION.

There was a call of the House, at which Hon. Mr. Palmer and Mr. Douse were absent.

Hon. Col. Secretary presented to the House the Blue Book for 1857.

The petition of the inhabitants of Princetown and Royalty, and vicinity, asking a grant in aid of an Agricultural Society, which has been established there, with a cash capital on hand of £40, was taken up by the House.

Hon. Mr. MONTGOMERY.—Mr. Speaker, I take the petition to be a correct one, and well worthy the attention of the House. It sets forth the revival of a society which was formed in Princetown a number of years ago, but which was broken up at the time the Branch of the Royal Agricultural Society was established at St. Eleanor's, with which it was amalgamated. There is at present £40 subscribed towards it, and the petition now taken up asks for a sum to enable it to a certain extent to become a useful institution. I think the House formerly gave a grant to it, before the establishment of the Royal Agricultural Society, and will not, I hope, refuse something now. I move it be referred to the House in committee of the whole on supply.

Hon. COLONIAL TREASURER.—Mr. Speaker, the most proper course, I think, to adopt with reference to the petition would be to refer it to the Royal Agricultural Society. No doubt they would give it a proper consideration.

Hon. T. H. HAVILAND.—It is understood, I believe, that the Society at Princetown is not a branch, but an independent society, and, therefore not under the control of the Royal Agricultural Society. Consequently, the propriety of so referring it, would be questionable. But if the House were disposed to give a small grant, I am of opinion it would not be badly applied.

Mr. CLARK.—The society, of which the one alluded to is a revival, was the oldest institution of the kind in the Island, and was the means of doing a great deal of good to the farmers in that vicinity, and, I believe, for a number of years received grants from the Assembly. But when the Branch Society for Prince County was established at St. Eleanor's, the Princetown Society transferred its funds to the former, which after a fair trial has proved a failure. Now, sir, my opinion is that if a small grant be given to the Princetown Society it would be well bestowed, and more good would result therefrom, than there has from the Branch Royal Agricultural Society. Such a course would not entail much expense upon the country generally, and would be a great benefit to the farmers of Prince County. As to referring the petition to the Royal Agricultural Society, I do not think such a course is called for, it being entirely independent of that body. I will, therefore, vote for its going into supply.

Mr. MA'INTOSH.—I am opposed to every grant to Branch Societies. Experience shows that such appropriations are not productive of the good results hon. members anticipate. Besides, in justice to the Royal Agricultural Society, we could not make such a grant as is asked for by the petitioners. It has been said that the old Society of Princetown was broken up on account of the establishment of the Branch Society at St. Eleanor's; this might be so, but I do not think it amalgamated with the latter. However, if the people of Princetown and vicinity are so anxious to have a society of their own, I think there is not a farmer who would be against giving his proportionate share towards it.

Mr. COOPER.—It is all very well to encourage agriculture in a legitimate way, but I do not approve of

taxing one portion of the people for the benefit of another. Besides, the benefits arising from such Societies are not so general as is supposed, the concern at last generally falls into the hands of a few persons. I am entirely opposed to the prayer of the petition. Yet, if it be so much desired let it be supported by voluntary subscription, and I do not think there is any farmer likely to derive benefit from it who would be against giving five or ten shillings for its support. But I do object to taxing one portion of the community for the benefit of another.

Hon. Mr. MONTGOMERY.—Agriculture should be encouraged by the state here as in other countries. In Nova Scotia, New Brunswick and Canada, large grants are annually given towards that most important branch of industry. But to say that a Society, for the purpose of fostering and encouraging agriculture, wherever started, and however narrow the sphere of its influence, is not a benefit to the country at large, is a great mistake. Is it not a benefit to the country, that a poor man, unable to obtain seed for his land, can be accommodated and helped, by a combination of his richer neighbors who form themselves into a Society for the purpose of helping him? It is argued, though, that there have been losses arising out of the establishment of such institutions; but, sir, what of that? Is it not so in all trades? But, the loss in this case, however contradictory it may appear, turns out a positive gain. Look, for instance at the cost of importing stock for the Royal Agricultural Society compared with what it realizes when sold in this Island. According to such an idea the country would soon be ruined; but look at the immense benefits derived by the community from such importations, and it will be evident to the most skeptical that such losses are ultimately a benefit. And, considering that this House has heretofore been so liberal in its appropriations towards the encouragement of Agriculture, I think it will not object to the prayer of the petition now before it. At least we ought to give so much in proportion to the money on hand, as in the instance of the Royal Agricultural Society—to which so much is given by the House for every pound subscribed.

Hon. Mr. WIGHTMAN.—From statements in the report of the Royal Agricultural Society, it would appear that in the Branch Society at St. Eleanor's there is a great deficiency. Again, we have a statement setting forth the deficiency of the branch in Georgetown of £65. In fact these branches have all worked so badly that it has discouraged me from giving any more towards similar institutions, and in the hope of seeing any good results from such societies hereafter to be established. There was an Agricultural Society got up in Three Rivers, by private contribution, but it did not flourish; it soon fell through. And from what we see of the results of all attempts at establishing Agricultural Societies, independent of the central one, we should not be very sanguine as the results of anything of the kind. I am opposed to the petition.

Mr. CLARK.—There is one circumstance in favor of a grant to the Princetown Society, and that is, it is the only one in the Island that has been a loss to Royal Agricultural Society. (Cries of "No!" "No!" by Hon. Mr. Mooney). I wonder if the hon. member from the Monaghan Settlement ever lost anything. The hon. member for King's County, Mr. Cooper, made some allusions about the Society's being only a benefit to the few persons, who had the immediate control of it. Now, sir, the reverse is the fact. The late Secretary (Mr. McNutt), who is now dead and gone, instead of benefitting by it, actually lost money by it. I would still say that the petitioners deserve a grant, and money might be worse applied than in giving them a small appropriation.

Hon. Mr. MOONEY.—I am surprised, sir, that the hon. members from Prince County are incessantly asking for money. I think, as I have often stated before, that the only alternative left this House is to grant them a separate Legislature. The hon. member (Mr. Clark) made use of a scurrilous allusion about the Monaghan settlement. But, sir, perhaps if I had the hon. member in a cage, to exhibit him among the Monaghans at two-pence a head, they might flock in large numbers to see such a natural curiosity. Hon. members are very fond of making a display of their advocacy of Agriculture; but, sir, in the present instance, if the venerable fathers of Princetown—

Mr. CLARK.—The hon. member is mistaken. I did not ridicule the Monaghans or any other class of people. And, as for his exhibiting me, I think the exhibition of himself would be a more profitable speculation. The hon. member interrupted me.

Hon. Mr. MOONEY.—I did not, I believe, bring him off the track of his discourse; but, as yesterday was Paddy's day, perhaps there were many persons off the track, who, like the man coming off the sea, imagines he must still use his "sea logs," but they need not blame others if they can't go straight. Grants! grants! grants! is the cry from all parts of the country! And what has been the result? Look at the Model Farm; look at the Branch Societies! where are they now? If hon. members are not contented with having the petition referred to the fountain-head—the Royal Agricultural Society—they have no right to expect a grant from this House. I will never give my voice for any grant in aid of agriculture except to the Royal Agricultural Society.

Mr. YEO.—I think the petition deserves consideration. Princetown and the Districts adjoining are good for the pursuit of Agriculture, and if some encouragement is not given the farmer he will not flourish as he ought. In Cascumpec, since a branch of the Royal Agricultural Society, what with improved implements, &c., the people farm very different from what they did some years ago; and since the shipbuilding has failed, the only resource we have to fall back upon is Agriculture, and it ought to be encouraged.

Mr. LAIRD.—I am opposed to a grant of money to the Princetown Society or any other Society of the kind, no matter where established. I might, in some cases, go for a small grant; but I think the Princetown Society is quite safe if it has £40, which would be enough to purchase seed. Societies of this kind should be self-supporting. I will, therefore go for nothing but enough for to purchase seed, if it be required.

Hon. COL. SECRETARY.—I believe the farmers of Princetown and vicinity deserve as much consideration at our hands as those of other parts; but I am afraid if we give a grant to the present petitioners, we will have petitions from all other parts of the Island, praying for a similar appropriation. But why not apply to the Royal Agricultural Society? Any Agricultural Society, applying to the Central Body, stating the amount of funds in their possession, will receive agricultural implements, &c., in proportion to their capital. Now, sir, if we give grants to all who may petition us, instead of the Central Society, we shall do away with the cheapness in importing seeds, &c.; because the larger the importation the greater the chance for obtaining articles at a lower rate. Now, with reference to the former Society at Princetown, when a Branch of the Royal Agricultural Society was formed, it was removed to St. Eleanor's, with their consent. But it is well known that the Branch fell through, owing partly to inefficient management, and partly to other causes. The seeds were put in an unsafe building, and being exposed to the weather, were partially spoiled. It was stated that they

were damaged before being sent; but this was not the case. On this account, however, they refused to pay for them, and there is now about £200 due the Society. It was consequently broken up. If the petitioners thought it an advantage to have a Depot in Princetown, instead of St. Eleanor's, and a good guarantee were given to the Royal Agricultural Society, I do not think the latter would object to such a course. The Central Society do not wish to have the money down for every article given, but only a certificate that such stock has been delivered. In conclusion, if we give grants to such Societies, it would hurt the Royal Agricultural Society.

Hon. Mr. MONTGOMERY.—I would have it understood that the Society in Princetown takes in a large portion of Queen's as well as Prince County, and therefore is of as much importance as a Branch Society; but if, as suggested by the Hon. Col. Secretary, a Branch were established in Princetown, it would, I am convinced, do much good. But, sir, I understand it has been implied that the Royal Agricultural Society would not establish a Branch Society there.

Mr. H. HAVILAND.—I agree with the Hon. Colonial Secretary that it would be bad policy to fritter away, on all small Societies that may start up from time to time, the money that ought to be given to the Central Society. If the money, instead of being so wasted, were given to the parent Society, it would be enabled to import cheaper, because it could import more largely. I am surprised at the hon. member, Mr. Cooper, and other hon. members, for the view they take of the importance, or rather unimportance, of fostering agriculture. They are behind the age, notwithstanding the experience they should have had in these matters. Why, sir, agriculture is particularly fostered by all species of governments, from the despotic power of Russia to the Republican States of America. In France and other European nations, they have ministers of agriculture, and so have they in the United States, the President of which latter country, in his message, recognised the necessity of fostering this most important branch of human industry. Besides, in all the Colonies, and in fact, in all farming countries, the necessity of encouraging agricultural pursuits is fully recognized. Allusion has been made to the Model Farm by some hon. members who opposed its continuance. I have spoken my opinion upon this subject before; but, now that it is among the things that have been, I will say that the Legislature will yet live to regret the action they have taken in breaking it up. It has been hinted that the stock went very low, and that the country would lose a great deal by it; but I think it a mistake, for I saw a year old calf bring ten pounds, a bear pig brought , and other things in proportion. Now, sir, this shows that if the farm had been managed economically, it would in time be a great benefit to P. E. Island; and if sales were held annually, so that persons desirous of improving their breeds of stock would have an opportunity of purchasing, then we should not have such narrow-minded men, blind to their own and the public interest, to deal with. By the way, at the sale, I saw a man from the back woods, in Mr. Mooney's district, give £11 or £12 for a heifer a year old. This shows that people are beginning to appreciate the advantages of having improved breeds of stock.

Hon. Mr. MOONEY.—I am surprised—(but the hon. member was interrupted by cries of "Spoken!" "Spoken!") Sir, if I am allowed, I will move a resolution, and it is, that the prayer of the petition be rejected. And while I make the motion, I would say that I am not one who has ever sought to retard the progress of agriculture. But, sir, I cannot see the utility of chartering a ship and sending a man to England to purchase an animal at £60, which, when sold

here, only realizes £27 10s. This is what I call going ahead like a certain fish called crab-fish, which goes backwards all the while. Why, sir, instead of the Royal Agricultural Society being such a blessing to the country, as hon. members would have us believe, it is an institution that has been bordering on a curse to the country. We may have long speeches and harangues going to show the great benefits of this Society to the country generally; but, sir, after all they can say, it only benefits the people around Charlottetown, and thus, like Sinbad the Sailor, when he came back to Bagdad, it comes back to the place from whence it came.

Hon. COL. SECRETARY.—A man might travel through England or North America, and he would not find a better show of stock than was exhibited yesterday at the Model Farm; and I, for one, am sorry that this institution has been given up. I was gratified to see so many good farmers attending the sale as purchasers, which shows that they are fully alive to the importance of improvement of stock. Why, sir, notwithstanding the assertion, that we will lose by importing stock at a heavy cost and sell them cheap, if hon. members knew at what a rate breeding stock is let out in England, they would change their minds. A good bull for the season brings £100 sterling, and rams, &c., in proportion. Sir, the mere fact of the great improvement in the breed of stock in this Island shows that, if we lost all that it cost, we would still be gainers by the transaction.

[At this stage, Hon. Mr. Palmer came into the House, and took his seat. This proceeding being opposed to the standing rule, he being absent at the Call of the House, the hon. member was informed by the Speaker that he should have to vacate his seat, which he did.]

Mr. COOPER.—I do not deny but that, in a new country, the importation of stock is necessary; but when we come to consider that, so far as regards good stock, this Island is not so badly off as would be supposed, and therefore the paying of such high prices for stock imported may be objectionable to many. But the reason why Societies, got up for the advancement of agriculture, are not supported by subscription is their getting into the hands of persons the farmers have no confidence in, and therefore it is little wonder they become disgusted and will not subscribe.

Hon. Mr. LONGWORTH.—I disagree with the last remark made by the hon. member, Mr. Cooper. The people are not disgusted, so far as I know, with the persons into whose hands the management of the affairs of such Societies are entrusted. The present instance, where the people of Princetown have subscribed £40, is a direct contradiction of such an assertion. But it is true that by applying to the Royal Agricultural Society, they could obtain an equal amount of seeds, implements, &c., to the capital already subscribed. I am in favour of giving them a small grant, however, and will vote for the petition going into supply.

Hon. Mr. MONTGOMERY.—While I am in favor of a grant to the Princetown Society, I give my word that I would do nothing that would be in any way prejudicial to the Royal Agricultural Society; on the contrary, I have always been, and will continue to be, a warm supporter of that valuable institution. While attending the sale at the Model Farm, I was very much pleased with the superior quality of the stock thereon, and with the number of eager purchasers there from all parts of the country; and I maintain, sir, that if it at present appear a great loss to the country, such loss will not be felt, but will ultimately be a real benefit to the country. And when the House gave the grants towards the establishment of that farm, I voted for them with the full conviction that it would not realize as much as it cost, but also with the assurance that it would

nevertheless be a great good to the Island, because it would be the means of fostering a superior breed of cattle in the country. It is objected, I believe, that the advantage is not so wide-spread, because all farmers are not rich enough to purchase the imported stock; but, sir, if one farmer is better able to purchase such stock than his neighbour, still they will participate in his advantages, and improve their own stock. It is a great pity that this House was not in a position to continue the Model Farm.

Mr. MACINTOSH.—It has been insinuated that I am opposed to the advancement of agriculture; but it is a mistake. I would go as far as any hon. member to support it; but, sir, these small societies are inimical to its advancement. Besides, experience will show us that they cannot exist— that after a short time they fall through. It must not, therefore, be supposed that I am against a grant for a society in Princetown or any other town; but because I think they will do harm to the Central Society.

The question was then put on Mr. Mooney's amendment, when the petition was rejected on the following vote:—

Ayes—Hons. Col. Secretary, Col. Treasurer, Mooney, Wightman, Messrs. Pope, H. Haviland, McDonald, Dingwell, Muuro, Perry, McGill, Laird, Cooper and McIntosh—14.

Nays—Hons. T. H. Haviland, Longworth, Montgomery, Messrs. Clark, Muirhead and Muuro—6.

The petition of Lewis Muttart and others, contractors for conveying the winter mails between this Island and Cape Tormentine, was then taken up.

Mr. MUIRHEAD said, that although it was usual for the Government to find or provide boats for the purpose of conveying the winter mails across the Straits of Northumberland; yet, in the present case, as the boats so provided did not turn out well, the contractors, he thought, were justified in asking compensation for the boats provided by them. He believed that a few years ago the Government granted a sum of £60 for the purpose of building boats; but when the wear and tear was considered—when it was known that some of them proved defective, he thought no objection could be made to giving them a small appropriation, and moved that the petition be referred to supply.

Hon. Mr. MONTGOMERY did not know whether the grant was called for or not, although he did not much object to it; but, when it was considered that large sums had been paid recently for ice boats, he did not know whether the House was justified in granting such an appropriation without enquiring well into the justness of the claims of the petitioners. He would ask what became of the old boats? He always supported grants to former mail carriers, and he would support the prayer of the present one, because he considered that the mail carriers had a very arduous duty to perform, and ought to be well paid for it.

Hon. COL. SECRETARY said, it was true that large sums had recently been appropriated for mail boats; but it should be considered that accidents will often occur, besides, in the present case, some of the boats provided were considered too small, and were consequently laid aside. Mr. Owen then built a boat, which, it was thought, would remedy many of the defects in the others; but, upon trial, it was found to be too heavy. It was then proposed to have a zinc boat made, that would combine capacity with lightness and strength. The boat when completed crossed once, and then the weather was favorable, but was found not to be suitable at all times for the purpose, and they laid her up. They then set to work and built one, which, according to their experience, was best calculated for the purpose—of 15 feet keel, and 5 feet across the beam. This latter one was found more suitable. But the subject of providing the best

possible boat, combining all the qualities requisite for crossing the Straits in winter, was taken up by other individuals, and models for new boats were submitted by Mr. Russell and Mr. Coker, agents for mercantile establishments in England. The Government agreed to try the experiment, and Mr. Davies was instructed to visit the place of crossing, and report; but he did not approve of all the models. However, the three gentlemen above named agreed upon a plan for the construction of the boats, and found it very suitable, and three boats were accordingly built, at a great expense, by the present contractors. Now, the question was, whether the contractors should be paid for the three new boats or for one? He thought that if the House paid them for one boat, they would be satisfied.

**Mr. LAIRD.**—If the country went to the expense of building the boats, he would ask why they did not see those which were not used?

**Hon. Mr. WIGHTMAN** thought it was rather unreasonable that the contractors should ask for money for building boats, when they engaged by their contract to supply them. It was well known that the Government from time to time gave large sums of money for the construction of winter mail boats, and that very lately too. He did not deny but that they ought to encourage such a branch of the public service, attended as it was by such arduous and dangerous contingencies; but, since so much has been already given, he would not go for any further grant. The contractors when they put in their tender did so with their eyes open, and they should stand by its provisions. But the fact was, that the boats built were not approved of, being too small or defective in other respects, excepting those built recently. If, then, any money were given, it should be to the parties who built them.

**Hon. COL. TREASURER** said, that such was the design, and he thought the parties well deserved some appropriation, for they were faithful and vigilant in the discharge of their duty, which was not the most attractive he should judge, for he never crossed the Straits himself. They had four boats now in good order; but they could not last long, and something should be done to remunerate them for the excessive wear and tear, occasioned by the difficulties they had to anticipate in crossing the Straits. In fact, he always considered the sum they received for their services too small.

**Mr. COOPER** thought there must be something deficient either in the contractors or the terms of the contracts; for there was hardly a session but they were petitioning the House for something additional. It was true they made the bargain, and it was nothing but right that they should abide by its specifications; but if the amount they received was not enough, the contract ought to be subject to certain contingencies, and then there would be no need of incessantly petitioning the House for remuneration for extra services or extra work.

**Mr. POPE** said it was true that the carriers were supposed by their contract to find their own boats. This they had done; and more than that, for they had now several more than were required for the purpose of carrying the mails. They have, so far, well and faithfully done their work, and I do contend, neither the present nor any former carriers were properly remunerated for that service. I have many times crossed in the ice boat, and well know the very great hardships and suffering often endured by the carriers; and when we consider the amount of life and property entrusted to these carriers, the safety of which so much depends upon the efficiency of the men and boats, I don't think this House should object to grant a small sum, by way of compensating them for the very efficient boats now provided for that service.

**Hon. Mr. MOONEY** would be loath to oppose any grant towards the conveyance of the mails between this and the

neighboring Colonies; but the thing was, were the Government to furnish the ice boats or were they not? If they were, why not do so, without further talk? If they were not, and it was the duty of the mail carriers to find the boats, why let them furnish such boats and not come there bothering the House with their petitions. The term of their contract would soon expire, and they could compete for it again if they liked, but leave it subject to certain contingencies, as his hon. friend Mr. Cooper said.

**Hon. Mr. LONGWORTH** thought that in future it would be best to make an arrangement with the parties contracting as to how they should be remunerated for building extra boats, and it would settle the thing forever; but, under the present circumstances, he thought the carriers were not well enough paid for the services they perform. Their petition ought to be entertained, and he would vote for having it go to supply.

**Mr. YEO** said he did not consider it a fair way to do business, to make a bargain, and then want more than was bargained for. If the parties entered into a contract, with a clear conception of what they were doing, they should abide by such agreement. If they had met with an accident, and lost one or two boats, he would sympathise with them; but it was no such thing—they built new boats, which it was doubtful if they were required, and then wanted the Government to pay for them. He would not support such a petition.

**Mr. MUIRHEAD** said they were not obliged to have so many boats; but it was better to have a few spare ones, in case of accident.

**Mr. CLARK** said he was opposed to giving the contract for the conveyance of the winter mails across the straits up to competition. A fair remuneration should be fixed upon, and then let whatever party that was in power give it to whom they pleased. But as the House had heretofore let it to tender, and as it had been proved that the contractors were not sufficiently remunerated, he thought something might, with propriety, be now given.

**Mr. LAIRD** did not think the method of giving the contract to competition an unfair one. He thought it paid the contractors well, and he did not see why they should be found in boats any more than the land mail carriers should be provided with carriages.

**Hon. COL. SECRETARY** said, if any information was required by hon. members, unacquainted with the facts of the case, Mr. Davies' Report would supply the deficiency.

The House then divided upon Mr. Muirhead's motion to refer the petition to supply:

**AYES**—Messrs. Muirhead, Clark, Pope, H. Haviland, MacGill, Hon. Col. Secretary, Col. Treasurer, Longworth and Montgomery—9.

**NAYS**—Messrs. Laird, McIntosh, Cooper, Yeo, Munro, Perry, Dingwell, McDonald, Hon. Messrs. Mooney and Wightman—10.

And so the motion was lost.

The petition of Charles Blampied was then taken up, and, after a short discussion, was, on motion of Hon. Mr. Mooney, rejected.

The petition of Peter Landrigan was taken up, whereupon a considerable discussion ensued. The prayer of the petition was warmly advocated by Hon. Mr. Wightman, and Messrs. McDonald and Yeo. Mr. Wightman said the petitioner had met with an accident by fire in December last, by which he lost all he had in the world except one horse, and only prayed the House to grant him enough to purchase seed to put in his crop the ensuing spring. Hon. Mr. Mooney suggested that he be supplied out of the pauper money, and moved the petition be referred to the members for the district. Hon. Mr. Wightman, said he would sooner withdraw the petition than do that, as he did not consider him a pauper, but a man reduced by misfortune. Mr. Muirhead moved as amendment that the prayer of the petition be rejected, upon which motion the House divided:—

**AYES**—Messrs. Muirhead, Clark, Laird, MacGill, Cooper, Munro, Dingwell, H. Haviland, Hon. Col. Secretary, Col. Treasurer, Mooney, Montgomery and Longworth—13.

**NAYS**—Hons. J. Wightman, Messrs. McDonald and Yeo—3. And the prayer of the petition was rejected.

A petition of Angus McInnis (similar to the one just disposed of), was referred to the members for the District.

The two letters of Joseph Robinson, regarding the Revenue Service, and the reports of Preventive Officers, were taken up and referred to the House in Committee of Ways and Means.

The Hon. Col. Secretary, from the committee to whom was referred the petition of inhabitants of Cascumpec and vicinity relative to the erection of a Court House and Lock-up, submitted a report favorable to the prayer of the said petition, and moved its adoption. After a short discussion the House divided on the motion.

**Ayes**—Hons. Col. Treasurer, Mooney, Longworth, Messrs. Perry, Muirhead, Clark and Yeo—7.

**Nays**—Hons. Col. Secretary, Montgomery, Whelan, Messrs. MacGill, Cooper, McIntosh, Laird, Dingwell, MacDonald and H. Haviland—10.

So the report was rejected.

On motion of Mr. H. Haviland, the order of the day for considering the petitions relative to the use of the Holy Scriptures in the Normal School and Central Academy, as also the petition praying for a grant to St. Dunstan's College, was discharged, and made the order of the day for to-morrow.

Adjourned for one hour. T. KERWAN, Reporter.

FRIDAY, March 19th, 1858.

FORENOON SESSION.

A message was received from the Legislative Council, intimating that that body had passed a bill entitled "An Act to confirm the appointment of Constables and Fence Viewers for King's County, made at the last term there of the Supreme Court," which Bill was received, and, under the suspension of the tenth rule of the House, was read a first and second time, and committed to a Committee of the whole House, Mr. McDonald in the chair. The Bill then passed in Committee without amendment, and the chairman reported accordingly, which report was received. The Bill was then read a third time and passed, and Mr. McDonald appointed to carry the same back to the Council, and acquaint their Honors that the House had passed it without amendment.

Mr. Douse presented a petition of Donald McLeod, Postmaster, Orwell, praying for an increase of salary as such. Referred to the Committee on Post Offices.

MONDAY, March 22d, 1858.

FORENOON SESSION.

Hon. Mr. Wightman from the Committee appointed to prepare and report the draft of an address to His Excellency the Lieutenant Governor, pursuant to the recommendations contained in the report of the Special Committee on opening New Roads, presented to the House the draft of an address prepared by the Committee adopting the report of the Special Committee, and praying His Excellency to give effect to the recommendations therein contained, which was agreed to by the House, and the Committee who prepared the address ordered to wait upon His Excellency with the same.

On motion of the Hon. Col. Secretary, the engrossed Bill—"An Act to continue a certain Act therein mentioned relating to the Central Academy"—was read a third time and passed.

A message was received from the Legislative Council informing the House that their Honors had passed a Bill, entitled "An Act to continue the Act regulating the publishing of Notices and Advertisements," without any amendment.

The petition of Angus McDonald, Rector of St. Dunstan's College, praying for a grant in aid of that institution, and

The petition of inhabitants of Township No. 67 and vicinity, praying the House to disallow the prayer of the above petition, were both taken up and read.

Hon. Mr. PALMER said that one of the petitions just read, viz, that of Rev. Mr. McDonald was placed in his hands to present to the House, and he had promised to do so; but at the same time he did not pledge himself or give any particular pledge to support it, and therefore he did not feel himself justified in voting for or supporting the prayer of the petition. The Institution was an excellent one, and the facts stated in

the petition he believed to be correct. The College had been very liberally endowed by the Roman Catholic Bishop—in fact it had been erected at his expense, and was so conducted that a very superior education might be obtained at a very moderate rate of charges. So far the scholars under tuition there had advanced very creditably in various of the higher branches of learning. Then, as stated by the petitioner, it was not confined to one denomination, but free to all; and a Protestant might receive education there without having his religious opinions interfered or tampered with in any way; but still the institution was of a character that might exclude other denominations, and should therefore be considered sectarian. That being the case, it is but natural to suppose that a great deal of jealousy should exist, in the minds of the public of other denominations, relating to the granting of money to sectarian purposes, and as this was the only application of the kind made to the House, it was a very questionable mode of proceeding—an act of great impolicy—to vote money for such a purpose; for if a sum were voted, it would be looked for from session to session. It would be affording a precedent to other denominations to establish a thing of that kind. The question then presented itself,—should such a precedent be established?—where was the House to draw the line of demarcation?—where was it to stop?—which denomination was it to refuse, and which endow? for there were many other denominations besides the Roman Catholics, that were large and respectable, and if they should establish Collegiate Institutions, and ask the House for money, they could not be refused. He (Mr. Palmer) would advocate the same course with reference to the present petition as well as to petitions of a similar nature from other denominations, and would not give it his support. It had been suggested by various persons, both in and out of the House, that it might be proper and politic to grant endowments to this and other institutions of a similar character; but he did not think it a proper maxim to adopt; for if it were an established rule, they did not know but Wesleyans, Baptists and Presbyterians, and in fact all other denominations might claim the privilege, and it would be impossible to draw the line of demarcation, or exclude any of them from such endowment. He thought it would be better to leave all institutions of an exclusively religious nature dependent upon their own resources—to be supported by the denomination to which they belong. At the same time he fully acknowledged the excellency of the Institution (St. Dunstan's College) and that the rev. gentleman who founded it gave largely towards its erection and support from his private purse; but to endow it would be the means of creating ill feeling among a large portion of the community, and he did not therefore intend to vote for any grant on its behalf.

Mr. COOPER said there was no doubt the institution was an excellent one, and well conducted; but still it ought to be an established principle that where any sum of money was granted to an educational or collegiate institution, such institution should be under the control and management of the Government and not any particular party of religionists. He believed the College to be an institution creditable in every way to its founders, and would enable the Catholics to give a good education to their children. This was showing a good example to the Protestants, and one they would do well to follow; but at the same time the members of every religion, while they had the right to educate their children in Colleges under the control of their clergy, should support such institutions from their own resources.

On motion of Hon. Mr. Montgomery the petitions were referred to a committee of the whole House—Mr. Clark in the Chair.

Hon. the SPEAKER said he could not support the prayer of the petition, because he thought it impolitic to endow one institution, under the control of the clergy of any religious body, and not any other. He agreed with the prayer of the counter petition, and thought it was a measure that would be highly objectionable to a large portion of the people. The principle was wrong. It was his earnest desire to see the institution flourish, to know it was productive of much good, and to see it well supported; but the Catholics should support it without calling on the State for aid. Such a request had never been made before, excepting in the case of the St. Andrew's College, which was endowed by the Legislature; but that was

no precedent. The system of education was different now from what it was then—but even then the endowment was found to be money misapplied, and the institution gradually dwindled down until it ceased to exist altogether. It might be thought under the peculiar circumstances which he (the Speaker) was placed that he would vote for granting the prayer of the petition; but he had always opposed grants of that nature, and was sorry to see a petition of such like the one under consideration coming from where it did, for he would oppose it as he would oppose any other petition of a similar nature, no matter from whence it proceeded.

Mr. LAIRD said he agreed with the prayer of the counter petition, which was largely signed by persons of various denominations, and would not vote for any grant in aid of the St. Dunstan's College. He then moved that it be inexpedient to grant the prayer of the petition.

Hon. Col. SECRETARY said he agreed with the hon. members that it was unwise and impolitic to endow any educational institution of a religious or sectarian character, and while he made this admission he would state that this House had been for years giving grants to schools of a sectarian character, and if it was wrong now, it was wrong then. He would ask the hon. member who introduced the petition, what he called the Infant School and the Bog School in Charlottetown? (the latter of which was established by a number of members of the church of England). It was true they did good, were attended by children of every denomination; but were still under the control of a certain religious party, and bound to the religious party just as much as the college is to the Roman Catholic clergy. He had been at two examinations of the students of St. Dunstan's College, (and he felt proud that there was such an institution in the Island) and would venture to say that there was not in North America the same number of boys, in any institution for learning with the same advantages of tuition, &c., who would acquit themselves so well as the scholars did at the examinations referred to. The Hon. Col. Secretary then alluded to the Infant School in Georgetown, which was supported by the funds arising from the sale of the Glebe Lands, and also by grants from the Assembly, which was under the control of the Bishop of the established church, and also the Roman Catholic school in Charlottetown, which received yearly grants from the Legislature before the Free Education Act came into operation, and asked if this were not endowing sectarian institutions? In the present instance, he believed it was the minority who induced the Rev. Mr. McDonald to bring in the petition, and they were, after all, its greatest opposers. He did not stand up to advocate endowment—[Mr. T. H. Haviland, interrupting, said he (Hon. Col. Secretary) seemed to be going for an endowment then.] He, Hon. Col. Secretary, would soon show the hon. member, what he was going for, if he would only give him a hearing. He would advocate—not an endowment—but a grant to enable the trustees to obtain Globes, Maps and Mathematical Instruments. For, he would ask, how could it be expected that poor people, who could barely afford to pay £17 a year for board and tuition, obtain for their children such Maps and Instruments as would be necessary for the proper knowledge of the higher branches of education?—and how could the endowers of such an institution, with the scanty income derived from the institution of such pupils, be able to furnish such Maps and Instruments? £17 a year for board and education! Why he considered an institution holding out such advantages a boon to the country! And were they going to set their faces against it because it was a Catholic Institution? He hoped not. The St. Andrew's College received from the Assembly £85 a year. That was an endowment, and if the College were continued it would be given still. He, therefore, thought the St. Dunstan's College entitled to some consideration, and, on the same principle, were the trustees of any other educational institution (no matter of what denomination) to ask for a grant he would be prepared to go for giving it. It was not well to make fish of one and flesh of the other. He held in his hand a resolution which he had prepared for the purpose, and he would read it:—

*Resolved*, That it be recommended to the House, when in supply, to vote a sum for the purpose of purchasing Instruments, Maps and Apparatus for the St. Dunstan's College.

He thought the House could not refuse so reasonable a suggestion, and would therefore move the adoption of the resolution. The hon. member then concluded with some remarks in reference to the excellency of the system of Free Education in this Colony.

Mr. DOUSE said, he wondered why the Hon. Colonial Secretary could not get up on the floor of the House without imputing motives to hon. members. He, for one, gave credit to the founders of the St. Dunstan's College, and hoped it would prove a lasting benefit to the Colony; but, at the same time, he did not approve of having such institutions endowed by the State. The Col. Secretary said it was the minority who encouraged Mr. McDonald to petition, and promised him their support. Now, he was of the minority, or rather he was considered to be "betwixt and between" the both parties, and as far as he was concerned did not pledge himself to support the prayer of the petition. When Mr. McDonald called upon him, he (Mr. Douse) did not promise to advocate the prayer of the petition, but said he would give it his best consideration. Now, he was what was termed a big Protestant; but he always felt pleased when he saw the students of the St. Dunstan's College go to their place of worship in a body, and there was nothing he would so much desire as to see learning advancing hand in hand with religion. But he was not now acting for himself—he was guided by the instructions he received from his constituents, and they felt very much on the subject, averse to giving anything towards the support of sectarian institutions. These instructions were to him binding; but if he acted on his own individual responsibility he might feel differently on the subject. He agreed with what the Hon. the Speaker said on the subject, and thought it was establishing a bad precedent to endow one institution of a religious character, for if they gave to one they would have to give to all. With reference to the endowment of the St. Andrew's College, times were, as the Hon. the Speaker very justly remarked, different from what they are now. He was well acquainted with its founder, the late Bishop McEachern, who was a worthy, good man, and a man who commanded the respect of people of all denominations.

Hon. Mr. PALMER said, he would not have troubled the House again did not the Hon. Col. Secretary make statements concerning him which were not true, by stating that the Rev. Mr. McDonald received promises of support from the minority, and as he (Mr. Palmer) belonged to that celebrated number, he would, on his own part, give the statement his most unequivocal denial. He never gave the Rev. Mr. McDonald, or any one else, a promise to support the petition. It was by mere accident it was placed in his hands, and if he said he would advocate its prayer, he said what he did not intend to do; but, on the contrary, when the rev. gentleman placed it in his hands, he said he wished (Mr. P.) to present it—whatever his opinion was as to the propriety of its being granted. He (Mr. P.) told him he would present it; but he made him no promise of supporting it. Shortly after, he learnt that the petition had been in the hands of a member of the Government; but that when the petitioner found it was not necessary to have it presented by a member of the Government, he brought it to him. He (Mr. P.) was told by the petitioner that the members of the minority would support the petition, and he would leave them to explain whether they did or not; but as for himself, he never gave any promise of the kind. The Hon. Col. Secretary said he agreed with what he (Mr. P.) said with respect to the unsoundness of the policy of endowing institutions, and then went into a long harangue in support of the principle he condemned, and illustrated his arguments by allusions to the Infant School in Charlottetown and Georgetown, saying they

were supported by grants from the House. This was not the fact. The money given for their support was derived from the sale of the Glebe Lands, and not under the control of the Assembly. Dispatches had been sent out from home directing that a proportion of the money derived from the sale of the Glebe Lands should be reserved for the use of these schools; and it was nothing but right if the House did make up any deficiency by grants, for the fund was robbed and the money expended for other purposes. With respect to the Bog School in Charlottetown being sectarian, it was not true. It was attended by children of all denominations; and although the Bible and Church Catechism were used, they were not made a test. The school had been established where there were a number of poor children, the parents of many of whom could not afford to pay 2s. 6d. for a district school book, which was there furnished them gratis. As to the school itself, it was a useful one, and rescued many children from leading a life of vice and crime; and it was well known that in that part of the city there were a number of children who, if they were not taken and educated in such a school, would be running about the streets, and preparing themselves for future inmates of our jails and prisons. Before he sat down, he would make just one observation more: He said he would leave the other members of the minority to speak for themselves; but he felt it to be his duty to state, that he had recently a conversation with an intimate friend of the petitioner's, who asked him what he thought would be the fate of the petition. He (Mr. P.) replied he thought there was no prospect of having the support of the minority. To this he readily assented, and said such a thing was never expected. He (Mr. P.) believed the gentleman spoke the sentiments of the petitioner.

Hon. Mr. MONTGOMERY said, as one of the minority, he had never given his promise to support the prayer of the petition. He was ill, and confined to his hotel when the petitioner came to ask him for his vote in favor of the prayer of the petition. He told the petitioner that there was then as much money appropriated, under the Free Education Act, as the Colony could afford, and that the time had not arrived when it could support sectarian institutions; and that if one denomination received endowment, others would be looking for the same. He (Mr. M.) was not prepared to support the prayer of the petition.

Hon. COL. SECRETARY was surprised at the statement of the hon. member, Mr. Palmer, that the money voted by the House to the Schools under the control of the Church of England was solely derived from the fund realised by the sale of the Glebe Lands. It was not so. The money was raised from Catholics as well as Protestants. The hon. member (Mr. Palmer) said the Bog School was open to children of all denominations. The petition says the same thing with respect to St. Dunstan's College; and that no book will be forced upon a Protestant pupil attending it that would be in any way prejudicial to his religious belief. There was, no doubt a necessity for having a school in the Bog, but as it was provided for under the Free School Act, there was no necessity for having it a sectarian school, which it was. The Infant School in Georgetown was also sectarian, and the salary of its master was paid by order of the Bishop of Nova Scotia. (The hon. Col. Secretary then entered into an explanation of the method of raising and applying the money derived from the Crown Lands of this Colony, with a view to confute the statement made by hon. Mr. Palmer with reference thereto.) With reference to sectarian schools, he said there were four schools of this nature in the Island, but the one at St. Eleanor's gave up the Bible and Catechism for the sake of getting its portion of the money disbursed for free education. He did not know whether the Bishop was aware of this, but such was the fact. Then, with respect to the petition before the House, the petitioner came to him and requested him to present it, which he (Mr. Coles)

agreed to do; but remarked that the majority would not support any measure for endowment. The petitioner said the minority would support it, and he then told the petitioner to give it to a member of the minority to present to the House. But the petition contained two distinct prayers—one to have the College endowed, and the other asking for a grant for apparatus. He would not go for endowment, but as the Catholics comprised one half the population, and had public spirit enough to found an institution where their children could be educated for £17 a year,—while at an Academy it would cost £40,—he did not think the most bigoted Protestant would object to having a grant given them for apparatus, &c., for such an institution. As far as he (Mr. Coles) was concerned he wished the petitioner had consulted with other Catholics before presenting the petition, as it would have saved much debate; but he did not even consult the Bishop, so he (Mr. Coles) was informed. In fine, it was the duty of every legislator to make no distinction in such a matter, whether the petitioner was Protestant or Catholic; but if a grant was necessary to the advancement of education, he should cheerfully support it. He was convinced if parties of any other denomination petitioned for a like object, he thought they would freely get a grant, and why not the Catholics?

Hon. Mr. WIGHTMAN said there was no place or country so generous in the support of free education as Prince-Edward Island, but when they considered that there were so many other public wants to be provided for out of a revenue not over large, he thought that little could be spared even were the public feeling in favor of such a course,—for the endowment of any religious institution; but he thought there would be no objection to the granting of a small sum for the purpose as stated by the Hon. Col. Secretary. But as to endowing that, or any other sectarian institution, he thought, it would be the means of creating great dissention throughout the country. If means were available he would have no objections to give grants to or endow all sectarian institutions; because, as all denominations contributed towards the public funds, all should, in justice, be entitled to a share for such an object; but, to make an exception in favor of any one party was he thought, highly injudicious. He would support the resolution of the hon. Col. Secretary; but he had also prepared one which he would shortly submit, as an amendment or preface thereto.

Hon. COL. TREASURER said he had been at the last examination of the pupils in St. Dunstan's College, and he had been very much pleased at the very creditable many in which they acquitted themselves. As visitors were told they might ask them any questions in the various branches of science, he asked several, selecting the pupil, to whom he put them, at random, and to his surprise and satisfaction they did not miss one, but gave correct answers to all his questions. He did not think it was right or necessary to endow any institution of such a character, but he would go for giving them a grant for Maps, &c., which might be necessary. Last session a sum was voted for a similar purpose to the Central Academy, and he did not see now, why there could be any objection to granting a sum to the College. But as to endowing it or any other religious institution he was opposed, in toto.

Mr. McDONALD said, the rev. gentleman who presented the petition, did not ask his opinion with respect to it; if he (the petitioner) had, he would have given him his ideas upon the subject, which were averse to its being presented at all, because he did not think it right to endow any institution of a religious nature. He was opposed to the Bog School on the same principle; but he had, last session, voted for a grant to the Infant School in Georgetown, because the pupils attending that school received a purely secular education. He had no objection to go for a grant for Maps, &c; but to endow that or any other denominational institution he considered to be an unwise policy.

Mr. POPE said he did not, at first intend to say anything upon the subject; but, as he had been alluded to, among others, as promising his support, he would briefly state the facts of the case so far as he was personally concerned. The rev. gentleman waited upon him (Mr. Pope) and stated the objects of the institution, and explained to him the nature of the prayer of the petition. This was the first time he had seen the rev.



gentleman, and he expressed to him (the petitioner) that he was pleased that so creditable an effort was made to establish an institution on the system for educating in the higher branches of learning, and expressed a wish that the Academy might be turned into something of the kind—where children could receive a sound classical education that might fit them for any profession. But as for promising his support to the prayer of the petition he never intended to support it nor never said he would. He certainly said he would not give it his decided opposition, but that was tantamount to a promise of support. Still, he considered that as Catholics were so numerous they should at least be entitled to a grant. If any Protestant clergyman made an application for a like object, he would be among the most ready to give such a prayer his support, but, as many advantages with respect to education were enjoyed now which were not enjoyed formerly he did not think that—especially as it was not under the control of the Government—the St. Dunstan's College should be endowed; for, if it were, it would be the means of creating much ill-feeling in the community. He was so convinced of this that he had, privately, intimated to the hon. member from Georgetown, Mr. McDonald, that he would like to see the petitioner's friends prevail upon him to withdraw the petition.

Hon. Mr. WIGHTMAN then read his resolution, which is as follows, and which, with the consent of the Hon. Col. Secretary, was incorporated with the one moved by him previously:—

*Resolved*—That it is inexpedient to grant the prayer of that part of the petition of the Rector of St. Dunstan's College asking for an annual sum or endowment for the support of that institution."

The House divided on the resolution as amended,—which was adopted on the following vote:—

**AYES**—Messrs. Laird, Muirhead and Dingwell.  
**AYES**—Honbles. Col. Secretary, Col. Treasurer, Whelan, Speaker, Mooney, Wightman, Palmer, Messrs. McGill, Cooper, Munro, Perry, McDonald, Douse, Montgomery, Pope—15.

The House resumed, and the Chairman reported that the following resolution had been agreed to:—

*Resolved*, That it is inexpedient to grant the prayer of that part of the Petition of the Rector of St. Dunstan's College, asking for an annual sum or endowment for the support of that institution, but that it be recommended to the House when in Supply, to vote a sum for the purpose of obtaining Instruments, Maps, and Apparatus, for the Institution.

Mr. LAIRD then moved that all after the word "institution" be struck out.

Mr. CLARK said as he had been in the chair he had not an opportunity of expressing his sentiments on this subject, and he would not give a silent vote. In brief, he was opposed to all State aid towards religious purposes. He did not go for endowing St. Dunstan's College, not because it was instituted by Catholics; but because he did not think it was a good principle to institute. He would also be opposed to endowing any Protestant establishment of the kind. With respect to the Boy School, if he had known it was sectarian he would not vote for a grant towards its maintenance, for if sectarian schools were encouraged, they would be productive of evils which would be felt sooner or later.

The House then divided on Mr. Laird's amendment:—  
**AYES**—Mr. Laird, Hon. Mr. Montgomery, Messrs. Dingwell, Muirhead, Pope and Douse—6.

**AYES**—Honbles. Col. Secretary, Col. Treasurer, E. Whelan, R. Mooney, J. Wightman and E. Palmer; Messrs. McGill, Cooper, Clark, Munro, Perry and McDonald—12.

So the amendment was lost and the resolution carried, as reported by the committee. Adjourned for one hour.

TUESDAY, March 23rd, 1858.

FORENOON SESSION.

Mr. Pope from the committee to whom were referred the petition of inhabitants of Summerside and vicinity, and St. Eleanor's, praying for the passing of an Act to prevent the running at large of swine,—presented to the House a bill to that effect, which was read a first time and ordered to be read a second time to-morrow.

Mr. McGill from the special committee to report on petitions for the establishment of Post Offices, and all matters relating to the inland mail service, presented the House with a report, which, after being submitted to a committee of the whole House (Mr. Pope in the chair), and subjected to a short discussion—during which several amendments were proposed and adopted—was agreed to as amended, and is as follows:—

"Your committee to whom were referred several Petitions of inhabitants of different sections of the Island praying for the establishment of Post Offices, have to report—That having examined the various Petitions and applications referred to them, they submit the following recommendations:

That a Post Office be established at or near Bryan's Cross, Lot 31.

That a Post Office be established at or near Fifteen Point, Township No. 15.

Your Committee cannot recommend the removal of the Post Office from McVean's to the Cross Roads, Lot 47; but recommend that a Post Office be established at Red Point, Cross Roads, Lot 46.

Your Committee cannot recommend the establishment of a Post Office in Middleton District, Lot 27.

Your Committee cannot recommend the prayer of the Petitions for an increase of salary to Messrs. William Sterns, St. Peter's; W. Wilson, Bedeque; John Adams; Vernon River; Donald McLeod, Orwell, and John McDonald, Souris, Postmasters."

The same committee were appointed to prepare an address to His Excellency, praying him to give effect to the same.

Mr. McGill presented to the House a return of the Post Master General, for the year ending 5th January, 1858. Laid on the table.

The Hon. Col. Secretary presented the report of the Acting Visitor of Schools (John McNeill, Esq.) for the past year. Laid on the table.

A message from the Legislative Council was received intimating that their Honors had passed the Bill "to make Bonds and other securities to the Crown binding on the Real Estate of Debtors," without any amendment. Also, "an Act subjecting the Militia to the Mutiny Act and articles of War," with certain amendments, which amendments were read a first time, and, under a suspension of the rule of the House, a second and third time, and passed.

The Hon. Col. Secretary, from the special committee to whom was referred the Message of His Excellency, of the 3 March, 1858, with copies of despatches, to examine and report thereon, presented to the House a Bill to provide for the collection, in this Island, of the Cape Race Lighthouse Toll, which was read a first time, to be read a second time to-morrow.

Adjourned for one hour.

WEDNESDAY, March 24th, 1858.

FORENOON SESSION.

The Bill to provide for the collection in this Island of the Cape Race Light House Toll, read a second time and committed to a committee of the whole House—Mr. Perry in the chair.

The committee went through the Bill, without making any amendment thereto House resumed, and Chairman reported accordingly. Bill engrossed.

The Bill to provide for the hearing and determination of causes in the Supreme Court in certain cases, was—after passing through the same forms as the above, with a like result—also engrossed.

The House then went into committee of the whole on the further consideration of the Road Scales. Hon. Col. Treasurer in the chair. After going through the various appropriations, and agreeing thereto, the House resumed, and the chairman reported accordingly, which report was received by the House.

The Bill to increase the rate of Interest on Treasury Warrants was read a second time and committed to a committee of the whole House. Mr. Perry in the chair. After some time spent therein the House resumed. The chairman reported the Bill agreed to without amendment. Bill engrossed.

The Hon. Col. Secretary moves that the engrossed Bill, relating to the Fishery Reserve of this Island be read a third time.

Mr. H. Haviland moved as an amendment, that the Bill be read this day three months.

The amendment was lost on the following division:—

**YEA'S**—Messrs. H. Haviland, Pope, Yeo and Hon. Mr. Palmer—4.

**NAYS**—Hons. Col. Secretary, Whelan, Mooney, Wightman, Messrs. Laird, Macintosh, Muirhead, Cooper, Munro, Dingwell, Perry and Clark—12.

The question on the main motion was then carried, the Bill read a third time and passed.

Hon. Mr. Wightman, reported that the committee on opening new roads waited on His Excellency with the address, who was pleased to say he would comply with the desire of the House.

A message was received from the Legislative Council intimating that their Honors had passed a bill entitled "An Act to continue a certain Act therein mentioned, relating to the Central Academy," without any amendment.

The Bill to prevent the running at large of Swine in Summerside and vicinity, was read a second time, and committed to a committee of the whole House—Mr. Clark in the chair. When the House resumed, the chairman reported agreed to with several amendments. Bill engrossed.

Mr. Cooper presented to the House the following Address to His Excellency the Lieut. Governor.

*"To His Excellency Sir DOMINICK DALY, Kt., Lieutenant Governor and Commander-in-Chief in and over Her Majesty's Island Prince Edward, and the Territories thereunto belonging, Chancellor, Vice Admiral, and Ordinary of the same, &c. &c. &c."*

MAY IT PLEASE YOUR EXCELLENCY:

We, the House of Assembly, bring under your Excellency's consideration the unsettled state of the Tenantry, and that they are very desirous that the land question, which has been so long pending, should be now settled; but the inhabitants, in general, disapprove of purchasing the landholders' claims with borrowed money, without an investigation of the titles; for it is publicly reported and generally believed, that the grants of the Townships are forfeited, and for some Townships there are no grants on record: therefore to purchase lands under such circumstances, might lead to acts of great injustice, and involve the Colony in debt, to give sums of money for lands to persons who have no right to receive it.

May it therefore please Your Excellency to establish a Court of Escheats, to investigate the titles of the Townships, as the most just and expeditious method of ascertaining the rights of parties, and of bringing the long agitated land question to a settlement."

Mr. Cooper moved that Friday next, be the day appointed to consider the foregoing which was agreed to. Adjourned for one hour.

THURSDAY, March 25.

FORENOON SESSION.

The Bill relative to accidents at Summerside, and for the removal of nuisances from the streets thereof, was read a second time and committed to a committee of the whole House—Mr. McGill in the chair. House resumed. The chairman reported the Bill agreed to with several amendments. Bill engrossed.

A message was received from the Council, intimating that their Honors had appointed a committee to join a committee of the House to prepare an address to His Excellency the Lieut. Governor, requesting him to transmit the joint address of both Houses to the Queen, congratulating Her Majesty on the marriage of the Princess Royal to Prince Frederick William of Prussia.

The same committee, who prepared the address to Her Majesty on the part of the House, were appointed the said committee.

Hon. Mr. Longworth, from the special committee appointed to report on the petition of J. S. Richardson, presented to the House a Bill extending the jail limits to debtors in

custody, or confined under process of the inferior courts, and to alter and amend the Act for the recovery of small debts. Read a first time, second reading to-morrow.

Hon. Col. Treasurer, from the committee of the whole House, on the further consideration of supply, reported nineteen resolutions, as follows:—

1. Resolved, That there be granted and paid to the Royal Agricultural Society, four hundred pounds, or as much thereof as will amount to two pounds for every pound paid by subscribers.

2. Resolved, That there be granted and paid to the Rev. Angus McDonald, Rector of St. Dunstan's College, the sum of seventy-five pounds, to purchase philosophical apparatus and maps for the use of that Institution.

3. Resolved, That the sum of twenty pounds be granted and paid to the Office-bearers of the Mechanics' Institute in Charlottetown, in aid of the funds of that Institution.

4. Resolved, That the sum of five pounds be granted and paid to William Underhay, Esq., for the use of William Burk, an old public servant, who has become a cripple.

5. Resolved, That the sum of twenty pounds be granted towards the support of the Bog School.

6. Resolved, That the sum of twenty pounds be granted and paid to the Messrs. Muttart, towards reimbursing them for building three new boats, for conveying the mails and passengers.

7. Resolved, That there be granted and placed at the disposal of the Government, the sum of three hundred pounds, for the repairs of the Barracks and Fence; and also for the purchase of such articles as are necessary for the encouragement of a Volunteer Company, provided the Barracks and lands thereto attached are surrendered to this Government, until such time as they are required for the use of Her Majesty's troops when stationed again in this Colony.

8. Resolved, That the sum of fifty-four pounds sixteen shillings be granted and placed at the disposal of the Government, to pay the balance due for over-expenditure by Theophilus Stewart, Esq., one of the Indian Commissioners, for the relief of the Indians of this Colony.

9. Resolved, That the sum of seventeen pounds be granted and paid to Mr. John Hartz, of Charlottetown, inn-keeper, to reimburse him for the support and care of Alexander Bannister, a foreign seaman, disabled from the effects of frozen limbs, and also to pay five pounds, part thereof, to Dr. Johnston, for his surgical and medical attendance.

10. Resolved, That the sum of one hundred and seventy-one pounds five shillings be granted and placed at the disposal of the Government, to be paid agreeably to the report of the committee of the House of Assembly on teachers' petitions.

11. Resolved, That the sum of twenty-five pounds be granted and paid as follows:—To the Postmaster at Georgetown, £10; to the Postmaster at Summerside, £10; to the Postmaster at Saint Eleanor's, £5; being for their services as Postmasters, over and above their per-centage, for the past year.

12. Resolved, That out of the amount voted for the expenses of the Legislature, there shall be paid to the Speaker the sum of sixty pounds, and thirty pounds to each of the Members, for their attendance during the session, together with their usual travelling charges.

13. Resolved, That the sum of ten pounds be granted and paid to James Easton, Teacher of the Georgetown Infant School.

14. Resolved, That the sum of twenty pounds be granted and paid to Dr. Jenkins, Librarian of the Legislative Library, for his services in preparing and superintending the printing of a new catalogue of the books in the Legislative Library.

15. Resolved, That two-thirds of the amount of judgment and of the taxed bill of costs be granted and paid to the Trustees of the Dunstaffnage School District, St. Peter's Road, to reimburse them for expenses incurred by them in defending an action in the Supreme Court.

16. Resolved, That the sum of three pounds fifteen shillings be granted and paid to John Macintosh, for carriage of extra mails for half a year.

17. Resolved, That the sum of four pounds eighteen shillings and three-pence be granted and paid to John Martin, Belfast, being the amount of fine and costs imposed on him for non-attendance as a juror at the Supreme Court, in the last July term, at which term he was absent from the Island, on a fishing voyage.

18. Resolved, That the sum of fifteen pounds be granted and placed at the disposal of the First Volunteer Guards of Militia, in consideration of their public services, and to enable them to meet the necessary contingent expenses of the Company.

19. Resolved, That the sum of twenty pounds be granted and paid to Messrs. R. Hyndman & Company, of the Charlottetown Exchange Rooms, towards reimbursing them in the expense of procuring the latest news from England, by telegraph from Halifax and New York, to be paid at the end of the year, provided the rooms be kept open until that time.

The question was put on the above resolutions, separately. No. 1 agreed to. On the 2d resolution being read, Mr. H. Haviland moved that the same be amended by striking out the word "seventy-five," and inserting "fifty" in lieu thereof.

The amendment was negatived on the following division :  
Ayes—Messrs. H. Haviland, Dingwell, Clark, Muirhead, Laird, Hons. Messrs. Longworth, Palmer, Montgomery and Wightman—9.

Nays—Hon. Col. Secretary, Hon. Col. Treasurer, Hons. Messrs. Mooney and T. H. Haviland, Messrs. Pope, Cooper, Macintosh, Macgill, Douse, Yeo, Munro and Perry—12.

The question was then put on the resolution, and carried on the following division :

Ayes—Hon. Col. Secretary, Hon. Col. Treasurer, Hons. Messrs. T. H. Haviland and Mooney, Messrs. Perry, Munro, Yeo, Douse, McGill, Cooper, Macintosh and Clark—12.

Nays—Hons. Messrs. Longworth, Palmer, Montgomery and Wightman, Messrs. H. Haviland, Dingwell, Muirhead, Laird and Pope—9.

The remaining resolutions, with the exception of the 19th or last, were then severally read and agreed to. On the question being put on the 19th resolution, the Hon. Col. Treasurer moved it be rejected, which motion was lost on the following division :

Ayes—Hon. Colonial Treasurer, Messrs. Muirhead and Perry—3.

Nays—Hon. Col. Secretary, Hons. Messrs. Montgomery, T. H. Haviland, Mooney and Wightman, Messrs. Douse, Yeo, Cooper, Pope, Munro, H. Haviland, McGill, Clark, Laird and Macintosh—15.

The resolution was then carried in the opposition, Hon. Col. Treasurer, Messrs. Muirhead and Perry, only voting against it.

Hon. Col. Treasurer, Messrs. Muirhead and Perry, were appointed a committee to bring in a Bill appropriating the Supplies granted to Her Majesty this session.

A message was received from the Council intimating that their Honors had passed a Bill, intituled "an Act relating to the mode of summoning Grand and Petit Jurors, to serve under special commission of Oyer and Terminer and General

Jail Delivery ; also, to make provisions to prevent the failure of justice on account of errors made in the return of Jury Panels, and for other purposes therein mentioned," and to which they desired the concurrence of the House. Read a first time, to be read a second time this afternoon.

The House then resolved itself into a committee of the whole, to consider further of ways and means—Hon. Col. Treasurer in the chair.

The Hon. COL. SECRETARY rose and explained, that owing to various and well-grounded reasons, it hath been found necessary to depart from the credit system hitherto in vogue with respect to bonds ; and that it had been found, by experience, that it would never do for the Government to be paying interest for its warrants, and at the same time receive no interest for a length of time on the money due. He would, therefore, submit the following resolutions :—

"Resolved, That the several rates and duties imposed and levied under the Act twentieth Victoria, chapter one, be continued from and after the first of May next."

"Resolved, That the Act be amended so far as the time given for the payment of bonds, and that all bonds bear interest from the time they are given, and that there be a credit of three months for all sums over ten pounds and up to fifty pounds ; and for all sums over fifty pounds, six months."

[A long and animated discussion hereupon ensued, in the course of which Mr. Pope stated that he had, in December last, called on the Treasurer to ascertain when some bonds of his would become due ; that, having received the information in a friendly manner, he departed, but found that immediately afterwards they were placed in the hands of the Attorney General for collection, and judgment entered against him. Mr. Pope insinuated that as there were many merchants in Charlottetown whose bonds were due before his (bonds to a much larger amount), he did not see why he should be singled out because he happened to differ from the Government. The Hon. Col. Secretary replied at some length, showing that Mr. Pope had not been singled out by the Government because of his opposition to it ; but because it was found his securities were not good. He had been dealt with in the same manner as others had been, and had therefore no just grounds to complain. The debate between the hon. members was characterised (especially on the part of Mr. Pope) by frequent allusions to personal affairs, &c. Nearly all hon. members present took part in the debate.]

The House resumed. The chairman reported the resolutions agreed to. Upon the question being put from the chair, the first resolution was carried, but on the second one being read—

Mr. H. Haviland moved to amend it, by striking out the words, "that all bonds bear interest from the time they are given," and insert, "no bonds shall bear interest until three months after date." The House divided on the amendment, which was lost on the following vote :—

Ayes—Messrs. H. Haviland, Yeo, Douse, Pope, McGill, Hons. Messrs. Montgomery, T. H. Haviland and Palmer—8.

Nays—Hons. Col. Secretary, Col. Treasurer, Whelan, Wightman and Mooney, Messrs. Cooper, Macintosh, Laird, Muirhead, Clark, Dingwell, Munro and Perry—13.

The question being then put on the resolution, it was agreed to by the House, and the Hon. Col. Treasurer, Messrs. Perry and Muirhead appointed a committee to bring in a Bill pursuant to the said resolutions.

After the committee rose, the Hon. Col. Treasurer took occasion to observe that, with reference to the insinuations of Mr. Pope, he did not know at the time of any action being taken upon his bonds. Adjourned for one hour.

FRIDAY, March 26, 1858.

## FORENOON SESSION.

The Hon. Col. Treasurer, from the committee appointed to prepare and bring in an Appropriation Bill for the service of the year of our Lord One Thousand Eight Hundred and Fifty-eight, which was read a first time, and, under suspension of the rule of the House, was read a second time and committed to a committee of the whole House. Mr. Perry in the chair. After some time spent therein, the House resumed. The chairman reported the Bill agreed to without amendment. Bill engrossed.

The Bill extending the Jail limits to debtors in custody, &c., was read a second time and committed to a committee of the whole House—Mr. Pope in the chair. After a short but unimportant discussion, the House resumed, the chairman reported progress, and asked leave to sit again, which was granted. Adjourned for one hour.

SATURDAY, March 27, 1858.

## FORENOON SESSION.

The Appropriation Bill for 1858, was read a third time and passed.

Hon. Mr. Mooney, as chairman of the special committee to whom was referred all petitions relating to paupers, &c., reported that the committee had come to several resolutions, which were referred to the House in committee of the whole—Mr. Perry in the chair. After some time spent therein, the House resumed. The chairman reported the adoption of twenty-five resolutions, which were agreed to by the House.

Hon. Mr. Palmer, from the committee appointed to bring in a Bill to regulate the bankruptcy and relief of honest but unfortunate debtors, submitted a Bill to that purpose, which was read a first time, &c., ordered to be read a second time on Monday next. Adjourned for one hour.

MONDAY, March 29, 1858.

## FORENOON SESSION.

Hon. Mr. Whelan, from the committee appointed to report upon the petitions of various Merchants, Agriculturists, and others, relative to extension of the Bank of P. E. Island, charter, submitted the following resolution, which was read a first time:—

*Resolved*, That it is expedient and necessary to alter and amend the Act 18 Vic., cap. 10, incorporating the Bank of Prince Edward Island, so as to authorise the Directors of said Bank, in times of general prostration of business, and when there is a scarcity of money, to suspend specie payments for a longer period than three months, in any one year, and not exceeding six months, should such protracted suspension be deemed absolutely necessary by the Directors; and also to empower and authorize the said Directors to receive, at their Banking House, Treasury Warrants and other Government securities, for the amount stated on the face of them severally to the extent of at least five thousand pounds, and the amount so received and deposited in their vaults, to represent an equal amount of the precious metals.

The Hon. Mr. Whelan then endeavoured to obtain the leave of the House to have one of the Indian commissioners (Theophilus Stewart Esq.) heard in his defence, relative to the over expenditure of his share of the last year's appropriation for the relief of the Indians. But this was, after a short discussion, over-ruled, on the ground that the commissioner had ample opportunity of being heard before the committee on Public Accounts.

The Bill to amend the City Corporation Act was, on motion of Hon. Mr. Wightman, discharged, to be read this day three months.

A message was received from the Legislative Council, informing the House that their Honors had passed the following Bills, viz:—

"An Act to prevent fraud by secret bills of sale of personal chattels."

"An Act relating to the office of Surrogate, and for other purposes." To which they desired the concurrence of the House.

"An Act to provide for the hearing and determination of causes in the Supreme Court in certain cases," with an amendment, to which they desired the concurrence of the House.

"An Act to provide for the collection in this Island of the Cape Race Light House Toll."

"An Act relating to the Fishery Reserves in this Island," without any amendment.

The amendment to the Bill, "to provide for the hearing of causes in the Supreme Court in certain cases," which was in the title of the Bill, viz:—After the word "cases," do insert "where Judges are interested or otherwise"—was read a first time, and a second and third time, under suspension of the rule, and passed.

The "Act relating to the office of Surrogate, and for other purposes" was read a first time, and ordered to be read a second time to-morrow.

The "Act for preventing fraud by secret Bills of sale of personal chattels," was read a first time. Second reading to-morrow.

The Hon. Col. Secretary, moved that the engrossed Bill entitled "An Act to alter and amend the mode of electing the Mayor and Councilman of the City of Charlottetown," be now read a third time.

The Hon. Mr. Palmer moved, in amendment, that the Bill be read this day three months, which was lost on the following division:—

Ayes—Hons. Messrs. Palmer, Longworth, Montgomery and Wightman, Messrs. H. Haviland, Clark and Laird—7.

Nays—Hon. Col. Secretary, Hon. Col. Treasurer, Hons. Messrs. Whelan, and Mooney, Messrs. Cooper, Macintosh, Muirhead, Munro, Dingwell, Perry and McGill—11.

The Bill was then read a third time and passed.

The Hon. Col. Secretary, from the committee appointed to join the committee of the Council to prepare an address to His Excellency the Lieut. Governor, requesting him to transmit the joint address of both Houses to the Queen, congratulating Her Majesty upon the marriage of the Princess Royal with Prince Frederick William of Prussia, presented to the House the draft of an address as prepared by the joint committee which was agreed to, ordered to be engrossed, and the same committee who prepared it be a committee to wait on His Excellency with the same.

The House then went into committee of the whole to further consider the Bill extending the jail limits to debtors in custody &c.—Mr. MacGill in the chair. After several amendments were made to the Bill, the House resumed. The chairman reported the Bill agreed to with amendments, which being accepted by the House, the Bill was passed to be engrossed, and that the title be "An Act for the relief of debtors confined under process of the inferior courts, and to amend the Act relating to the recovery of small debts."

Then the House adjourned for one hour.

TUESDAY, March 30, 1858.

## FORENOON SESSION.

On motion of Hon. Mr. Longworth, the order for engrossing the Bill entitled "An Act for the relief of debtors confined under process of inferior Courts, and to amend the Act relating to the recovery of Small Debts," be discharged, and that the Bill be referred back to a committee of the whole House, for the purpose of amending the same, by making lands and tenements liable to judgments obtained in the inferior Courts, by making the same matters of record in the Supreme Court.

The House went into committee—Mr. McGill in the chair. After some time therein, the House resumed. The chairman reported several amendments to the Bill, which were agreed to, and the Bill was engrossed.

A message was received from the Legislative Council, informing the House that their Honors had passed a Bill entitled "An Act to increase the rate of Treasury Warrants."

Also "An Act to prevent the running at large of Swine in Summerside and vicinity," without any amendment.

The "Act for raising a Revenue" was read a third time and passed.

The Bill to regulate the bankruptcy and relief of honest but unfortunate debtors was read a second time, and committed to a committee of the whole House. Mr. Muirhead in the chair. After some time spent therein, the House resumed. The chairman reported that the committee had come to a resolution, which resolution was agreed to by the House, and is as follows:—

*Resolved*, That the further consideration of the Bill to regulate the bankruptcy and relief of honest but unfortunate debtors, be deferred, and that it be recommended to the House to appoint a special committee to bring in a Bill to amend the Insolvent Debtors Act."

The Hon. Col. Secretary, Hon. Col. Treasurer, and Hon. Mr. Palmer were appointed the said committee.

The Hon. Mr. Whelan, from the committee appointed to prepare an Address to His Excellency the Lieutenant Governor, in accordance with the report of the special committee to whom were referred the petition of Henry Palmer and Theophilus Stewart, Indian Commissioners, presented a draft of an Address, which was agreed to by the House, and engrossed, and the same committee appointed to wait upon His Excellency with the said Address.

The engrossed Bill from the Council, entitled "An Act for preventing fraud by secret bills of sale of personal chattels," was read a second time. Hon. Mr. Whelan then moved it be referred to a committee of the whole House.

Mr. Laird moved, in three months, upon which discussion:—

**AYES**—Messrs. Laird, Cooper, Dingwell, Perry, Mr. Wightman—10.

**NAYS**—Hons. Messrs. Whelan, Longworth, T. H. Haviland, Col. Treasurer, Col. Secretary, Palmer and Mooney, Messrs. Macdonald, H. Haviland and Munro—10.

The Bill was lost on the casting vote of the Speaker, who decided in the affirmative.

The engrossed Bill from the Council, entitled "An Act relating to the office of Surrogate, and for other purposes," was read a second time, and ordered to be committed to a committee of the whole House this afternoon.

Read a third time, as engrossed, the "Act for the relief of debtors confined under process of the inferior Courts, and to amend the Act relating to the recovery of Small Debts." Passed. Adjourned for one hour.

WEDNESDAY, March 31, 1858.

During the whole of the forenoon of this day, the House was sitting with closed doors, and engaged in conferences with the Council.

T. KIRWAN, Reporter.

ment, that it be read this day  
the House divided, after a short

head, Clark, Macintosh, Yeo,  
n. Mr. Montgomery, and Hon.