

PARLIAMENTARY REPORTER;

CONTAINING AN ABSTRACT OF THE

DEBATES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL AND HOUSE OF ASSEMBLY

OF

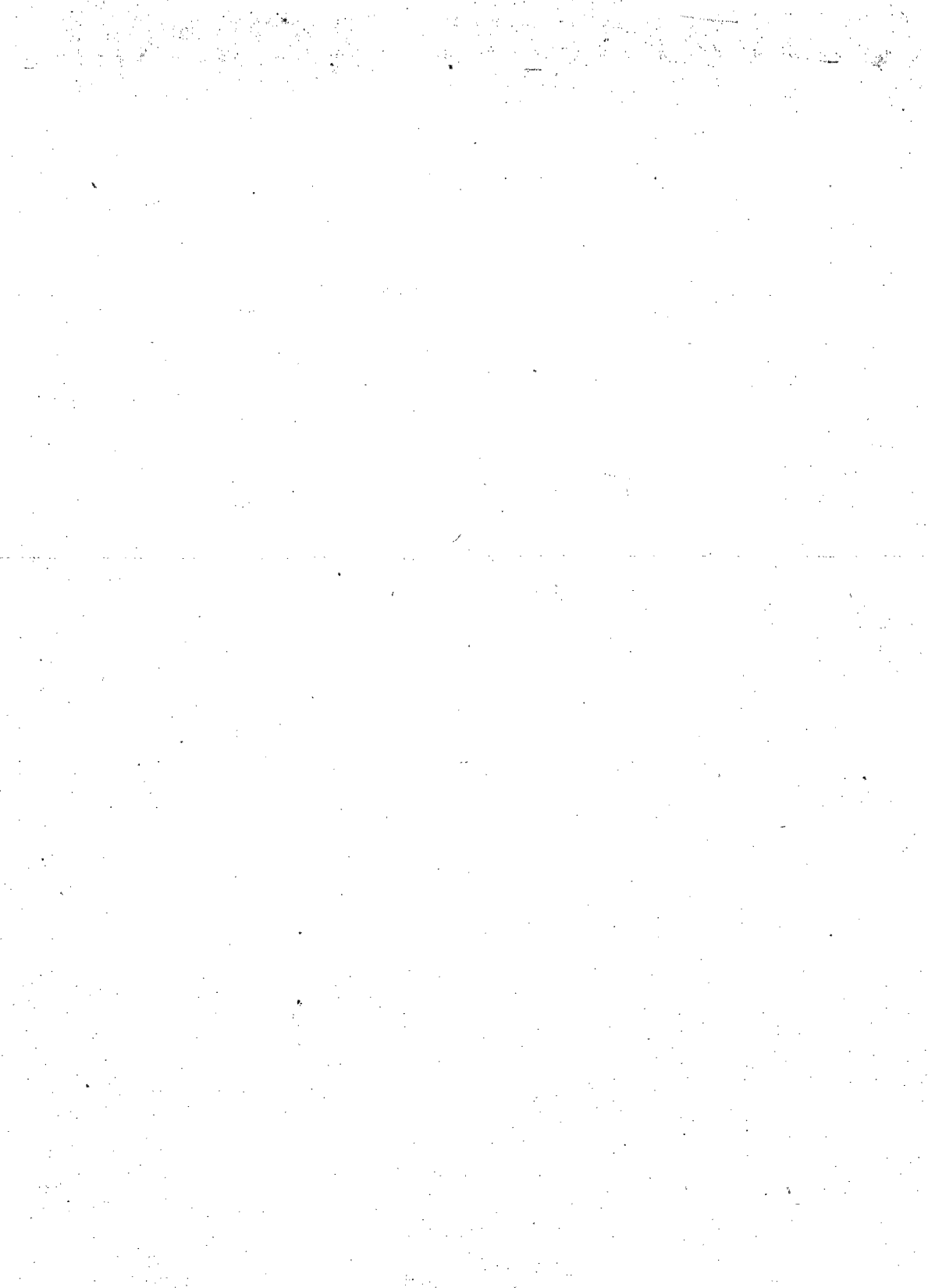
PRINCE EDWARD ISLAND,

FOR THE SESSION ENDING 15th APRIL, 1857.

AS REPORTED FOR "THE EXAMINER."

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PARLIAMENTARY REPORTER.

CHARLOTTETOWN, PRINCE EDWARD ISLAND, FEBRUARY, 1857.

Issued from "The Examiner" Office.

MEETING OF THE LEGISLATURE.

On Thursday, the 26th day of February, 1857, His Excellency the Lieut. Governor came down to the Council Chamber, and with the usual formalities, opened the Third 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 much pleasure in again meeting you for the discharge of the important duties that devolve upon us.

It affords me much satisfaction to be enabled to inform you of the favourable determination of Her Majesty's Government with reference to the suggestion contained in your joint Address of last Session to the Queen, on the subject of a guarantee by Her Majesty's Government for such a Loan as might be sufficient for the purchase of Township Lands in this Island, with a view to the more speedy and general conversion of Leaseholds into Freehold tenures.

The Despatches from the Principal Secretary of State for the Colonies, on this subject, shall be communicated to you, and a measure will be submitted for your consideration, in order to secure to the industrious inhabitants of this Island the benefits which have been thus placed within your reach by the paternal solicitude of Her Majesty's Government.

Mr. Speaker and Gentlemen of the House of Assembly:

The condition of the Revenue is satisfactory, and indicates general prosperity among the consuming population of the Island.

The Accounts for the past year, and the Estimates for the current year, shall be laid before you; and I rely on your readiness to grant such Supplies as may be necessary for the efficient support of the public service.

Mr. President and Honorable Gentlemen of the Legislative Council:

Mr. Speaker and Gentlemen of the House of Assembly:

The establishment of Municipalities throughout the Island appears to be highly desirable, in order that the principles of local self-government should receive a more extended application, by affording to the people the exercise of a greater degree of power over their own local affairs.

A measure upon this subject will be submitted to you; and I solicit your earnest attention to the establishment of such a form of local Government as may ensure satisfaction to the people; whilst it preserves inviolate the prerogative of the Crown, and maintains the due administration of the Law.

In connection with this subject, it is very desirable that the system under which the public moneys have hitherto been applied to the construction and repair of roads, bridges, and all other public works, should undergo a careful revision; and I would suggest for your consideration the expediency of establishing a Board of Works, which should comprise, besides certain members of the Government, a competent Civil Engineer.

A Board, so constituted, would afford the requisite responsibility, efficiency and economy in the execution of all public works, and greatly tend to promote the interests of the community in this important branch of the public service.

As those laws will shortly expire which have given to this Colony a well merited pre-eminence in securing to the rising generation the blessings of a Free Education, it will be for you to consider the expediency of continuing or re-enacting them.

I am fully sensible of the fact, that the educational establishment of this Island involves a very heavy charge upon its revenue, which is small in comparison to those of the sister Provinces; a charge which is larger than is incurred for a similar purpose in older, wealthier and more populous communities; and amounting in all to one-third of the public income. But keeping in view the great advantages that accrue from such an expenditure—advantages which are felt by the present generation, but which will be still more sensibly apparent to future ones,—I strongly incline to the opinion, that the public money could not be better applied than in fostering that free system of public instruction which has hitherto given such general satisfaction to the people of this Colony, and which has been referred to in terms of commendation by our fellow subjects in other portions of Her Majesty's dominions.

The interests of agriculture are entitled to the special care and attention of the Legislature, in a country where so large a portion of the community is employed in agricultural pursuits; and I am not aware of any mode by which those interests can be so effectually promoted, as by affording liberal encouragement to such institutions as the Royal Agricultural Society, whose exertions have hitherto been attended with very beneficial results.

I am again under the necessity of calling your attention to the subject of Steam Communication with the neighbouring Provinces. Arrangements of a more permanent character than have yet been effected are indispensable for placing that important communication on a satisfactory footing, and I earnestly recommend the subject to your consideration.

In all the measures which you may adopt for the promotion of the interests of the Island, and the happiness and contentment of the people, you may rely on my zealous co-operation; and I humbly hope that the Almighty may render our endeavours efficacious for the public good.

HOUSE OF ASSEMBLY.

Thursday, February 26, 1857.

APPOINTMENT OF COMMITTEES.

After the members of the House had returned to their own apartments, the following Committees were appointed:—

To provide Stationery—Hon. Col. Treasurer, Messrs. Clark and Munro.

To receive Tenders for Printing the Journals—Messrs. Clark, Muirhead and H. Haviland.

On Expiring Laws—Hon. Col. Treasurer, Muirhead, and H. Haviland.

To prepare an Answer to His Excellency's Speech—Mr. Macdonald, Hon. Mr. Whelan, Messrs. Muirhead, Cooper, Munro, Perry and Dingwell.

Good Correspondence with the Legislative Council—Hons. Col. Secretary and Wightman, Messrs. Dingwell, Macdonald, Hons. Longworth and Haviland.

To examine Bills to be Engrossed—Messrs. Clark, Macdonald, Munro, Perry and H. Haviland.

To revise Journals—Messrs. Muirhead and Perry, and Hons. Messrs. Montgomery, Longworth and Palmer.

PUBLIC ACCOUNTS.

On Hon. Mr. Wightman being nominated a member of a committee on Public Accounts—

Mr. H. HAVILAND said, surely a Member of the Government would not be appointed a member of that committee.

Hon. COL. SECRETARY wondered where the hon. member obtained his information, that a member of the Government ought not to be on that committee. No hon. member was fitter to be on that committee than a Member of the Government; and he did not see how that committee could get on without such a member on it. Having a member of the Government on the committee, instead of writing letters requesting information on the subjects referred to them, the Committee could obtain the information they required from him. In the other Colonies, members of the Government, such as the Financial Secretary and others, were appointed members of the committee on the Public Accounts.

Hon. Mr. WHELAN, alluding to the other Colonies, said, he saw that on some occasions the chairman of the committee on Public Accounts was a member of the Government. The observations made by the Hon. Col. Secretary were very much to the point. The Financial Secretary, in the other Provinces, examined the public accounts; and he trusted the day was not far distant when the House of Assembly of this Colony would resort to the practice of having an officer to undertake that laborious duty—when that duty would be discharged by an officer who would require to be on the floor of the House.

Hon. Mr. LONGWORTH thought it was probable a member of the Government would refuse the appointment; and doing that, of course the majority of the House could not oblige him to accept it.

Hon. Mr. WIGHTMAN said, if it was not the practice in the neighboring Provinces, he certainly would decline the appointment; but as it was the practice there, and he had been nominated a member of the committee, of course he would act.

Hon. Mr. PALMER said, an hon. member had stated that a member of the Government was the most fit person to be put on the committee of public accounts; but in that case members of the Government had better compose that com-

mittee altogether. He did not rise, however, to make any objection by a motion to Hon. Mr. Wightman as a member of that committee. He did not see any great difference between a member of the Government being on that committee and a member of the House who was in the habit of supporting the Government.

Hon. COL. SECRETARY said, perhaps it would be better to nominate the seven members of the minority members of the committee in question. He thought it was time the majority looked very narrowly after the business devolving on that committee, and not allow such proceedings as took place last year. Perhaps the minority desired the privilege they had enjoyed then; but he thought the country would look at the majority with a very scrutinizing eye, if they allowed the public accounts to be falsified, as had been done last Session.

Hon. Mr. LONGWORTH said, the minority did not make a false statement of the public accounts last year. He asked the hon. member to show where they had been falsified. As far as he could judge, they had not been falsified. [Hon. Col. Secretary: they were falsified by the comments.] If the original document were produced, it would appear there that they had been modified.

Hon. COL. SECRETARY said, the hon. member was mistaken. The original document referred to was merely a statement sent into the House, giving a probable estimate of the property on the Worrel Estate, if it should be sold. But if the public accounts were not correct, who was to blame? The Auditors of the public accounts were gentlemen who supported the present minority. He did not fear the investigation of the public accounts; and the Government had appointed two gentlemen Auditors of those accounts, who were directly opposed to them; but those gentlemen had failed to discharge the duty properly. He could tell from the statements made what was not true. Had it not been stated that he had received £15 for going to Fyfe's Ferry Bridge? but he had received no such sum. It had also been stated that his friend on his right (Hon. Mr. Whelan), had received a certain sum for printing; but it also included charges for stationery. The people, however, were now becoming aware that the statements put forth by that newspaper (*the Islander*), were not to be relied on; and he believed now, that tho' it should publish the truth, the people would not believe its statement.

Hon. Mr. MONTGOMERY said, the hon. member was making statements that were not true; the minority never did anything of the kind. He had been on the committee; and as far as he knew, there was nothing of the kind done. If the accounts furnished to the committee were correct statements of what was laid before the House, and if they had been commented upon, why attack the minority for it? He contended that the statements published in the newspaper alluded to were a true copy of the accounts. [Hon. Col. Secretary: I beg to say, it was not true; there was no such statement in the public accounts.] He could tell the Hon. Col. Secretary the statements he had made were not correct; and he trusted hon. members would confine themselves to facts, and such statements as would not excite angry feelings between them. The statements just made were not correct; let the accounts be produced.

Hon. COL. SECRETARY asked who took the public accounts from the desk containing them? had the Editor of the *Islander* a right to go and ransack that desk? Did he think the public were fools?

Mr. COOPER said there was an unfair advantage taken last year, but who was to blame he could not say. He thought the minority would have a good opportunity to

consider the subject, when it was brought before the House; and he did not think it was taking any unfair advantage of that party, if some of them were appointed on the committee of public accounts; for they would have an opportunity to examine these documents, when they were brought before the House. There certainly had been some advantage taken, in publishing the accounts referred to, before they had been proved and brought into the House.

Hon. Mr. PALMER wondered what the hon. member meant by an unfair advantage being taken. What was all this argument about? It must be within their recollection, that the editor of a newspaper undertook to publish and make remarks on the charges made in the public accounts sent down to the House. Now, he held that any editor had a right to do that, as long as he did not publish any libel on the House. What breach of the privileges of the House was it to publish anything, stating that such and such an item of charge appeared in the public accounts sent down to the House of Assembly? Was there any novelty in that? and where was the advantage? of whom was the advantage taken? who committed any breach or violation of the rules of that House? The public accounts were sent down to the House as public documents; they were public documents as soon as they came into the House; and therefore they were open to any reporter who came there. The Hon. Col. Secretary said he was not the least alarmed that the country would mistake the House; but he seemed to be dreadfully afraid that the public accounts would get before the country too soon. He (Hon. Mr. Palmer) thought he ought rather invite publicity, and not wish to stifle anything. In the case alluded to, the editor of a newspaper undertook the matter on his own responsibility, picked out any items he could get—as any reporter might do—and made comments on them. There was a long series of those items, he believed twenty or thirty of them; and the editor referred to had been incorrect in two or three, but in the great majority he had been correct; and he (Hon. Mr. Palmer) did not see that anything that could be done now would prevent such proceedings.

Hon. Mr. WHELAN said, he quite agreed with the hon. member in what he had said regarding the right of any editor coming into the house, and making comments on what he saw and heard; but he totally disagreed with him in other statements. A document was public if it had been adopted in the House; but it was essentially a private document, if it was in the hands of the chairman of the committee to whom it had been referred. Would the hon. member say, that a Bill introduced for a first and second reading was a public document, if it were read in a private capacity? Would he say that any person had a right to come and take that document or Bill—a private Bill, and make extracts from it for his own purposes? The hon. member would not listen to such intolerable nonsense—he did not believe it himself. If the reporter of any newspaper had been in his place, and listened to an extract read from the public accounts, he was perfectly justified in making any use of that report, provided he did not libel the House; but when the report of the committee was essentially a private document—when it had not been issued by the chairman, then it was improper for that person to take extracts from the document, before it had been submitted to the committee.

Hon. Mr. LONGWORTH said he had never listened to such arguments. Was not the hon. member aware that the documents of the House of Assembly were printed; and were they not then public? Since he had been a member of that House, he could obtain them, even without the leave of the Speaker. The Hon. Col. Secretary charged the minority of that House with falsifying the public accounts; but he would

wish to know on what grounds. If a printer obtained possession of those accounts, what right had the hon. member to say that the minority had falsified them? He could not see for what reason that hon. gentleman had charged the minority, as he had done.

Hon. COL. SECRETARY would soon give the reason. The hon. member knew well that the printer alluded to was an officer of that House (No, no)—he was under contracts to print the Journals and Debates of the House, and so had a right to walk into the apartments of the officers, of the House, and obtain the paper, which he required. If, however, he had published what was correct, there would have been no complaints; but what he (Hon. Col. Secretary) complained of, was the falsifying of the documents alluded to. No such statement as that referred to, was in the public accounts; and when they came before the House, the chairman of the committee said he never allowed them to go out of his hands. Besides, when the minority of the House were questioned on the subject, they did not say they had not taken extracts from those accounts. Would they or other parties suspected come forward and say, they had taken no extracts from them? If the printer alluded to had taken them, they ought to refuse to give him contracts for printing the Journals and Debates.

Mr. H. HAVILAND said, that was certainly, liberty with a vengeance. In this country, which was called a free country, it was tyranny in the worst form. Would the Government, or the country, or the Legislature, say the individual who gives in the lowest tender should not have the right to perform certain work? Most certainly he ought not to be rejected. It was most extraordinary! He thought the hon. member had been under the especial care of the Emperor of Russia last summer. It had been stated by another supporter of the Government, that editors of newspapers had no right to anything connected with the business of the Legislature, before it was brought before the House. [Hon. Mr. Whelan—I wish to explain; it is an error. No member has a right to make an extract.] He (Mr. Haviland,) said decidedly, that a member of that House had a right to circulate anything as that alluded to, thro' the length and breadth of the island; and when a committee was sitting upon any public question, on which the interests of this Colony were at stake, they might make the proceedings public, and print them every morning. In the House of Commons, in England, when a very important committee was sitting on matters relating to the late war, and when, perhaps, it would be to the injury of the very Government themselves, every morning in the Times newspaper were the proceedings of that committee made public. He contended that here also every item of the public accounts might be made public—that he might tell every printer what was contained in those accounts, relating to the Worrel Estate or other matters, and that the printers had a perfect right to print and publish anything of that nature.

Hon. Mr. MOONEY said, he had never seen any person more persecuted than the publisher of the *Islander*. It was a great shame to see poor Mr. Ings kicked about the carpet in that fashion. There was not one of these gentlemen willing to rise and take the whole charge upon their own shoulders, and free that gentleman. If he (Hon. Mr. Mooney) were a printer, he would never suffer such treatment. Statements were issued from that office, and there was no one to father them. He was very glad to see such a display at the commencement of the Session; it indicated that they would do something. They would cool down in a couple of days, and then perhaps come at it again. Before they had His Excellency's Speech answered they would wax hot; but would come back to Bagdad again, as Sinbad the sailor did. The minority had made nothing of it after all the blaze. It was a new doctrine, to say that a printer or an editor of a newspaper was justified in taking up anything relating to the business of the House, putting a false construction on it, and publishing it. Why, that House had no control over them. But, behold, whatever appeared, poor Mr. Ings was blamed for it. He (Hon. Mr. Mooney) would

“Rather be a dog and bay the moon;”

than such a man. The minority were poor defenders, and he thought bad pays. [Laughter].

Committee.—Messrs. Macdonald, Perry, Muirhead, Hon. Mr. Wightman, Messrs. Munro, Dingwell and Cooper.

Committee on Private Bills.—Messrs. Clark and Laird and Hon. Mr. Whelan.

It was then resolved that the usual order be given to the Postmaster, and that the Journals of the House be sent to His Excellency. House adjourned till to-morrow.

FRIDAY, February 27.

The following resolution was adopted by the House :

“Resolved, That no Petition praying aid for Roads, Bridges and Wharfs, or for any object of a local or private nature, be received after Monday, the 16th day of March next.”

Mr. Clark from the committee appointed to receive Tenders for printing the Journals, reported that they had received three tenders for that service; and the tender of Mr. John Walsh being the lowest, the committee recommended that it be accepted by the House, which was agreed to.

House adjourned till to-morrow. R. LAIRD, Rep.

SATURDAY, February 28.

Mr. McDonald as Chairman of the committee to prepare the Address in answer to the Governor's Speech, presented the draft of the same, which was read, and an order made to go into committee of the whole House on the subject of it on Monday next.

Mr. Perry presented a petition from certain inhabitants of Lot 15, praying aid to rebuild bridge; another praying aid to open road on Division Line of Lots 14 and 15. Petitions laid on the table.

Hon. Mr. Montgomery presented a petition from inhabitants of Lots 18 and 20, praying aid to construct bridge over Mr. Joshua Davidson's milldam. Petition laid on the table.

Mr. Yeo presented a petition from inhabitants of Tignish, Lot 2, praying aid for additional facilities of communication with Western Road. Petition laid on the table.

The House then adjourned. T. KIRWAN, Rep.

AFTERNOON SITTING.

PETITIONS PRESENTED.

By Mr. Yeo.—A petition of inhabitants of Township 13, 14 and 15; also a petition of inhabitants of the West Shore of Townships 1 and 2, and others; both praying aid to improve their road communications. Laid on the table.

DIVISION OF PRINCE COUNTY.

Hon. Col. Treasurer presented to the House a report on this subject, which was adopted by the House, and is as follows:—

“Your Committee to whom was referred (during the last Session) the petition of the inhabitants of the Western part of Prince County, praying that the County may be divided, and a Jail and Court House erected at Cascumpec—have to report that, as far as they can judge, the expense of building such Jail and Court House would not be less than £1,800, in the first instance, and including pay to the Judges, annual maintenance and Juror's fees, the expense would amount to £500—a sum too great to be taken from the general revenue. Your Committee cannot recommend the division of the County, unless the petitioners are prepared to pay the expense necessarily attendant upon it.”

Hon. COL. SECRETARY said, there was another subject to be considered in reference to that petition. He thought the time had arrived when they ought to provide some kind of a Lock-up in different sections of the Island. During the summer, there were many fishermen about the coasts of the Island, who were sometimes troublesome to the inhabitants, and who, on such occasions, might be put a short time into the buildings mentioned. Were there such buildings, much expense in sending them to jail would be saved. Buildings of that description, he thought, were worthy of the consideration of the House.

Mr. YEO thought such a thing should be done; and as there was an application to the House, from a part of that

County, for the erection of a Court House, he thought it might be made a little larger, and thus answer both purposes.

Hon. COL. TREASURER stated, that there was to be a Report from the same Committee, presented to the House relating to that building. He quite concurred with the views expressed by the Hon. Col. Secretary and Mr. Yeo, on the subject.

NAVIGATION OF KILDARE RIVER.

Hon. Col. Treasurer, as Chairman of the Committee, presented to the House, a Report on this subject, which was adopted by the House, and is as follows:—

“Your Committee, appointed during the last Session of the Legislature, to report on a petition from the inhabitants of Kildare, praying that a sum of money in aid of subscriptions, be granted to cut a channel to improve the navigation of Kildare River, beg to state that there is a sand-bar at the entrance of the River, which is nearly dry at low water; and they are of opinion that it would be impossible to open a channel through it, which would not be again filled up by the running sand. They are not aware that any similar work has been attempted on the coasts of this Island, with the exception of that undertaken by the Messrs. Haywood of Tignish, who opened a channel at Tignish run, for the purpose of taking through a new vessel, which immediately filled up. Your Committee cannot, therefore, recommend that the prayer of the petition be complied with.”

Hon. COL. TREASURER said, the members of the committee who prepared the report, had seen the spot; and he believed there was very little water in the place at low water; and so he was convinced it would be impracticable to have the proposed object effected.

Mr. YEO knew the place as well as any hon. member. Persons had opened the channel by ploughing; but it immediately filled up. He would be happy to do anything, in order to get the proposed work accomplished; but he thought it would be rather a useless expenditure of money to apply it for that purpose.

COURT HOUSE, CASCUPEC.

Hon. Col. Treasurer presented to the House a report on this subject, which was laid on the table, and is as follows:—

“Your Committee, appointed during the last session, to report on a petition from the inhabitants of Cascumpec, praying that there may be erected at Cascumpec, a Court House, for the use of the Small Debt Commissioners of that District, are of opinion that a suitable building ought to be erected where prayed for, provided a site can be procured.”

EXPIRING LAWS.

Hon. Col. Treasurer, from the Committee on this subject, presented to the House a report, which was then referred to a Committee of the whole House.

After some time spent in Committee, the Chairman reported several resolutions agreed to, which were adopted by the House, and are as follows:—

“Resolved, That the Act 19 Vic., cap. 1, intituled ‘an Act for raising a revenue, and to consolidate and amend several Acts therein mentioned,’ be continued and amended.

“Resolved, That the Act 17 Vic., cap. 14, intituled ‘an Act to continue and amend the Princetown Royalty Church Incorporation Act,’ be continued.

“Resolved, That the Act 17 Vic., cap. 10, intituled ‘an Act to exempt certain Bills of Exchange, Promissory Notes, Contracts and Agreements, from the operation of Laws relating to Usury,’ be continued and amended.

“Resolved, That the Act 15 Vic., cap. 41, intituled ‘an Act to prevent the going at large of Swine and Geese at all seasons, and of Horses at certain seasons of the year, in the squares and streets of Georgetown,’ be continued and amended.

“Resolved, That the Act 15 Vic., cap. 13, intituled ‘an Act for the encouragement of Education, and to raise funds for that purpose, by imposing an additional assessment on land in this Island, and on Real Estate in Charlottetown and Common, and Georgetown and Common, and the several Acts in amendment thereof,’ be continued and amended.”

Hon. Col. Treasurer, Messrs. Muirhead, Heath Haviland, Clark and McDonald, were then appointed a committee to prepare and bring in Bills, in accordance with the foregoing resolutions.

HUNTER RIVER BRIDGE.

Hon. Col. Secretary presented to the House, a report on this subject, which was adopted, and is as follows:—

“Your Committee, appointed last session, to enquire into the expediency of building a Bridge over Hunter River, Rustico, have to report, that from the great depth of water in the channel, and width of the river, a very heavy outlay would be required; and further, that the number of persons that would travel over the said Bridge, is not sufficient to warrant so large an expenditure as would be required to erect it.

“But your Committee would recommend a small sum to be expended in procuring a scow, and to encourage a person to keep the said ferry, especially, as many persons cross the river on Sundays, to Church and Chapel.”

House adjourned till Monday next.

MONDAY, March 2.

COMMITTEES APPOINTED.

On Teacher's Petitions,—the same committee as last year, with the exception of Hon. Mr. Mooney instead of Mr. McGill, absent from the Island. Mr. Perry, Chairman.

On Pauper's petitions,—the same committee as last year. Hon. Mr. Mooney, Chairman.

PETITIONS PRESENTED.

By Mr. Yeo,—from A. C. Bickford; referred to committee on Teacher's Petitions.

By Mr. Dingwell,—from inhabitants of the South Side of Little River, praying for a sum of money to complete a road; laid on the table. House adjourned. R. LAIRD, Rep.

AFTERNOON SITTING.

ADDRESS IN ANSWER TO THE GOVERNOR'S SPEECH.

The House having met, on motion of Mr. McDonald, the first order of the day was read, viz: that the House go into committee on the address in answer to the Governor's Speech. Mr. Clark took the chair of the committee.

It was agreed that the Address be read in the usual way—paragraph by paragraph.

On the Second paragraph of the address being read, which is as follows:—

“It is with pleasure we receive the information that Her Majesty's Government have come to the determination to aid our endeavours to convert the leasehold into freehold tenures, by such means as cannot fail to afford general satisfaction. The sooner that desirable object can be effected, the more it will encourage the tenants to reclaim their lands, and improve their homesteads, which is a sure sign of a prosperous country and contented people.”

Hon. T. H. HAVILAND—Before the question be put upon that paragraph of the Address which has just been read, I wish, Mr. Chairman, to offer one or two brief observations upon it, as I do not conceive that circumstances warrant the Committee who drafted that Address, in assuming that the guarantee by Her Majesty's Government for a loan to purchase Township Lands in this Island, for the purpose of converting leasehold into freehold tenures, will give “general satisfaction;” and I do not require to go outside the walls of this House in confirmation of the views I entertain upon the question. I was unfortunately absent in England during the last Session of the Legislature, when the Address of the Council and Assembly to the Queen, upon the subject referred to in His Excellency's Speech, was agreed to. Had I been in my place, I do not hesitate to say, for reasons which it is unnecessary at present to explain, that the measure would have received my most decided opposition.

I observe from the Journal of this House, which is now before me, that in the division which took place, when the ad-

dress passed this House, the numbers were nine to six. I also observe that beside myself, three other hon. members whose views upon the Land Purchase question, I believe, coincide with mine, were also absent at that division, so that had we all been in our places, the address would not have left this House,—a sufficient proof, I take it, Mr. Chairman, that the object of the Address, was not generally satisfactory to the people of the Island—that is, if hon. members of this House truly represent the views and opinions of their constituents.

I further observe, Mr. Chairman, among the minority, the names of three hon. members, whose efforts to advance the interests of the tenantry, and to ameliorate their condition have been most unremitting ever since they occupied seats in this House; and when I find that these gentlemen are opposed to the contemplated measure, I am further strengthened in the belief which I have before expressed, that it will not give “general satisfaction.” I therefore move that the paragraph be struck out, and the following substituted:—

“We thank your Excellency for communicating to us the information that Her Majesty's Government have come to a favourable determination with reference to the joint address of the Council and Assembly, to the Queen, on the subject of a guarantee by Her Majesty's Government, for a loan for the purchase of Township lands in this Island, with a view to the more speedy and general conversion of leasehold into freehold tenures.”

Hon. COL. SECRETARY.—I thought when the hon. member rose, he was going to give some reasons for objecting to the paragraph under consideration, but he wanders off to the last session, and gives as a reason why he should not vote for the address to the Queen, that he saw among the names of the minority who voted against it, those of three hon. members (Messrs. Cooper, Laird and McIntosh,) who had always voted for measures to benefit the tenantry. This is a somewhat novel position, Sir, for the hon. member to assume, when we can recollect that at the time they voted for an escheat, that hon. member was one of their most strenuous opposors. He was not then guided by their views. But last session he would vote for them if he were here! That would, indeed, be an unnatural alliance! The position the hon. gentleman has taken, reminds me of a reported speech of his, when the Prohibitory Liquor Bill was under consideration. On that occasion he. (Mr. Haviland,) supported the measure, because it was supported by liquor dealers, who had signed the petition. I want better reasons than the hon. member has given, to convince me that the loan does not give general satisfaction. The fact of the Government having the lands in their possession, and enabling leaseholders to purchase, is, I think, the greatest benefit that could be conferred upon the tenantry. The credit of this colony is not sufficient to warrant Government in purchasing all the lands that might be offered; but the Home Government have proposed to back this Government in a sum of £100,000, sterling, which shows they have faith in the propriety of our course in this matter, and are willing to give us credit. He thought the objection of the hon. member was based upon a mere caviling at words, as far as he could judge from the reasons given. When the question of a loan was first mooted, the hon. members of the opposition laughed at the idea, and said, “Don't you wish you may get it.” But they must have changed their minds since. He was in hopes this course of the home Government, in granting what was asked, would enable them to purchase all the lands on this Island, that would be offered by the proprietors, and thereby put an end to this vexed question. But, behold! the result is the opposite! The object of the Government should be properly understood—they wished to turn all the leasehold properties into freehold—and thereby secure the people in independence. And if the minority were to bring in a measure which had for its object, a similar consummation, he would be among the first to support them.

Mr. YEO.—One reason why he should not vote for the paragraph under consideration, was because it would say an unjust tax upon the whole country, gave general satisfaction, which was likely to have a result similar to that of the Worrel Estate—and of the money thus expended, we should never see one penny back. He alluded to a petition now under consideration, signed by a number of the tenants on the Sulli-

van estate, two thirds of whom have never paid a penny of rent for the last fifteen years. And these are the people whom we think to make freeholders of—whom we expect to purchase farms of the Government! The idea was ridiculous. If we sent to England and got £100,000, and bought up all the lands in the Island, the chances would be that this Government would never see a farthing in return. Before another estate is bought, we should wish to see the accounts of the Worrell Estate made up, and this was the general wish of the country.

Hon. the SPEAKER.—As to the petition alluded to by the hon. member (Mr. Yeo), two thirds of the signers of which he said did not pay rent for fifteen years—part of the statement only was true. Many of these tenants never received leases, and he was assured if they had, they would pay their rent. He was in favour of the grant, and thinks it a measure calculated to promote the good of the colony. When the question came up for discussion, he was in the chair; but if he were on the floor of the House, he would support the measure. He did not deny but there may be some losses to the country in the end; but he thought when hon. members anticipated such results, they were looking too far ahead, and it would be better to wait a while, for just cause, before we complain, should there be a loss. He was prepared to bear a share of the loss, as well as others, should such an event come to pass. A great cause of complaint, and a just one, with many of the tenants on a portion of Lot 61, under the hon. member's (Mr. Yeo) management, was that the gentleman, he believed, had no power to lease or sell, and this created much dissatisfaction and ill-will on the part of the tenants; and the sooner such a system was at an end, the better. The hon. member, (Mr. Yeo) was the mere recipient of the rents which he transmitted to his principal on the other side of the Atlantic; and he, (the Speaker) repeated, that such powers as that of agent, which Mr. Yeo held, were calculated to create great discontent, not only among the tenants on Lot 61, but upon other properties similarly situated. This was not a proper state of things; and he contended the only way to remedy it was the course pursued by the Government, to buy out the land from the proprietors, and dispose of it on such terms as would leave it within the reach of all to purchase. He might not live to see the consummation of such a desirable object, but he was assured if any present loss would accrue to colony, it would eventually be again. The hon. member (Mr. Yeo) laid great stress on the assertion that two thirds of the signers of the petition did not pay any rent for fifteen years. He would not allow that hon. member to disparage his constituents in this manner. If he said one-third, he would be about correct; but that two-thirds of the signers of that petition did not pay rent for fifteen years, was false. The reason why any of them did not pay their rents, I have already stated—because they could not obtain leases.

Mr. YEO would inform the hon. member that these tenants have had leases, and the reason they did not pay their rent was not because of their not having leases, but an unwillingness to pay anything for their land. On a recent occasion, which the hon. gentleman no doubt recollected, those honest people whom he says I want to disparage, actually rose in arms, and a riot might have ensued, merely because I wished to collect the rents due by them. What kind of stories does the hon. gentleman want us to believe, when he tells us the tenants are willing to pay their rent if they had leases. I have offered them to forgive all the back rents if they would pay, or commence to pay the rents now due. But they would not listen to such a proposition, but mobbed me. They were not Irishmen, I believe, but Monaghans.

Mr. COOPER was hardly prepared for so lengthy a discussion on the Land Question as he had heard to-night, and how far such a discussion would forward the adoption of an answer to the Governor's Speech, he would not attempt to say. He thought it was uncalled for.

Hon. Mr. PALMER.—When he first read the Address in answer to the Governor's Speech, the paragraph under consideration did not strike him as alluding, in a pointed degree, to what the result of the Loan Bill would be, or that it gave general satisfaction; therefore, he was unprepared for the lengthy discussion which has ensued. But upon reading it a second time, he was convinced of his mistake, and was pre-

pared to go even farther than the hon. gentlemen who opposed it. He would like to see the main principles of the Loan Bill before he would agree to the paragraph now before the House, which says the Bill gave "general satisfaction." He did not think he was warranted in subscribing to any such pledge. He had no objection to the paragraph so far as "It is with pleasure we receive the information that Her Majesty's Government have come to the determination to aid our endeavours to convert the leasehold into freehold tenures;" but when it says, "by such means as cannot fail to afford general satisfaction," that is the part he found fault with. Before hon. members subscribe to that doctrine, they should be well assured whether they were warranted in doing so or not. He felt as the hon. member (Mr. Cooper) did, and was not inclined to go into the discussion of the Land Question; but he could not let the passage go by in silence, and did not feel himself warranted in voting for the paragraph. Although he did not represent an agricultural district, still he was aware that his constituents were not ignorant of the fact that they are to be taxed as well as the agriculturists for the support of this measure. And it will be found that the measures taken by the Government, do not at least satisfy them. The Land Purchase Bill is not self-sustaining, he was sure; but if that objection could be removed—if the land purchased could be made to pay for itself, then he should have no objection to it. But has such a result been brought about? Past experience says it has not. What are the measures proposed by the Government to purchase the lands? To tax the freeholders to pay for the leaseholder's lands. Is this right? He was sure such a course would not produce general satisfaction. 'Tis true, we have a large body of leaseholders in this Colony—we have also many thousands of freeholders, and we must pause and consider whether we are justified in taxing them for the purpose of purchasing out leaseholds for those who have not been able—perhaps not disposed to purchase for themselves. Freeholders are at least as independent as leaseholders—in fact are more independent, and no whit less entitled to fair consideration than they. I have heard it suggested that the Land Purchase Bill will pay for itself; but I have my doubts on that head. If money enough could not be raised from such lands as are already purchased, to pay the Government, the prospect is poor indeed for any future operation of the kind being successful. Suppose a tenant wants to purchase his land, and tells the landlord he wishes to become a freeholder. If the land is worth £100. Let us suppose he gives £50 in hand, and secures the remainder by mortgage on the farm. In time he raises the balance of the purchase money on the land itself, and becomes independent. This is what I call self-sustaining. The farmer does not call on his brother freeholder to assist him; but makes it out of the farm itself. If the Government will undertake to raise money on the new Land Purchase Bill after this manner, it would be self-sustaining—unobjectionable. £100,000 sterling is no small sum to borrow, and it should not be forgot that it bears a heavy interest. If we only take £50,000, the interest is £6,000 per year, and that is no mean sum. It is a large tax to be paid by the people of this Colony—by freeholders as well as leaseholders. I will not go into details, however, but merely give a rough estimate of what this loan will cost the people. I was in hopes the hon. member from Princetown (Hon. T. H. Haviland) would go farther in his amendment than he has done. It does not pledge the House on any definite course of action; and, therefore, I conceive it to be inadequate. I have heard it reported that the people believe it for a fact that £100,000 is to be advanced, and paid out of the funds of the British Exchequer, and the Island is not to advance anything; but the fact is far otherwise. Others again talk of the magnanimity of the British Government—that John Bull is so generous that it is ten chances to one if he will ever ask for payment. If the people believe such stories as these they deserve to suffer all the taxation that can be laid on them. The truth of the matter is, England does not intend to advance one farthing. The way I understand the case is, the British Government say, "You are to issue so much scrip, and we will guarantee its payment." I don't see much magnanimity in this! They have the appointment of a Lieutenant Governor to this Colony, and they will take good care not to appoint any other than one who will

look after their interests. He will be carefully instructed by his Sovereign not to assent to any Revenue Bill of the Colony, unless the money thereby to be raised shall be first charged with the Land Purchase Debt; and this he will be bound at the peril of his situation to obey. That being the case, it is a sufficient guarantee that the Exchequer will never be called upon to pay a penny of the loan. If the people know they will have to pay £6,000 interest on this loan, and the principal itself when it becomes due, it is not likely the scheme will give "general satisfaction." I do not think it will. I don't see why leaseholders and freeholders should be taxed, in equal degree, for the interest of such a large amount. "O," it may be said, "it will make all the people freeholders." But when it becomes a matter of pounds, shillings and pence—when freeholders find all is to be borrowed out of their pockets, as well as out of the pockets of leaseholders, and are compelled to pay interest, too, on their own money, they will not be so ready to agree to it. The scheme is founded on class legislation. It may be that the Home Government have another scheme in view. However, I hope these matters I have touched upon, may be gravely considered by the House before they conclude upon adopting that paragraph, with its erroneous assumption.

Hon. COL. SECRETARY.—I do not wonder at the country being alarmed, if such stories are propagated and believed, about the affair of the loan of the British Government to this Colony. Why, sir, it would be enough to frighten the people indeed to pay £6,000 interest on a loan of £50,000!

Hon. Mr. PALMER.—It was a mistake, I inadvertently stated the interest of £100,000 for that of £50,000.

Hon. COL. SECRETARY.—The hon. member (Mr. Palmer) said £6,000: he even repeated it. Now, sir, the fact is, the interest on £50,000 would not amount to more than £2,000, which is only one-third of what the hon. member tried to frighten us into the belief, the country would have to pay. Indeed, it would not be more than £2,500, even at the rate of interest allowed by the Land Purchase Bill. But the hon. member seems to labor under the impression that we are going to draw the whole amount at once. Let me re-assure him, and those who are misled by such like false conclusions. It is not the intention of the Government to draw in larger sums, than perhaps, £10,000 at a time, which will be invested in such a manner as to ensure that hon. member, or any of his apprehensive constituents, from danger of the slightest loss. But, sir, it is time these "will-o'-th'-wispas," who are misguiding the people with their false light, should be exposed—it is time these croakers were listened to no longer. They grasp at everything to support themselves in their false position. They stop at nothing to secure their ends. They have raised a great hue and cry about the Worrell estate, and how it has been a source of loss to the Government through mismanagement, and that, after all, the people on that estate are not satisfied. Let them ask the people on that estate if they have cause to complain; and they will have "No" for answer. But, sir, let them ask the tenants on the property of the Earl of Selkirk—let them ask the tenants on the property for which Mr. Yeo is agent. The tenants on the first have petitioned their landlord to allow the Government to purchase—that they may have a chance of becoming freeholders. And those on the last have signed a similar petition which will involve the hon. member's (Mr. Yeo) removal. This shows how contented the tenantry are under their present disabilities. It shows, sir, that it is high time for the Government to take the matter in hand, and see strict justice done the tenant. Then, sir, after all, we come to see that this loan is not such a frightful affair as we are led to believe it is, by that infamous and slanderous sheet, the *Islander*, or the lying scribbler who is hired and paid to malign, libel and misrepresent, the Government through its medium, and put a false construction on all measures brought in by the majority. And then, sir, there is a great outcry made that the freeholders will be taxed to help the leaseholders to obtain free lands. Sir, this is only on a par with other equally foolish allegations these croakers have been pleased to make—there is not a word of truth in it. The tenant under the Government is allowed ten years to pay for his land, and surely, in that time, he will be able to pay it

without having to sacrifice his ox or his cow. The Government is not exacting; but gives ample time and opportunity for the tenant to purchase and become a freeholder. This has been the result in the case of the Worrell estate. The Land Purchase Bill provides that it shall be self-sustaining. Thus it may be seen that the leaseholder is not placed in an embarrassed position, but has sufficient time allowed him to become independent, and that without asking the help of the freeholder. But to hear what these croakers say, you would think they expected the Government to do wonders, and when they (the Government) did perform wonders decry their efforts. Sir, they build up a wonderful story on the mismanagement of the Worrell estate. But can they expect the Government to effect a revolution on an affair that ruined its former proprietor? Besides, sufficient time has not elapsed to show the good results which we certainly anticipate. The tenantry on the Worrell estate, as well as its affairs, have been misrepresented, and it is said they are dissatisfied—but these libellers take good care to seek for no foundation for such reports. And this is the way the people have been misled by these croakers. And the very parties who should have given every assistance to the Government, to make the purchase of the Worrell estate a self-sustaining affair, are the very parties who have persuaded the tenantry not to attend to the Government. But this is not such a losing affair altogether as some hon. gentlemen would have us think it is. I can inform those hon. members that there has been upwards of £10,000 worth of land on that estate sold, and there is still 50,000 acres to be disposed of. The tenants have the deeds of their lands on payment of ten per cent. of the purchase money, and every deed is equal to a bond to the Treasury of this Island. Look at Lot 11, which was purchased by the Government only a short time since, at a cost of £2,500. And land to the amount of over £2,000 has already been taken up, which is nearly equal to the whole purchase money of that estate. This, I think, sir, ought to be sufficient to convince hon. members that the Land Purchase Bill is self-sustaining, and to show the people what has been done by the present majority for the good of the Colony. When the majorities of the Governments of the other Colonies (Nova Scotia and New Brunswick) applied to the Home Government, a few years ago, for assistance to carry out their Railroad schemes, they were refused. And it shows, sir, with what approbation the Home Government view our efforts, when they at once, and without hesitation, accede to our request, and grant us their credit and their countenance. Here, also, a few years ago, when the minority were in power, a loan was asked from the Home Government to purchase the warrants held by their opponents, but it was refused. If we borrow £50,000 at 4 per cent. it will be only £2,000 a-year. Contrast this with the statement of the hon. member, (Mr. Palmer), and see if there is cause to apprehend such terrible results as he endeavours to convince us of. As I said before, the leaseholder will have the opportunity of becoming a freeholder, by paying a trifling sum every year. Under this system there will be nothing to complain of; and when all are freeholders, and enabled to work to some advantage to themselves, the revenue will increase, and general prosperity will be the result. The hon. member from Prince County (Mr. Yeo) will not then have an opportunity of inveighing against the tenantry for their backwardness in paying their rents. The hon. and learned member, from Charlottetown, has said we did not want the guarantee of the Home Government. But, if a poor man wanted £100 out of the Bank, he would not get it. But if the hon. and learned member signed his name to the document, there would be no questions asked, but the money would be instantly forthcoming. And so, by asking the guarantee of the Home Government, we will obtain the money much sooner and with less hesitation in the Home market. It is said, sir, in reference to the purchase of the Worrell Estate, that I got £1000 for making a good bargain for the late proprietors; and they had not the honesty to contradict such a foul falsehood. But if I did get a penny, it would soon be known and published far and wide. We all know what the Land Purchase Bill is; it has been circulated freely. And if it is not self-sustaining, I think I have enumerated facts in vain. If we can show we do right, is it for the minority and their attendant croakers

to say we are wrong? Give us another ten years, and believe me, sir, it will only confirm what we are endeavoring to effect. As to the stories in circulation about our getting money out of the Exchequer, it is all nonsense; and I, for one, don't believe they are credited by the people, some hon. members to the contrary notwithstanding. The hon. member (Mr. Palmer) would like to see the Loan Bill. The Loan Bill, which the hon. and learned member wishes to see, before he could be assured it would give general satisfaction, is only an extension of the provisions of the Land Purchase Bill; and when it is passed this House, the Imperial Parliament will have to enact a Bill to carry out its own guarantee. When the present Government came into power, they had the interest of a debt of £30,000 to shoulder, but we succeeded in clearing it off in a few years; and, no doubt, we will be able also to surmount the difficulties which the minority seem to see in our present position.

Hon. Mr. WIGHTMAN.—The hon. member from Prince County (Mr. Yeo) said when he went to collect the rents, the people threatened a riot. The truth is, a few of the tenants on Lot 61, assembled to welcome the hon. member, as it was about the time he was in the habit of coming to collect rents on the property he was agent for; [Laughter.] and they having heard that the sheriff was to accompany him, in order to distrain, I suppose they had some weapons of resistance, expecting that he would be induced to offer better terms. But, as to mobbing the hon. member, I do not imagine their intentions would have been so bad as that. Nor yet, ought the whole of the tenants on Lot 61, be censured, because a few do not pay their rents; there are many, the hon. member must admit, who pay him well. At a public meeting of tenants and freeholders on the same township, at which my hon. colleague and myself attended, after explaining our views to the meeting, on the propriety of the Loan Bill, a petition was agreed to, asking the proprietor, Lawrence Sullivan, Esq., to dispose of the property to the Government, or otherwise to allow his agent to sell at a reasonable price to the tenantry. Now, sir, there was not one dissenting voice to the method proposed. A few days after, a meeting took place at Murray Harbour, at which there were many of the tenants of the Hon. S. Cunard, present, where we attended also, to ascertain if our constituents had any measures to entrust us with, as the House of Assembly was soon to meet. The Loan Bill, for the purchase of land, was explained by my colleague and myself. They all appeared satisfied that the scheme of borrowing the money would give general satisfaction, and we did not hear from them the "hue and cry," which some hon. members would wish us to believe existed in the country, that they were to be taxed. During the meeting, from all that was expressed, they did not appear to dread taxation, as they had petitioned the proprietor themselves, to place them on the same footing as other proprietors had done their tenants, who had disposed of their lands to the Government. But, Sir, why should we not be prepared for objections to this scheme, as well as to others. The hon. member from Princetown (Mr. Haviland) thinks the Loan Bill does not give general satisfaction; but Sir, we should recollect that all bills brought in by the Government, are objected to by that party. I think, and will maintain it, that the loan is a great boon to the country. [Hear.] It will be recollected that when the Education Act was first brought in by the Government, the same cry was raised: "O, it will not be well received by the people! They will never consent to be taxed for the support of Free Education! It will be received with dissatisfaction by the whole country!" But, Sir, has not the event proved how unfounded their objections were. It will be the same in this case, depend upon it; and the Loan Bill will give as general satisfaction as the Education Act has given. The affairs of the Worrel Estate, which have been so harped upon, and misrepresented, are

not so bad as is imagined or represented. Although there may be a few refractory people residing on a portion of this Estate, especially on Lot 66, who have not attorned to the Government; still the Government will not have any trouble with them, as the property will be handed back to the parties it was purchased from. If we borrow money to assist the tenant in becoming a freeholder, is it to say we are to tax freeholders to pay interest on it? I think not. They have not as yet been called upon to do it, for what has been bought. The hon. member for Charlottetown, (Mr. Palmer) says his constituents are apprehensive of being taxed, to pay for tenants becoming freeholders. They may rest satisfied on that score—they will not lose anything by it. With regard to my constituents, freeholders as well as tenants, they are all satisfied that this measure, (the Loan Bill) is one of the best ever originated by the present Government. But, Sir, time is required to bring about the result we aim at. We can not expect that the money will at once return into the Government; but still, there will be a continual income, until the remainder of the money is paid, and then there will be many hundreds more independent men in the Colony. In the conclusion, I repeat it, Sir, this measure will give general satisfaction.

Mr. YEO.—I am certainly surprised to hear what has just fallen from the hon. member, (Mr. Wightman,) respecting the tenants on Lot 61. He says they did not assemble for the purpose of resisting the agent or sheriff, or to get up a riot. Does the hon. member forget that he told me, in his own office, that a number of them had assembled for the avowed purpose of driving me off, but that he had seen several of them, advised them to relinquish the idea, and pointed out the consequence that would ensue, if they persevered in such a course? He said he pointed-out to them the dangerous results which were likely to follow, if they were to kill a sheriff, constable or agent. He also said, he understood they were all armed with guns, pitchforks, &c. This is what the hon. member told me, and I am greatly surprised that he will stand on the floor of this House, and make such an assertion as he has just made, that it might appear I had made a wrong statement— If I can not stand on the floor of this House, and speak what is the truth, I nor any other member ought never to appear upon it again. What I stated before, in regard to many of the tenants on Lot 61, not paying rent for fifteen years, was correct. As to this Loan scheme, if the tenants can not now pay rent for their lands, is it likely they will be able to purchase those lands from the Government? Will the money obtained by the Loan raise crops for them? I think not, Sir. If the tenants can not pay a rent of 50 shillings or £2, is it likely they will be able to purchase their lands free? Look at Lot 11, for instance; (the agent of which has helped to deprive himself of a salary of £150 a year,) the proprietor of that estate never got a shilling of rent from it. Some of the tenants on that estate have had to sell their last horse or cow to pay for the first instalment. If Mr. Warburton had acted lenient with the tenantry, they would be now in a better position, and himself as well.

Hon. COL. TREASURER.—I am glad to hear that hon. gentleman, (Mr. Yeo,) give me credit for acting disinterestedly with regard to the purchase of Lot 11, a thing he never done before. But, Sir, I am surprised to hear what the hon. member says about the settlers on Lot 11 having to sell their last horse and cow to pay their first instalment. I can inform the hon. member to the contrary. Lot 11 was the last property purchased by the Government, and I was surprised to see persons come forward and purchase so eagerly as they did. There was one farm sold for

£300, and many others at prices corresponding to their value. Some of the hon. members object to the words "general satisfaction." I think, sir, if it was expressed *universal* satisfaction, there might be some grounds for complaint; but I am confident it gives *general* satisfaction, from the East Point to the North Cape. There was some talk of purchasing Lot 13, the property of Sir George Seymour, for which Mr. Yeo is agent, and for which as far as I know, he (Sir George Seymour) does not get much rent, and would be glad to sell to the Government. But Mr. Yeo said the Government could not purchase it. The Attorney General wrote to Mr. Yeo on the subject, but never received an answer. And no wonder, Sir, it is against the interest of agents to sell those lands because they get their living by the agency; and in this case, I believe, Mr. Yeo intended to purchase the property himself. If the Belfast Estate was owned by the Government, the tenants on that estate would be willing to purchase if they had to sell their last cow or horse in their stable—Ay, if they had to sell their last shirt! I will support the paragraph as reported by the Committee.

Hon. Mr. MONTGOMERY.—I did not think the amendment proposed would open such a lengthy discussion. There is one part of the paragraph under consideration which I consider objectionable. I mean that part which alludes to the Land Purchase Bill giving "general satisfaction." I am well aware, Sir, that among a large portion of the people, whom I have the honor to represent, the measure is not received with general satisfaction. I have no doubt it would give more satisfaction if the whole of the lands were owned by the Government; but there are many of the Proprietors who are not willing to sell out. I would be glad to support any measure that might be brought forward, that would make every tenant become a freeholder. But then, Sir, we cannot compel the proprietors to sell their lands; and that they will not sell as long as they can collect good rental, I am well assured. I understand the Government are about to purchase the Selkirk Estate. In Belfast there are a great many freeholders, and the best part of the property has been disposed of, and much that remains, are lands unfit for agricultural purposes. There are certain parts of all the Townships which are not fit for general settlement, and any efforts to make them available, would be a dead letter.

T. KIRWAN, Reporter.

Hon. Mr. MOONEY compared the conduct of the hon. member, who had just resumed his seat, to an Irish piper trying to play two tunes at once. He was not disposed to go against his Tory colleague, and still was not prepared to say the proposed measure was severe and cruel. That hon. member's colleague (Hon. T. H. Haviland) who had been elected by the Obstructives of Princetown, said, if he had been here last Session, he would have opposed that measure; but that hon. member no doubt thought, that he could more effectually obstruct the measures of the House, by being away in England, and using his influence at the Colonial Office. Now, however, since he had failed in that opposition, he had come out here, and appeared in the House as the leader of the Obstructives. Was it not strange what a change had come over these men? but they might still be called "Obstructives." When Responsible Government was established in the Colony, the hon. member (Mr. Yeo) said, it would ruin the country; and he had never ceased harping on that word "ruination," from that day to this. He had also given him (Hon. Mr. Mooney) a hit about the Monaghans; but from all that he could learn that hon. gentleman should not speak so lightly of them. For his part he had always thought it an honor to be in the company of that hon. gentleman, since he heard of his connection with the Monaghans; and both in height and build he resembled them very much. As many of his (Hon. Mr. Mooney's) countrymen were in the habit of going to

England to reap the harvest, and being well fed on the roast beef of Old England and the strong *kale*, and, proverbially speaking, fond of the ladies, some of the little Monaghans had shaken hands with his mother; hence the friendship they had for the hon. member. Whatever that gentleman might say of them, they were very clever men. It might be all very good for hon. members to rise up there and say, that the Government wanted to ruin the country, and to ruin the people; but where was the hope for the people—the people who were laboring to reclaim the forest, to clear fields, to plough them up, and to build good fences? There was none, if it did not arise from that House—there was no relief for them, unless it was afforded by the protectors of the rights of the people. The hon. member (Mr. Palmer) said, we must protect the freeholders; of course, with the protection of the Tories, whatever might be the nature of it. Last year, they had been just where they were this day. There was just one redeeming quality in the speech of the hon. member for Princetown, (Mr. Montgomery); and that was, that he did not come out so fierce as he had done before. However, he (Hon. Mr. Mooney) did not see that much had been gained by the long speeches made by the Opposition. Talk indeed; but that talk was throwing chaff into the eyes of the public. A man might be in the Assembly hall, and hear the hon. member (Mr. Palmer) say, that £6,000 a-year would be required to pay the interest for the proposed loan, and he might get hold of that statement, and leaving, before any explanation was offered regarding it, he might go all the way to the East Point, and communicate such information respecting the proceedings of the Government. But if any of the Government party went to the country, they would be believed in preference to that hon. gentleman. He was surprised that the minority came out in that manner. If they were opposed to the measure, let them say so; but if they said that the Government wished to extort the money from the people; such was not his intention, nor was such the intention of any hon. member.

Hon. Mr. MONTGOMERY said, the hon. member was very ready in attributing motives to hon. members; but he had heard motives attributed to that hon. gentleman, that the reason he would not support a measure for a Court of Inquiry was, because he had become possessed of landed property himself. He thought it would be much to the credit of that hon. member, as well as others, if they did not manifest so much hostility when measures were passing through the House. He need not say that he intended to oppose the loan; and he had a right to rise and make any objections to that measure, without having motives attributed to him.

Mr. DINGWELL said there had been a long contest about these words "general satisfaction." It might appear that there was an argument set up by the minority of the House, that freeholders were afraid they would be taxed in order to buy property for leaseholders. He believed, however, that the measure would give "general satisfaction" to the freeholders in preference to the leaseholders in general. The freeholders, generally speaking, had large families and were anxious to make them freeholders; and when land came into the market at a fair price, they were the first to step in and seize the opportunity; whereas the poor leaseholders could not pay their instalments, and consequently could not purchase land.

Mr. COOPER.—In reference to the "general satisfaction" mentioned, said it was only a matter of opinion. As far as he had been able to learn from the country they would be willing to support the measure. He believed it would never come upon the freeholders of the Island to have to pay for the tenantry; and that the very object of the Government, with regard to the measure was, that it should not distress the country; while he was of opinion that it would both pay the interest and principal, and that the Home Government would rather give up a portion of the money than that the scheme should distress the country.

Hon. Mr. WHELAN.—I am gratified, Mr. Chairman, to hear the declaration just made by the hon. member for the first district of King's County (Mr. Cooper), because there are certain parties who expected to see him vote against that para-

graph of the address under consideration, and thereby set himself in opposition to the contemplated Loan. But the course he has concluded to take upon this important question is highly creditable to his judgment, as I am confident it will be acceptable to his constituents. I shall not trouble the committee with many observations on the subject of the paragraph under discussion, but with the few I may offer I shall confine myself to the subject, from which most of the honourable members who have preceded me have thought proper to digress. We have had a long discussion on the principles, and even the details of the Loan Bill, as if that measure were actually before us; and some hon. members, of an imaginative turn of mind, have presented us with a very gloomy picture of the disastrous results of such a Bill. I could not help noticing the peculiar, and, without intending any offence, I might say—the artful and designing manner in which the Hon. member for Princetown—(Hon. T. H. Haviland)—introduced his amendment to the notice of the committee. The amendment itself is ingeniously drawn up, although it contains no expression of opinion; but it is so framed as to lead its supporters on the other side to expect that two or three members on this side cannot help voting for it, and by that means give to the minority all the moral advantage of a very little triumph over the Government. The hon. member from Princetown said, that if he had been in his place last session he would have voted against the address to the Queen on the subject of the Loan, and yet he now asks this House to join him in thanking his Excellency for the information he has given to us, that the subject of the Loan has met with the favorable consideration of the British Government! We are asked to evince our delight at the receipt of what he considers bad news—to thank the Government for a favour which he thinks is no favor at all! But, Sir, I think I perceive the design of the hon. member in alluding, in his amendment, so pointedly to the address of last Session. Three members who usually support the views of the majority voted against that address, and perhaps it is hoped that direct reference to it may renew their aversion, and induce them to oppose the subject of it in every shape. The hon. member did not fail to remind us that the address was opposed last session by the gentlemen to whom I allude, and whom he eulogised as zealous advocates of the tenantry of this Island. The hon. member from Princetown presents himself in an entirely new character on this occasion. He eulogises the public career of three members of the majority, on account of their long attachment to the interests of the tenantry. I must, then, suppose that he is sincere in his admiration, and can only express surprise that he himself so long opposed the policy and principles of the gentlemen to whom he has referred. [The hon. member then read the paragraph under discussion in the original draft, and the amendment proposed. He then continued.] Now, Sir, I can see nothing in the paragraph of the address, as proposed by the committee, to which any hon. member should make the least objection. It merely expresses our thankfulness that the British Government intends to aid us in our endeavours to change tenants on this Island into happy and contented freeholders. Surely, if there is anything for which we ought to be thankful, it is for that. And we say, moreover, that the means by which we expect to bring about this desirable result, “cannot fail to afford general satisfaction.” This is an expression which seems to give the greatest offence to hon. members in the opposition. They jump to the conclusion, without seeing a Bill or measure of any kind before the House, that “the means” which the Government intend to propose, will not “give general satisfaction.” How can they know? Surely, it will be time enough to discuss that point when we get the Loan Bill, with all its details, before us. I am inclined to think that there is no subject upon which we have ever yet legislated calculated to give more “general satisfaction,” than the purchase of proprietary estates, with the view of abolishing the leasehold tenure, and I can see no other “means” of doing that than by borrowing money under the Imperial guarantee; and when that guarantee is freely offered to us, I think we have good reason to be thankful. It is absurd for any hon. member to object to the expression—that the measure in view by the Government “is such as cannot fail to afford general satisfaction.” Why, the Government—and not only the Govern-

ment, but the minority—even individual members, acting without reference to party ties—well say the same thing of every measure brought into the House: they will, each and all, declare, that such and such a measure “cannot fail to afford general satisfaction.” It is quite edifying to notice how anxious some honorable gentlemen are to secure the interests of the tenantry! What if they did oppose escheat at a time when it was practicable? What if they did oppose every measure since adopted by the Legislature, to ameliorate the condition of the tenantry? Is it not patriotic now to save the unfortunate tenantry from the sad condition to which the Government is disposed to hurry them—that of becoming freeholders? And who are the alarmists? Who are they who indulge in such dismal forebodings regarding the prosperity of the country under the extended operations of the Land Purchase Bill? Who are they who tell us that tenants and freeholders will be alike ruined by the increase of our public debt? Why, they are the very persons who have a direct personal interest in keeping up the present very unsatisfactory state of things—Land Proprietors, Agents and Speculators. It is the interest of proprietors—at least such of them as do derive pecuniary advantages from the possession of estates in this country—to keep the Government from making extensive purchases, because the Government will resell to actual settlers at a lower rate than they are willing to do—because if they do not compete with the Government in the sale and transfer of property, there will be discontent on the part of the tenantry, a growing hatred of the leasehold tenure—and perhaps, a disposition manifested to increase the taxation on wilderness land, as a punishment to proprietors who will not sell. It is easy to perceive how extensively the Agents would lose by the Government’s becoming possessed of property now entrusted to their management; and the speculators would miss brilliant chances of making rapid fortunes if the Government should be permitted to leave them no estates on which to speculate. The hon. member for the first district of Prince County (Mr. Yeo) appears to be more disturbed than any of his brethren in the agency of land, at the awful prospect in store for them. Influenced by his own fears, he represents the country as in a state of great excitement on this subject. Three-fourths of the people of the whole Island, he says, are decidedly opposed to the scheme of Government Land Purchase, until they are satisfied that the purchase of the Worrell Estate has not been a ruinous transaction. Now, Sir, I must tell the hon. member that I do not believe his statement as to the popular discontent. I do not think that there is one district in the Island—not even the district represented by the hon. member himself—where the people are dissatisfied with the policy of the Government on the land question. In my own district, I know the people are too well pleased to offer the slightest objection to that policy. If, in the other districts, an agitation prevailed, such as the hon. member says does prevail, surely we might expect some indication of it before now, in the form of petitions. If the country is so fearfully disturbed, why has not even one district spoken out against the Government’s persistence in their present policy? One might suppose, on listening to the hon. member for the first district of Prince County, that he would enforce his opposition to this policy by producing pockets full of petitions against it; but there is not one, even from his section of the country, and I doubt very much if he could succeed in getting up a petition in accordance with his own views on this subject, notwithstanding the great influence he possesses generally in the district represented by him. The Land Purchase Bill has now been on our Statute Book for several years, and the Government have purchased, and are daily reselling, in accordance with its provisions, one of the most valuable estates in the country. If it be such a very bad measure, as we are told it is, why has not the country petitioned for its repeal? When the hon. member for the first district of Prince County will condescend to answer that question, we may be inclined to listen to his representations about popular discontent in reference to the working of that Bill. The hon. and learned member for Charlottetown, in supporting the amendment of his hon. friend from Princetown, cautions hon. members against voting for the paragraph in the Address before you, Sir, because, he says, it contains a pledge

to support the Loan Bill. Now, if I understand anything of the meaning of words, I must entirely differ with the hon. and learned member. There is not a syllable about the Loan Bill in the whole paragraph. I was on the Committee who prepared the Address in answer to His Excellency's Speech, and if there was any one paragraph to which I objected more than another, it is the very one under consideration, because it does give no pledge—no opinion of any kind,—because it is so indefinite that it can hardly be said to mean anything. The argument against the intended Loan which the hon. and learned member for Charlottetown sought to deduce from his calculations, can be of no weight whatever, until he convinces us that his calculations are correct. He sets down a very large sum for interest, and says that such will be the first charge on the revenues of the Colony. Now, it has been already shown by my hon. friend the Colonial Secretary, that the interest, supposing the whole amount of the Loan were taken up, would not amount to more than half the sum set down by the hon. member for Charlottetown. But whoever dreamt that the Government would be so rash as to take up the whole £150,000 at once, unless there were estates to exchange for it immediately? We know that many proprietors will not be willing to sell at the prices which the Government will be authorised to pay—that they will hold on to their estates, to squeeze as much as they possibly can out of them, until taxation, or other causes, drive them to a reluctant transfer. This being the case, the Government will, of course, only take up so much of the Loan as may be required when about to effect the purchase of any particular estate, as, for example, the purchase of the Selkirk property, which is about to come into the market; and the interest of the money invested in such a purchase would be no great burthen to the country. Besides, it is not to be supposed that the land will remain on the hands of the Government, but will be resold to actual settlers with all possible dispatch; and provision will be thus made for the payment of both principal and interest. We have been told that the Government purchase of the Worrell Estates has proved a very bad speculation, and that we ought not to encourage such another. Now, I deny that the purchase in question has been attended with any evil results. It has given the greatest satisfaction to the people settled on that Estate, most of whom have now become freeholders; and this result has been obtained without entailing a single farthing of additional taxation. It is no doubt true enough that considerable expense has been incurred in managing the transfer of that extensive property, but it is not just or fair for hon. members to make the bold assertion that a large amount of money will be sunk in the transaction, or that extravagance has been committed by the Government, when the accounts of the Estate are not yet before the House; and if they were, I am satisfied they would not warrant such an assertion. If it can be shown that fraud or mismanagement has been permitted or countenanced by the Government, they, the Government, are here to answer for it, and to be punished, if necessary, by the loss of office, by the House expressing its want of confidence in them. I have no doubt the minority will be only too glad to discover the smallest instance of fraud; but reason, common sense and justice, alike tell us we should wait for this discovery to be made, before we condemn the Government, or set our faces against a further purchase of proprietary estates. At all events, it will be quite time enough to enter on the merits of this question, when the Loan Bill shall come before us. What we have now to consider is, whether we shall answer His Excellency's Speech in the manner proposed by the special Committee, or whether we shall adopt the amendment drawn up by the hon. member from Princetown, for reasons best known to himself. I shall most certainly vote against that amendment.

Mr. HEATH HAVILAND.—It is rather amusing, Mr. Chairman, to hear the hon. member who spoke last say, that all that has been said was beside the question. But I take it to be that because the great champion of escheat had taken up the subject, that escheat was to be no more agitated. I do not wonder at it, for it was well said long ago that "the men of yesterday are not the men of to-day," and we have several proofs of it; yet I have never, since I was in this House, thought that the great champion of escheat, who stood forth as such

since that time to this moment, and who recited the rights of proprietors as if they had no titles—I never expected to see him come forward in less than twelve months, and hear him publicly announce that escheat was no more to be agitated. How long this may last, I know not. I cannot support that paragraph of the address, especially that part of it relating to a pledge. I thought from an hon. member having so much to do with the address, that there would be a pledge in it, but I will say that I will wash my hands from it, and will not have the least to do with giving my sanction to this measure. If it said, it will be a boon to the tenantry—every person will admit that—but let us see how it is to be done. This measure is a premium upon idleness—a tax upon industry. Another question as to the loan—it is not merely the interest of the loan that would be a tax upon the country; but the taxes now paid on land, would be lost, and of course the amount lost, would have to be paid out of the general revenue. At this stage of the proceedings, it is too much for the House to expect to discuss the contemplated measure.

Mr. COOPER wished to answer the hon. member for Georgetown, as his remarks were intended to apply to him. Although he supported the Government to purchase the land and sell it to the tenants, yet he was still of opinion that the land was forfeited; but when the people did not see that as he did, they would not be likely to support him in what they did not understand. If he could not get an escheat, he endeavored to obtain for them the next best terms he could, to enable them to purchase a freehold title. For such reasons, he thought it better to accept the proposed measure, than set out, and keep up an agitation from year to year, if the people did not believe him. With regard to the Land Purchase Bill, the first Bill was different from this one; for the British Minister was for buying up the land from the proprietors, if they would be willing to pay a certain sum to the tenantry for what they had paid up. The address was such, in his opinion, as to give satisfaction to the country.

Mr. LAIRD said, they had had the land question very well explained; and he would only say a few words on the subject under discussion. He thought the paragraph of the address would have been very good, if those who prepared it, had not inserted the words, "cannot fail to afford general satisfaction." He had doubts about its giving "general satisfaction;" for not any of his constituents with whom he had conversed on the subject approved of the measure. If those who prepared the address, had said, "we hope it will afford general satisfaction," he would have approved of the paragraph; but as they would not likely change it, he would vote for the amendment. The majority need not expect hon. members to vote against their consciences. He might be deceived, but he did think the measure would "afford general satisfaction;" and therefore he would not vote against his conscience.

Mr. MACINTOSH said, before the question was put, he wished to say a word or two on the subject. He thought it was plain that he had not been at all times favorable to the loan; but thus far they had not succeeded in obtaining escheat, and at present he was rather favorable to the proposed loan. Still he was not very favorable to it, and if it was not from necessity, he would be almost afraid to support it; but he was also afraid to oppose it; for if it would be the means of benefiting the people, he would support it. When he saw that, if they did not agree with the Government on that measure it might be lost, he would say of two evils, choose the least. If he saw a desire on the part of the proprietors to give the people time to procure a freehold property of their own, he would not be so much opposed to them; but he felt strongly opposed to those whom he saw manifesting no desire to give the people free land, when they had a good opportunity. He did not think there would have been any discussion on that part of His Excellency's Speech, until the Bill was brought before the House. Tho' he would vote for the paragraph in question, he would not support the Bill, unless it were what he thought it should be. He therefore supported the paragraph as it was.

Hon. COL. SECRETARY wished to say one word on what fell from his hon. colleague. He did not like to allow him to state, that all his constituents were opposed to the measure in question; for he must say that all that hon. member's con-

attentions whom he (Hon. Col. Secretary) had met did not agree with that hon. gentleman in his opinion that the measure would not "afford general satisfaction." He would also remark that last session his hon. colleague voted against the Government, because they would not put one word into the address; but if he had broken up the Government, would that have given "general satisfaction"? He hoped that his hon. colleague would not vote against the measure, because he could not get one word changed. As to the hon. member for Georgetown being surprised that Mr. Cooper was abandoning the agitation of escheat, that hon. member (Mr. Cooper) might also turn round and say, he was surprised that the minority should have become advocates for the establishment of a Court of Escheat. The hon. member Mr. Cooper had once introduced a measure of this kind into the House, but since he had failed to obtain what he desired, he had a right to fall back on another measure similar to it. [The hon. member here read an extract from the Bill referred to, introduced by Mr. Cooper.] That Bill made provision for calling upon the Home Government to purchase the rights of the proprietors; but it also provided, when the tenants had purchased their land that they should pay for it again. As the hon. member had not confidence, at that time, in the Island Government, he made provision in the Bill for applying to the Home Government to purchase the land; but since the introduction of Responsible Government, he had confidence that the Island Government would make a better bargain with the proprietors than the Home Government would have made. If now the hon. member fell back on his old principle of purchase, when he felt satisfied that the extreme measure of escheat could not be obtained, he (Hon. Col. Secretary) did not think the hon. member should be accused of changing his views.

The Committee then divided on Hon. T. H. Haviland's amendment, as follows:—

Yeas—Hons. T. H. Haviland, Palmer, Longworth and Montgomery, Messrs. Yeo, Heath Haviland and Laird—7.

Nays—Mr. Macdonald, Hons. Whelan, Col. Secretary, Col. Treasurer, Wightman and Mooney, Messrs. Clark, Cooper, McCintosh, Muirhead, Munro and Dingwell—12.

So the amendment was lost.

Mr. Laird then moved to amend the said paragraph of the Address by striking out the words "cannot fail to" in the fourth line, and inserting in lieu thereof the words, "we hope will."

The motion being put on the amendment, it was negatived on the same division as the previous one. R. LAIRD, Rep.

On the reading of the 4th paragraph, which read thus—

"It is gratifying to learn that the revenue is in a satisfactory condition, as that is a sure indication of the increasing prosperity of the Colony."

Hon. T. H. HAVILAND.—I do not think the present state of the revenue warrants the conclusion that it is increasing in prosperity. I deny that it is increasing in prosperity, and would ask for proofs of that assertion. The paragraph goes on to say the revenue is in a satisfactory condition, and there it stops—without a single argument for such a conclusion. I therefore move that the latter part of the paragraph be struck out.

Hon. Mr. WHELAN.—The latter part of the paragraph is necessary to the first. His Excellency says, the revenue is in a satisfactory condition, and we merely respond that we are pleased to hear it. If the revenue is satisfactory, and we have the Governor's word that it is, there can be no grounds for objection. But the measure will come up before the House by and by, and the hon. gentleman will have an opportunity to agree to it or not.

Hon. T. H. HAVILAND.—Admitting what the hon. gentleman says—which still involves a doubt—can it be said to be indicative of increasing prosperity?

Hon. the SPEAKER.—I think the Address is merely an echo to the Governor's Speech, and therefore move that the word "increased" be struck out, and the word "general" substituted.

The amendment was then agreed to without a division. The remaining paragraphs were successively read and agreed to.

The House then resumed.

Hon. T. H. Haviland presented his amendment to the second paragraph of the Address, and it was negatived on a division the same as it was lost on before, with the exception that Mr. Clark, instead of the Speaker, voted against it.

Hon. Mr. Palmer then moved to amend the said second paragraph of the reported Address, by striking out the following words thereof: "by such means as cannot fail to afford general satisfaction."

The amendment was negatived on the same division as the former.

The Address, as amended, was then agreed to by the House and ordered to be engrossed, and is as follows:—

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

MAY IT PLEASE YOUR EXCELLENCY:

We, Her Majesty's faithful subjects, the House of Assembly of Prince Edward Island, respectfully thank Your Excellency for the Speech with which you have been pleased to open the present Session.

It is with pleasure we receive the information that Her Majesty's Government have come to the determination to aid our endeavours to convert the Leasehold into Freehold tenures, by such means as cannot fail to afford general satisfaction. The sooner that desirable object can be effected, the more it will encourage the Tenants to reclaim their Lands and improve their homesteads, which is a sure sign of a prosperous country and a contented people. When the Despatches on this subject shall be laid before us, as well as the measures which Your Excellency's Government have in contemplation, in order to secure to the inhabitants the fruits of their labour and industry, they shall receive from us the most deliberate consideration; and we trust it will be found that we duly appreciate the paternal solicitude of Her Majesty's Government, in connection with so important a matter.

It is gratifying to learn that the Revenue is in a satisfactory condition, as that is a sure indication of the general prosperity of the Colony.

Your Excellency may rely upon our giving a careful attention to the Accounts for the past year, as well as to the Estimates for the current one; and we will cheerfully make adequate provision for the maintenance of the public service.

We are well aware that the establishment of Municipalities throughout the Island would be an extension of the principles of self-government, and would afford to the people among whom they may be established, greater power over their own local affairs. Any measure which may be therefore submitted to us on this subject, will receive the fullest consideration.

We fully concur with Your Excellency in opinion that the system under which the public moneys are applied for the construction and repair of Roads, Bridges, and other public works, should undergo a careful revision; and the suggestion which Your Excellency has been pleased to offer, with reference to the establishment of a Board of Works, in order to remedy present defects, will be attentively considered. Should such a Board be constituted, and regulated with efficiency and economy, we have no doubt that it would greatly tend to promote the interests of the community.

We shall duly consider the expediency of re-enacting or continuing the Laws which have given to this Colony such

an enviable pro-eminent, by securing to its inhabitants the blessings of a free education. We share with Your Excellency in the knowledge of the fact, that the support of our educational establishment involves a heavy charge upon our Revenue—a charge far heavier than that which falls to other communities, circumstanced as we are with regard to revenue, individual wealth and population; but we firmly believe that considerations, with regard to the pecuniary outlay of such an establishment, should never deter us from applying the public money, under wise and judicious regulations, in order to continue that free system of public instruction which has hitherto given such general satisfaction to the people of this Colony, and the effects of which will not only be apparent in our own time, but in after generations.

We have at all times given special care and attention to the interests of agriculture, because we feel that, in a country where a large portion of the community is employed in agricultural pursuits, such interests imperatively demand the fostering care of the Legislature; and we are quite sensible that the well directed exertions of such institutions as the Royal Agricultural Society have materially tended to promote the prosperity of an agricultural population.

The subject of Steam Communication with the neighbouring Provinces has for many years engaged the attention of the House of Assembly; and so sensible are we of its importance, that we desire to assure Your Excellency of our readiness to assist in making arrangements of a more permanent character than have yet been effected, towards placing that communication on a satisfactory footing.

We beg to thank Your Excellency for the promise of your zealous co-operation in carrying out such measures as may tend to promote the happiness and contentment of the people of this Island; and we humbly pray that an all-wise Providence may so direct our united exertions as to accelerate the advancement of the important interests committed to our charge.

Messrs. McDonald, Cooper, and Hon. Mr. Whelan, were then appointed a Committee to wait upon His Excellency, to know when he would be pleased to receive the Address.

House then adjourned. T. KIRWAN, Rep.

TUESDAY, March 3.

House adjourned for want of a quorum.

WEDNESDAY, March 4.

Mr. McDonald, from the Committee appointed to wait upon His Excellency, to know when he would be pleased to receive the Address of the House, in answer to His Excellency's Speech at the opening of the Session, informed the House that they had waited upon His Excellency, and that he had been pleased to say he would receive the Address of the House, this day at 2 o'clock.

PETITIONS PRESENTED.

By Mr. Cooper—from certain inhabitants of the north part of New Harmony, praying aid to a new road; laid on the table.

By Hon. Mr. Wightman—from divers inhabitants of Townships Nos. 59, 61 and 63, praying for a sum of money to repair the wharf, known as "Aitken's Wharf," or to build a new one on or near the site of the present one; laid on the table.

ADDRESS TO HIS EXCELLENCY.

The time having arrived for the House to wait on His Excellency with their Address, in answer to his Speech at the opening of the Legislature, they according waited on

His Excellency, in the Legislative Library, and presented their Address, to which he was pleased to make the following reply:—

Mr. Speaker and Gentlemen of the House of Assembly:

I thank you cordially for your Address, and for the assurance of co-operation which it contains; and I confidently rely on your assistance in my endeavours to promote the interests of the Island.

On motion of the Hon. Col. Treasurer, it was resolved that a Supply be granted to Her Majesty.

House adjourned. R. LAIRD, Reporter.

AFTERNOON SITTING.

Hon. Col. Secretary, by command of His Excellency the Lieutenant Governor, presented the following Messages:—

1. "The Lieutenant Governor transmits, for the information of the House of Assembly, the accompanying copy of a Despatch, of the 28th May, 1856, No. 22, from the Principal Secretary of State for the Colonies, in reply to the Joint Address of the Legislative Council, and House of Assembly of last Session, regarding the Memorials of certain Proprietors of Lands.

"Government House, P. E. I., 4th March, 1857."

2. "The Lieutenant Governor transmits, for the information of the House of Assembly, the following copies of Despatches from the Principal Secretary of State for the Colonies, on the subject of a guaranteed Loan:—

"Despatch from Mr. Secretary Labouchere, of the 18th July, 1856, No. 24.

"Despatch from Mr. Secretary Labouchere, of the 23rd November, 1856, No. 43.

"Government House, P. E. I., 4th March, 1857."

Mr. McDonald moved a Bill to continue and amend the "Act to prevent Horses, Swine and Geese, from going at large in Georgetown." Read a first time.

House adjourned. T. KIRWAN, Reporter.

THURSDAY, March 5.

Hon. Col. Secretary communicated to the House a Message from His Excellency, the Lieutenant Governor, desiring that the House do adjourn till Thursday next.

PETITION PRESENTED.—By Mr. Macdonald, from the Keeper of Georgetown Jail, praying remuneration for certain services performed by him about that building; laid on the table.

ACCOUNTS PRESENTED.—Hon. Col. Treasurer presented to the House the Treasurer's Accounts for the past year, which were laid on the table.

Mr. Clark presented to the House the Impost Accounts for the past year, and the Light Duty Accounts for the same period; laid on the table.

BANK ACCOUNTS.

Hon. Col. Secretary presented to the House the following papers, in pursuance of the Act 18, Vic. cap., which were read and laid on the table.

STATE OF THE BANK OF P. E. ISLAND ON THE 2d DAY OF SEPTEMBER, 1856.

DUE FROM BANK.		£	s.	d.
Bills (Bank Notes) in circulation,	-	8,999	10	0
Profits on hand,	-	161	4	10
Ballances due to other Banks, <i>nil</i> .				
Cash deposited, including all sums whatever due from the Bank not bearing interest, its bills in circulation, profits and balances due to other Banks excepted,	21,013	3	10	
Cash deposited, bearing interest,	-	550	0	0
Total amount due from Bank,		£30,723	18	8

Rate and amount of the last dividend, and when declared,	} <i>nil.</i>
Amount of reserved profits at the time of declaring the last dividend,	
Amount of debts due and not paid, and considered doubtful,	

RESOURCES OF THE BANK.

	£	s.	d.
Gold, Silver, and other coined Metals, in its Banking House,	17,856	0	0
Real Estate, <i>nil.</i>			
Bills of other Banks incorporated in this Island, <i>nil.</i>			
Balances due from other Banks,	250	3	9
Amount of all debts due, including Notes, Bills of Exchange, and all stock and funded debts of every description, except the balances due from other Banks,	12,222	5	5
Total resources of the Bank,	£30,328	9	2
Expenses attendant on commencing business, including Bank furniture, stationery, fuel, &c., as far as paid,	395	9	6
	£30,723	18	8

WM. CUNDALL, Cashier Bank P. E. I.

September 3, 1856.

Sworn to as a correct and true return, before me, this 3d September, 1856, THEOPH. DESBRISAY, J. P.

STATE OF THE BANK OF P. E. ISLAND ON THE 3d DAY OF MARCH, 1857.

DUE FROM BANK.

	£	s.	d.
Bills in circulation,	38,847	10	0
Nett profits on hand,	2,359	10	0½
Balances due to other Banks.			
Cash deposited, including all sums whatever due from the Bank not bearing interest, its bills in circulation, profits and balances due to other Banks excepted,	26,066	13	0½
Cash deposited bearing interest,	4,831	4	6
Total amount due from Bank,	£72,104	9	7

Rate and amount of the last dividend, and when declared,	} <i>nil.</i>
Amount of reserved profits at the time of declaring last dividend.	
Amount of debts due and not paid, and considered doubtful.	

RESOURCES OF THE BANK.

	£	s.	d.
Gold, Silver, and other coined Metals, in its Banking House,	22,716	5	1½
Real Estate,			
Expense account,	1,229	9	4
Bills of other Banks incorporated in this Island.			
Balances due from other Banks, including Bills of Exchange sent abroad for collection,	10,342	8	7½
Amounts of all debts due, including Notes, Bills of Exchange, and all stock and			

funded debts of every description, except the balances due from other Banks, 37,816 6 6

Total amount of the resources of the Bank, £72,104 9 7

WM. CUNDALL, Cashier.

RALPH BRECKEN,
D. HODGSON,
DANIEL BREMAN,
JOSEPH HENSLEY,
JOHN KENNY,
JNO. LONGWORTH, } Directors.

Sworn to as a true account, this 4th day of March, 1857, by the said Wm. Cundall, before me. R. HUTCHINSON, Mayor.

PUBLIC ACCOUNTS.

Mr. YEO said, with regard to the Public Accounts, as the members of the committee on those accounts were all from the majority, and none of the minority, who ought also to be acquainted with the proceedings of that committee, had been appointed members of it, he moved that Hon. Mr. Longworth be a member of that committee.

Hon. COL. SECRETARY said, he did not know why the hon. member cast such reflections on the majority of the House. The Public Accounts were open both to Mr. Yeo and to Hon. Mr. Longworth, and they might examine them when they thought proper; but he did not think the reasons given by the hon. member for making the motion were very complimentary to the majority of the House.

Hon. Mr. MONTGOMERY suggested, if a motion were made at all, it should be that the number of the members of the committee be increased. If necessary to add one member to the committee, it would be necessary to add two.

Mr. Yeo, having assented to the suggestion made, the motion that two members be added to the committee on Public Accounts, was then put, when the House divided as follows:—

Yeas—Mr. Yeo, Hons. Montgomery, T. H. Haviland and Longworth, Messrs. Heath Haviland, Dingwell, Macintosh and Laird—8.

Nays—Hons. Col. Secretary, Wightman, Whelan, Mooney & Col. Treasurer, Messrs. Clark, Muirhead, Cooper, McDonald and Muoro—10.

So the motion was lost.

BILLS INTRODUCED.

Hon. T. H. Haviland introduced a Bill to continue and amend the Princetown and Royalty Church Incorporation Act, and to repeal a certain Act therein mentioned; read a first; second reading on Thursday next.

Hon. Colonial Secretary introduced a Bill for raising monies to be applied to the purchase of Lands under Act 16 Vic., cap. 18, intituled "An Act for the purchase of lands on behalf of the Government of Prince Edward Island, and to regulate the sale and management thereof, and for other purposes therein mentioned." Bill read a first time; second reading on Thursday next.

PRINTING DEBATES.

Mr. SPEAKER informed the House that more definite arrangements appeared to be required with regard to printing the Debates and Proceedings of the House. One of the printers of Charlottetown, Mr. Ings, had spoken to him on the subject, stating that he had not yet received any matter for publication.

Hon. COL. SECRETARY said, this question had been very well discussed at the commencement of last session, and many complaints had then been made respecting the printing of the debates and proceedings of the House in separate sheets; but notwithstanding these complaints on the subject, they had resolved to try it another year; just as many complaints had been made as on the previous year. Hon. Members did not seem to care for the debates in that form. At the beginning of the present session, something had been said about reporting; and as two Reporters had applied, it was just a suggestion, but was understood, that both of them should try their hands and whatever matter they prepared, they were to furnish to the printers. Whatever newspaper began a debate, they were to

furnish with copy to the conclusion of it. As to remuneration for services performed, the House would grant what they thought proper at the close of the session. He thought the plan he had now indicated was the only one that could well be adopted; but he thought it had been generally known that such were the arrangements, and that such was the understanding some hon. members had with the Reporters:

Hon. Mr. MONTGOMERY thought the Reporters themselves were at a loss how to act, and that they required some instructions. Perhaps it would be well to let the arrangements go forth to the public, as many might not know what they were.

Hon. Mr. LONGWORTH did not think it necessary that one newspaper should furnish a debate, before any of it was given to another; for a copy could not be furnished to several newspapers. Let any matter that was prepared be furnished to the paper that was to be printed next in the order of time, and whatever was not complete might be copied from the other paper.

Hon. COL. SECRETARY said, it would be no use to publish a part of a debate in a newspaper in which the commencement of it did not appear. Let the arrangements be, that matter should be furnished to whatever newspaper appeared first in order; for example, if the *Islander* was issued to-morrow, let the matter be furnished to it up to that date, and afterwards to the *Examiner* up to the time of its publication and so on in regular order.

The views expressed appeared to be generally acquiesced in by the members present, and the discussion dropped.

House adjourned till Thursday next. R. LAIRD, Rep.

THURSDAY, March 12.

House adjourned for want of a quorum.

LEGISLATIVE COUNCIL.

THURSDAY, February 26, 1857.

The Hons. Messrs. Forgan and Aldous took the oaths and their seats as members of the House.

The Hon. Mr. Haythorne's attendance was excused, on account of indisposition.

FRIDAY, February 27, 1857.

Mr. Howe was appointed Reporter.

Mr. John S. Breunner's tender for printing and binding Journal of the Council, was accepted, his being the lowest offer.

The Hon. Mr. Craswell, from the committee appointed to prepare an Address in answer to His Excellency's speech, reported a draft thereof, which he read in his place.

The House went into committee on the Address, the Hon. Mr. Craswell in the chair. On the clause referring to the contemplated loan being read—

The Hon. COLONEL SWABEY rose and stated, that before the question was put on that clause, it became him, not only as a member of the Government, but also as the official situation he held had an intimate relation to the subject, to offer a few observations on the matter. Their honors' all knew that the question of the landed tenures in this Island had long formed the subject of agitation, more or less violent and pernicious. The means of settling this vexed question were now available, and he had several reasons to justify his opinion, that the operation of the loan would be attended with success, and greatly beneficial results to the whole community. It must be remembered that the first operation under the Land Purchase Bill was very extensive. A large amount of property was purchased by the Government, the accounts handed over were badly arranged, had been carried from ledger to ledger, there were no reliable data from which to ascertain the quantity of land. He would, however,

rather direct their honors' attention to the prospects of the results to flow from the contemplated loan. If the people on the Worrei Estate had been somewhat dilatory in availing themselves of the benefits of the Land Purchase Bill at first, that could be easily accounted for. It was well known that difficulties were suggested by parties whose political principles were opposed to those of the Government; these had the effect, to a certain extent, of damping the feelings of the people; but although there might be some little delay and difficulty in settling the Worrei Estate, no loss would result from its purchase. He was happy to call the attention of their honors' to the contrast presented by the settlers on Lot 11. The whole of the operations connected with the re-sale of that property, which had been but recently purchased, were now nearly complete. The tenantry considered the act of the Government in purchasing that Lot as a positive boon to them, and acted in accordance with that feeling. On the 16th February the last instalments were payable. As the Public Accounts were made up to the 31st of January, those last payments were, of course, not included; but he had no hesitation in stating, that if a balance were struck now, it would be found that but a trifling sum would be required to complete the purchase money of that estate, including the expenses of management, which were comparatively small, as intending purchasers come in readily and thus they insure the purchase of their lands at prices much lower than would otherwise be the case, if the operations extended over a number of years. There was another observation he would offer, as a member of the Government. When the proposal for the Imperial guarantee was first sent to England, Her Majesty's Government very properly requested information as to the financial condition of the Colony, in order that they might ascertain what means we had of repaying the loan. The local government sent home a statement of facts—a statement which could not be colored, inasmuch as the public records of the Island were its foundation—showing so healthy and prosperous a state, that the British Government at once saw that they could give the required guarantee without the slightest risk to themselves. He was not surprised at that, when he reflected on the large sums which the West Indian Islands, Canada, and other Colonies had received under Imperial guarantees. Our financial condition was better than theirs; but, perhaps, as the Island was a very small dependency, it might be more difficult to obtain, on that account, what we had requested. His Honor concluded by stating that these circumstances justified the committee in adopting the paragraph before it.

On the clause relating to Education being read—

Hon. COLONEL SWABEY, though unwilling to occupy the time of the House, in discussing a question which would come before their Honors on a subsequent occasion, yet deemed it advisable to offer one remark, on the subject of the clause. He disclaimed, as did the Hon. Attorney General, any intention of interfering with the working of the Education Act, of the satisfactory operation of which abundant evidence could be adduced, and therefore he considered that no cause existed, in framing a new Act, to justify any deviation from the principle of the present law. It was but right that it should go forth to the country, that there was no intention on the part of the Board of Education to sanction any important alteration, but that the Board would let the principle of the Bill remain as it was.

When the clause having reference to inter-colonial communications was read—

Hon. COLONEL SWABEY called the attention of the House to the relatively large amount paid for this service by the Government of the Island, as compared with the amounts

granted by Nova Scotia and New Brunswick, which had not acted in a spirit of liberality corresponding to that which we had manifested, although they were equally interested in the efficiency of the arrangements. Last year this service cost the Island about £1000 sterling.

Hon. ATTORNEY GENERAL was of opinion that the principal difficulty was to be found in the fact, that the contracts had hitherto been of too short duration. The practice had been to make the arrangements merely for a single season, and the amount to be paid depended entirely on an annual vote of the House of Assembly. Capitalists would not embark their means in steamboats unless there was a prospect that they could obtain a contract of reasonable duration. At present the Government was at the mercy of any party who might happen to have a boat in the Gulf. No one could doubt the necessity which existed for a good and sufficient communication. The important intercourse with the different parts of the Gulf rendered it desirable that the Government should have power to enter into contracts extending over years. He agreed with his Honor, Colonel Swabey, that the sister Colonies had not contributed to this service as they should have done.

His Honor the PRESIDENT remarked, that when in New Brunswick, last summer, he had, by request of this Government, endeavored to come to some definite arrangement on the subject of the inter-colonial communications. The results of the negotiation would probably be laid before the Legislature. The principal men in New Brunswick acknowledged the necessity which existed, for increased accommodation, and expressed their desire for a larger grant, and suggested the appointment of Commissioners on the parts of Nova Scotia, New Brunswick and the Island, whose co-operation might ensure a proper performance of so important a source. Admitting that the other Provinces did not contribute their fair proportion, and that we paid a very large sum, his Honor did not coincide with the opinion of the Hon. Attorney General, as to the effect of the want of permanency in the arrangements. During the time he had been connected with the Government, he had known of no proposal for an extended period, but one which was made last year, but which was so extravagant in amount that it could not be entertained.

On motion of Mr. Dingwell the Address, as follows, was agreed to and ordered to be engrossed:—

To His Excellency Sir Dominick Daly, Knight, Lieutenant Governor and Commander-in-Chief, in and over Her Majesty's Island Prince Edward, Chancellor, Vice Admiral and Ordinary of the same, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY:

We, the Members of Her Majesty's Legislative Council of Prince Edward Island, beg to tender to your Excellency our thanks for your Speech at the opening of the present Session.

We have great satisfaction in learning from your Excellency that Her Majesty's Government has been pleased to comply with, and accede to, the suggestion contained in the Joint Address of the two Branches of this Legislature, having reference to the giving of a guarantee for a sufficient Loan that may be required to purchase Township Lands in this Island, so that a more speedy and general conversion of Leasehold tenures into Freehold, may be effected; and we shall, therefore, gravely consider any measure that may be submitted towards carrying into effect that desirable result.

Any measure that may be laid before us, having in view the establishment of Municipal Institutions, thus conceding to the inhabitants of this Island a more direct power in the management of their own local affairs, shall receive our earnest and careful attention; and in connexion with this

subject, we shall consider the expediency of constituting a Board of Works, so that all public expenditure shall henceforth be made under careful revision.

We are gratified to learn that the general Education Act is so encouraging in itself, that a free system of public instruction is so highly appreciated by the inhabitants at large, and we shall cheerfully continue or re-enact the same.

The interests of Agriculture, which form the primary object of industry and enterprise in this Colony, claim from us, and shall receive our most deliberate consideration.

As we are convinced of the great necessity of making all inter-colonial communications as perfect and as permanent as possible, we shall readily concur with any reasonable plan that may be suggested for their extension.

We beg to thank your Excellency for the expression of your willingness to co-operate with us in the promotion of the interests of the Island, and the happiness and contentment of the people; and we beg to assure your Excellency that we have every confidence in your Excellency's mode of administering the Government of this loyal Colony.

After which the House adjourned till Monday, the 2nd March, when it was further adjourned to the following day for want of a quorum.

TUESDAY, 3rd March.

On motion of Hon. Mr. Craswell, the Address was read a third time, and it was resolved that it be presented by the whole House.

WEDNESDAY, 4th March.

The Hon. ATTORNEY GENERAL introduced a Bill for preventing fraud by secret Bills of Sale of personal property. He explained that the Bill was the same which he had introduced last year, and which had passed this House, but had been rejected by the House of Assembly, for what reasons he could not say; but during the recess, instances had come to his knowledge which formed the strongest arguments in favor of the measure. The object of the Bill was merely to authorize the holder of a Bill of Sale to protect his interests by having it filed in the Office of the Prothonotary, in the County wherein the party giving the Bill resides. The cost attending the filing would form no practical bar to the working of the measure, as the only expense would be a few shillings. The Bill contemplated the proof of the Instrument by the oath of the attesting witness, who would be entitled to receive his reasonable expenses. This Bill did not render it obligatory on the party holding the security to register it. He need not, unless he chose to do so, avail himself of the provisions of the Bill, which merely had for its object the protection against fraud of those who might feel themselves disposed to guard their property from dishonesty. Without some such measure, there is no security afforded to the innocent holder of a Bill of Sale, if the party who has executed it may be disposed to rob him, as a subsequent transfer may deprive him of the security he has taken.

The Hon. Attorney General also introduced an Act to enable the Supreme Court of Judicature to give relief against adverse claims made upon persons having no interest in the subject of such claims.

Both the above bills were read a first time.

The Hon. Attorney General, Hons. Messrs. Bagnall and Dingwell, were named the committee of good correspondence on the part of the Council.

The Council having waited on His Excellency the Lieut. Governor with the Address in answer to His Excellency's speech, returned, when His Honor the President read His Excellency's reply which was as follows:—

Mr. President and Honorable Gentlemen of the Legislative Council :

I thank you for your Address, and I assure you of my perfect reliance upon your wisdom and prudence to assist me in whatever may tend to augment the prosperity of the people of this Island.

The Hon. Attorney General read a message from the Lieutenant Governor communicating a despatch of the Secretary of State in reply to the joint address of last session regarding the memorials of the proprietors of lands, and two on the subject of the guaranteed loan.

FRIDAY, 6th March.

The Bill to prevent fraud by secret Bills of Sale was read a second time, after which the Council adjourned till Friday, the 13th instant.

HOUSE OF ASSEMBLY.

FRIDAY, March 13.

PAPERS PRESENTED.

Hon. Col. Secretary presented to the House the following papers, viz:—

Copy of Despatch of Lieut. Governor to Secretary of State, dated 5th September, 1856, in reference to a Loan to be raised under Imperial guarantee, for the purchase of Proprietary lands in Prince Edward Island.

Extract of Minute of the Executive Council on the same subject, and in reference to the financial condition of the Colony.

Tabular statement of the Revenue of Prince Edward Island, its annual increase, decrease, and total increase.

Tabular statement of the Annual Revenue and Expenditure, &c., from 31st January, 1848, to 31st January, 1856.

Tabular financial statement of the Colony of Prince Edward Island to the 31st January, 1856.

The foregoing papers were laid on the table.

He also presented the following papers, viz:—

Copy Despatch of Secretary of State to Lieutenant Governor, dated Downing Street, 6th August, 1856, intimating that an Order in Council had rendered inoperative the Act passed in the last Session, to authorise the Government to prohibit the exportation of Saltpetre and other chemical salts.

Copy Despatch of the Secretary of State to the Lieutenant Governor, dated 29th August, 1856, enclosing an Order of the Queen in Council, dated 21st August, 1856, leaving to their operation nine Acts passed in the last Session of the Legislature.

Copy Despatch of the Secretary of State to the Lieutenant Governor, dated 30th October, 1856, enclosing an Order of the Queen in Council, dated 22d October, 1856, leaving to their operation Fifteen Acts passed in the last session of the Legislature.

CLASSIFIED ACCOUNTS.

Hon. Col. Secretary presented to the House the Public Accounts, as classified by the Auditors, for the Financial year, ending 31st January, 1857, which were referred to the Special Committee on Public Accounts.

Hon. Mr. LONGWORTH rose in his place, desiring to know why the Classified Accounts had not been furnished to the House for the information of members; and for this reason, that every member of the minority had been excluded from the Committee on Public Accounts, and seven members of the majority had been appointed on that Committee. Whether it was a preconcerted plan or not, he could not

tell; but such a precedent in that House, or in any House of Assembly, he had never known before. It also strengthened his opinion that it was a preconcerted plan, that when a motion was made that additional members be added to the Committee alluded to, it was opposed. As the matter then stood, the Classified Public Accounts went to the Chairman of the Committee on Public Accounts, who might keep them some time from the inspection of other members of the House. He was disposed to move that the Clerk of the House be instructed to send a copy of the Classified Accounts to the Queen's Printer, and that fifty copies of them be struck off for the use of the members of the House.

Hon. Col. SECRETARY remarked that of course they would be printed as an Appendix to the Journal; and then every member would be furnished with a copy. The Classified Accounts were on the table of the House, they would only require to be printed once, and it was understood they would be printed with the Journal. The hon. member had said he supposed the reason that some of the members of the minority were not on the Committee of Public Accounts was, that it had been a preconcerted plan; but there never had been a word about it till a member of the minority objected to a member of the Government being appointed on the Committee in question. He (Hon. Col. Secretary) thought the majority very justly excluded the minority from that Committee; for when they had been asked respecting certain statements connected with the Public Accounts, which had appeared in the Islander last year, they did not say they had not furnished them. The hon. member was well aware that the Classified Accounts were always on the table of the House, and that every member of the House was free to have access to them when he pleased. There was no occasion to print extra sheets of those accounts now, or to make a motion to that effect, as it was understood that they would be published in the Appendix to the Journal.

Hon. Mr. LONGWORTH would be satisfied if they were published in that manner, but let it be done at once.

Mr. McINTOSH thought the Accounts in question should be printed for the information of hon. members, and the sooner the better.

The suggestion of Hon. Mr. Longworth having been agreed to, the discussion dropped.

LAND PURCHASE ACT.

Mr. COOPER thought it would be well if the Accounts respecting the purchase and sale of land, were laid before the House for the information of members; and he trusted they would be somewhat separate from other accounts. They had a Bill relating to land purchase then before them, ready to be read a second time, and to be submitted to a Committee of the whole House; and they ought to have a little information on the accounts in question. He thought that a Committee ought to be appointed to examine the accounts relating to the purchase and sale of land.

Hon. COL. SECRETARY said, the detailed accounts respecting the purchase and sale of land were not yet before the House, not having come down; but they would be presented as soon as they were ready. With reference to those accounts, and the Minutes of Council relating to the loan, presented to the House to-day, he thought it would be better to refer them to the House, when in Committee on the Loan Bill.

Hon. Col. Secretary presented to the House the Road Correspondent's Accounts of expenditure for the service of Roads, Bridges and Wharfs, in the past year; also, Road Commissioners' annual return of Statute Labor performed in the past year; laid on the table.

Mr. Perry, Hon. Mr. Mooney, Messrs. McDonald, Muihead, McIntosh, Dingwell and Laird, were appointed a Special Committee, to whom should be referred all petitions praying for the opening of new Roads, to examine the same and report thereon.—Mr. Perry, Chairman.

STEAM COMMUNICATION.

Hon. Col. Secretary presented to the House the Report of the Commissioners appointed to examine the Harbor of Tatamagouche, which was read, and is as follows:—

"We, the Commissioners appointed by His Excellency the Lieutenant Governor in Council, for the purpose of inspecting the Harbor of Tatamagouche, in the Province of Nova Scotia, with a view of ascertaining the most eligible and convenient line through that section of the Province for the transmission of Her Majesty's mails to Halifax, beg respectfully to report that we engaged the steamer *Rosebud*, for that purpose, and on Wednesday, July 9th, left Charlottetown for the Harbor of Tatamagouche, and arrived there about ten o'clock, where we were met by several of the inhabitants of that settlement, and on finding the water not of sufficient depth on the bar of Tatamagouche River, to allow the steambot (drawing about six feet) to proceed up until high water, we examined two points suggested to us as places in the bay, where wharf accommodation could be built to allow a suitable vessel to lay alongside at all times of tide. The first we visited is called the Thrum Cap, situated at the head of the harbor, on the north side, about two miles from the entrance of Tatamagouche River, and by land, about four miles from the village. This point is sufficiently sheltered for a vessel to lay in safety, but the channel being so narrow that no steamer could turn in it excepting in high water, we did not make any further examination there. The other place is called Block-house Point. It is on the south side of the harbor, half a mile from the river, and two miles from the village by land, half a mile of which road must be made to the Point. Here a wharf and breakwater of a very substantial character would be required, being exposed to a long range of sea, and with a north-east gale, vessels would be in great danger, if not protected; to accomplish this, a great expense must be incurred. At about half tide, the steamer was backed to within 300 feet of the shore, and found there 7 feet of water. We then returned to the entrance of Tatamagouche River, but not finding sufficient water on the bar, we went up the river in boats, and landed about two o'clock; and having ordered the *Rosebud* to meet us in Brule Harbor the next day, we proceeded to Truro by coach, a distance of thirty miles, which was accomplished in less than five hours. We remained at Truro that night, and after breakfast the next morning, returned to Tatamagouche.

"The road to Truro is not of that hilly nature one would imagine it to be from the fact of its passing over the mountain, it being of one gradual ascent for fifteen miles; and from the gravelly nature of the soil is a very passable road, and there is plenty of materials at hand to keep it in repair. If the mails were to be sent by this route the coach proprietor would have a change of horses half-way, which he has not at present, and then the time in going through would be considerably shortened.

"On our return to Tatamagouche, we proceeded by coach to Brule Harbor, a distance of six miles. The road is good and nearly level, leading along the river and onwards to Pictou.

"On arriving at Conn House, the residence of Mr. John Mockler, through whose farm the road to the shore passes down to Brule Harbor, we found the steamer had arrived from Tatamagouche, and having her steam up, gave us a

favorable opportunity for examining the harbor and ascertaining the best landing place.

"We fully accord with the opinion expressed by Captain H. W. Bayfield, R. N., the experienced Admiralty Surveyor, in his communication to His Excellency the Lieutenant Governor, of 29th May, 1856, that this harbor is the safest and the best for a direct intercourse with Nova Scotia, as being nearest to Charlottetown, and one where a steamer can lay in safety in any weather, there being good anchorage, and the shore at the old wharf can be approached within 300 feet at any time of tide; and by a small outlay sufficient wharf accommodation could be built.

"Mr. Mockler, of Conn House, has the outer blocks of a wharf now built, and if encouragement were given to him he would make it available for the use of a mail packet from hence.

"The present road would be three or four miles further from Brule to Truro than from Tatamagouche, but shorter by water, if about four miles of road which has been marked out, leading from Conn House to the line of road from River John by Earltown, were opened up, the distance to Truro would be some miles less than from Tatamagouche; and we were informed would be a preferable road.

"On our leaving Brule, a strong gale blew from the north-west; the captain of the steambot told us that before he left the Block-house Point at Tatamagouche, a heavy swell was setting in, and it took him more than an hour to steam down to Brule, and that as soon as he had rounded the shoal at Brule Point the water was quite smooth, and he was sure that with that wind, it would have taken him an hour longer to reach Charlottetown from Block-house Point than from Brule. We arrived at Charlottetown at half-past eight o'clock, the passage across occupying four hours and a half.

"The village of Tatamagouche may, at the present time, afford greater accommodations for travellers than Brule; but from the expressed desire of the coach proprietor, Mr. Blair, to give every facility by the supply of coaches, and also, of Mr. Mockler, to give accommodation for the landing and entertainment of travellers, we think that nothing will be wanting to encourage travelling, should that route be adopted this season.

"A coach runs three times a week between Pictou and Amherst, passing through Brule and Tatamagouche; and we have no doubt, if the proposed arrangement were carried out, that many persons from the United States and North American Provinces, would adopt it when coming to the Island; while the packets from Summerside to Shediac, and from Georgetown to Pictou, would keep up the passenger-communication between those places. The proposed route from Charlottetown through Brule and Truro to Halifax, would be the central line of connection between the Island and Nova Scotia, and the nearest by which Her Majesty's mails could be forwarded from hence to Great Britain.

"Moreover, there would be a saving of thirty miles of travelling between Charlottetown and Truro; and under the present coach arrangements, a saving of two dollars in coach hire, and a great amount of fatigue and inconvenience avoided, as travellers from hence might be in Truro by four o'clock in the afternoon, and remain there until eleven o'clock the next morning, when the coach from Pictou generally arrives, thereby affording a rest of eighteen or twenty hours, instead of rising at three o'clock in the morning at Pictou, and having to sit seventeen or eighteen hours in the coach to Halifax; and riding 104 miles, instead of 64 miles.

"There are also advantages on returning from Halifax by resting the night at Truro, and not going on to Pictou; for

the morning coach would be in Brule in four hours time, and in four hours more the steamboat may be at Charlottetown.

"On the completion of the railroad from Halifax to Shubenacadie, which we understand it will be early in 1857; the journey from Charlottetown to Halifax may be performed by this route in a day; and if it be adopted, it is reasonable to suppose that the Government of Nova Scotia would direct our mails and those for Tatamagouche to be forwarded by that line of road; for, notwithstanding the coaches run twice a week between Truro and Tatamagouche, yet the mails to Tatamagouche from Halifax are conveyed *via* Pictou.

"We would respectfully submit that under the present postal arrangements, letters sent from the Island to Halifax do not arrive there but on Wednesday and Friday evenings, rendering it almost impossible to receive answers in less time than a week. Whereas if our mail was sent *via* Brule, on Monday, Wednesday and Friday, in each week, and returned on the following respective days, answers could be received days earlier than is now done, which would be of great benefit to the commercial interests of the Colony.

"All which is respectfully submitted.

"GEORGE COLES,
(Signed) "WILLIAM W. LORD, } Commissioners.
"GEO. BIRNIE,

"Charlottetown, 16th July, 1856."

Hon. COL. SECRETARY said, there appeared to be a good deal of opposition at Tatamagouche to the Brule route. Tatamagouche being the principal Village, and of course parties there would like to have the Steamer run direct to that place. But the exposed nature of the place at which the Steamer would have to lie, and the distance to be steamed up to Tatamagouche, the Commissioners thought would be obstacles in the way of adopting that Village as a place of landing; so that they could hardly recommend it, and had decided favorable to Brule Harbor. Before they went over there, a communication had been received from Captain Bayfield, recommending Brule Harbour as being best adapted for a landing place, and actual observation had confirmed his recommendation. At that place there was only one house where accommodation could be had for travellers; but the owner of it had a wharf partly built, which would be convenient for the Steamer. A member of the House of Assembly for that part of Nova Scotia, Mr. Archibald, was, however, rather in favor of Tatamagouche; for some of his relatives lived there, and in fact he came to the Island for the purpose of recommending the adoption of that route; and so there might be some obstacles thrown in the way of adopting Brule Harbor instead of Tatamagouche, yet the Commissioners thought Brule Harbor the best place. The Government had advertised for a Steamer to run to that place, but none had offered. The appointment of Commissioners to examine the nearest Harbour on the other side of the Straits had awakened up the Pictou people, who were not in favor of the route being changed; and therefore a gentleman from that town, Mr. Mackenzie, a member of the Legislature, had called upon him to say that they had a meeting at Pictou, and a few of the influential people of that town were now willing to afford more encouragement by building a wharf that would accommodate the Steamer; but he had told him, they were rather late now in building a wharf, as they had not done so before. That gentleman had also made additional statements, offering on certain conditions to provide a Steamer for the mail service; but on account of the large sum mentioned, he did not think proper to do anything further in the matter, and had not heard from him since in reference to the subject. The members of the House would now have an opportunity of making up their minds in favor of some of the routes mentioned. The Pictou people contended that if the railroad went on, Pictou would be the direct route to Truro; but the route examined was certainly the direct one, and a good Steamer would run across from Charlottetown in that direction in 2½ or 3 hours. There was a good supply of coach accommodation in that part of Nova

Scotia. A coach ran three times a week to Truro; and if the mails were sent that way, no doubt a good coach would be put on the line, and the benefit would be that parties travelling from Charlottetown to Halifax could go in a day, when the railroad from Shubenacadie to Halifax was completed. That would be a great accommodation to passengers; but if the route by Pictou were continued, it would be some time before the journey to Halifax could be accomplished in one day. He might state that last year the Government of New Brunswick wished to have a commission appointed to confer on the means of steam communication between that Province, Nova Scotia, and the Island; but Nova Scotia would not agree on a plan, unless it included communication to Cape Breton. Last year Nova Scotia had offered £200, if a Steamer would run daily from Charlottetown to Pictou; but that would not have been a suitable arrangement. The Government of New Brunswick had now made an offer relating to steam communication; but in consequence of the great expense to be incurred, the Island Government did not think proper to accept it; so that the prospects of steam communication were not now much better than they were last year. The Government had some trouble with the owner of the Steamer *Lady LeMarchant* last year, he having asked £2,000 for the services of the Steamer, which was more than the Government were authorized to give; but after sailing Packets had been engaged, a contract was entered into for the services of the Steamer on lower terms than those first asked, her owner making arrangements with the Packets. As that gentleman was a member of the New Brunswick Legislature, he would no doubt endeavor to obtain as handsome a sum from that Province as he could; but he (Hon. Col. Secretary) thought arrangements satisfactory to the Island would never be made until a Steamer belonging to it was running between Charlottetown and Tatamagouche, which if not equal to a bridge, would be the next best thing to it. As long, however, as the inhabitants of the Island depended on the other Provinces for their steam communication, half of the season would pass without it. If they had a good Steamer, many travellers from the United States would come to the Island, as they were a travelling people, and had almost exhausted all the places of interest in their own country; and of course when they came, they brought a few pounds with them to be spent in the Island. Besides, it would be a credit to the Island to have such a Steamer, and the communication which would be the result. He hoped the House would take up the matter seriously, when it came up for consideration. He had merely made these statements, so that hon. members could think over the matter.

Mr. DOUSE would like to know if any security had been given by the Government of Nova Scotia for the erection of a wharf at Point Brule. He had travelled that way last fall, and unless some improvement was made on the road near the deep ravine, he must say it was a very dangerous route; indeed he had never travelled a road like it, and a timid man would have been frightened. He believed the route would be much shorter, and a very great improvement, if the plan could be carried out; but if no security was given by the Government of Nova Scotia of assistance in providing accommodations for landing, and in improving the road, he would not be in favor of the scheme; yet if such assurance were afforded by that Government, he should be favorable to its being carried into effect.

Mr. COOPER said, no doubt but Pictou had, just at the present time, as good a claim as the other places alluded to; for coal could be easily procured there, and the railway coming to Pictou in a short time would be another inducement to continue that route. The only point for this Colony was, to have its mails carried cheaply for a few years; for in that time they would not want so much assistance.

Report laid on the table.

BILLS INTRODUCED.

Hon. Col. Secretary laid before the House a Bill to continue and amend the Free Education Act, which was read a first time. He would just state for the information of hon. members, that the Bill went to continue the Education Act as it was, with the exception of some slight alterations in the collection of taxes, recommended by the Hon. Col. Treasurer.

Hon. Col. Secretary also introduced a Bill to provide for the better internal Government of this Island, by the establishment

of local or municipal authorities therein, and said: As this Bill is of some importance, perhaps the most important of the session, in reference to giving the management of the local affairs of the country to the inhabitants themselves, and every hon. member, perhaps, would like to be well acquainted with it, it might be well to make it the order of the day for the second reading on Thursday next. The Bill as it is there, is the views of the Government in reference to what they consider would be a benefit to the Colony in having municipal regulations established; but when hon. members bring their minds to bear upon it, there may be a good many suggestions to improve it, and some perhaps may consider it better to print it, and let it lie over a year till the people see the principles of it. The Bill, however, does not contemplate that it shall go into operation till January next, and then the people would be called upon to elect a Councillor for each Township within each electoral district. Each electoral district is proposed to be a municipality. By January next the people would be well acquainted with the principle of the Bill, and if they did not like it, they might petition the House to repeal it, as perhaps they would do.

Hon. Col. Treasurer, from the committee on Expiring Laws, presented to the House the second report of that committee, which is as follows:—

“The committee appointed to examine what Laws have lately expired, or are near expiring, submit, that the Act 15 Vic. cap. 6, intitled ‘An Act to facilitate the intercourse between this Island and the Provinces of Nova Scotia and New Brunswick,’ will expire at the end of the present Session.

The Bill to continue and amend the Act to prevent Horses, Swine, and Geese from going at large in Georgetown, was read a second time, committed to a committee of the whole House, and reported agreed to, without amendment.

The Bill to continue and amend the Princetown Royalty Church Incorporation Act, and to repeal a certain Act therein mentioned, was read a second time and committed to a committee of the whole House. Progress reported.

Hon. Col. Treasurer, from the committee appointed to prepare and bring in Bills pursuant to the report of the committee on Expiring Laws, presented to the House a Bill to continue the Act exempting certain Bills of Exchange, Promissory Notes, Contracts and Agreements, from the operation of the Laws relating to Usury, which was read a first time.

PETITIONS PRESENTED.

By Hon. Mr. Mooney, from James Condon, praying remuneration for his services as a Teacher at Township 30, during the past year; referred to the committee on Teachers' petitions.

By Mr. Muirhead, from John Reeves, Donald Macdonald, and others, praying for the opening of a new road; referred to the committee on new roads.

By Hon. Col. Secretary, from divers inhabitants of Township 33 and others, praying an addition to the Salary of James Douglas, District Teacher, or some remuneration to encourage him in his prosecution of the study of Agricultural Chemistry, with a view to the introduction of that science into the Schools of the Island.

Some objections having been made to receiving the petition, as not being signed quite in accordance with the rules of the House—

Hon. COL. TREASURER thought the petition might be received, as it related to a matter of great importance to the inhabitants of the Island. The House had not the means of knowing whether the gentleman alluded to in the petition, had information sufficient to enable him to lecture on agricultural chemistry or not; but perhaps they might take into consideration the propriety of having a person to lecture throughout the Island on that science. There was now a gentleman at the head of the Normal School in Charlottetown, who had for several years in the old country delivered lectures on Agricultural Chemistry, accompanied with successful experiments; and it might be well to introduce the study of that science into the Normal School.

Hon. Mr. MOONEY was decidedly in favor of disposing of the petition immediately, lest by the House receiving it favorably and laying it on the table, anticipations might be raised of

receiving a grant of money, which would in all probability be disappointed.

Mr. MACINTOSH said, as it was the first petition of the kind he had the honor of listening to, he thought they ought to treat it with every respect; so that if Agricultural Chemistry was not understood by the people of the Island, they might be encouraged to study it.

Hon. COL. SECRETARY believed that the person alluded to in the petition, had studied Agricultural Chemistry at Horton College, Nova Scotia, and had there received license to teach it. He (Hon. Col. Secretary) had received a petition from him last winter relating to the same subject as the present one. The petition might lie on the table, and perhaps when the House was in committee on the Education Act, it might be taken up and considered. He thought if something like an Agricultural Catechism were prepared, it would be a benefit to the youth of the Island; but he was afraid the House would not be able to carry out the subject so far as the Royal Agricultural Society contemplated, when they proposed giving £100 for the purpose of paying an individual to lecture on Agricultural Chemistry, which scheme had failed. If, however, some kind of a Catechism were prepared, such as had lately been put into his hands, and which he found was an Agricultural Catechism prepared for the Schools in the United States, and if the District Teachers were to obtain a knowledge of the science in question at the Normal School they might be able to communicate more information on the subject than the Visiter of Schools had done.

Petition laid on the table.

By Mr. Perry.—a petition from divers inhabitants of Townships 15, 16, and 17.

By Mr. Clark.—from inhabitants of Township 17; from inhabitants of Township 15 and its vicinity; from inhabitants of Townships 17 and 15; also from inhabitants of Townships 15 and 17.

The preceding five petitions were all praying aid to improve road communication, and laid on the table.

By Mr. Clark.—from inhabitants of Townships 15 and 16, praying a grant to improve the bridge over Haldimand River; laid on the table.

By Hon. Mr. Wightman.—from inhabitants of Township 63; from inhabitants of the Back Settlement, Township 52, both praying aid to improve road communication; also from inhabitants of Townships 59, 61, 63 and others, praying a grant to build a Bridge over the stream below “Aitken's” milldam, and to make a road from it to the present road; from inhabitants of Lower Montague and adjoining settlements, praying a grant in aid of individual subscription towards erecting a wharf at Cameron's shore; from Leverett Bishop, praying compensation for loss sustained by a road running through his farm; also from Thomas Hendersen, praying for payment of a balance due on his contract for building a block end bridge at Mink River Basin on Township 63; which were all laid on the table.

By Mr. Muirhead.—from inhabitants of Township 25; two from inhabitants of Township 19; also one from inhabitants of Townships 25 and 19, and their vicinity all praying aid to improve their road communications; also from inhabitants of Wilmot Creek and its vicinity, praying a grant to repair a bridge; also from Thomas Hammil and Patrick Greenan, praying payment for extra work performed on a public road in 1855; which were all laid on table.

By Hon. Whelan.—from inhabitants of Township 30, praying a grant to repair a road and build a bridge therein; from inhabitants of south side of Grand River, Townships 54, 55, and others, praying a grant for the erection of a wharf at the south side of Grand River; also from Donald Morrison and other inhabitants of Townships 54 and 55, praying remuneration for labor performed by the said Donald Morrison, in completing the road, leading to Macleod's ferry, south side of Grand River; which were all laid on the Table.

House adjourned.

SATURDAY, March 14.

PETITIONS PRESENTED.

Mr. Yeo, presented to the House a petition of the officebearers of the Prince County Central Agricultural Society, setting forth that they have dissolved their connection with the Royal

Agricultural Society, and have formed themselves into a Central Agricultural Society, with the view of benefiting the whole County, and praying for a sum of money to promote agriculture throughout that County; and moved that it be referred to Committee of Supply.

Hon. COL. TREASURER.—Before that petition is sent to Supply, some enquiries should be made respecting the Agricultural Society at St. Eleanors'. I believe the Royal Agricultural Society are about sending some person to that Society to enquire into its affairs; for it repudiates their claims. It is stated by the petitioners that they had received seed of a bad description; but how they found that out I am at a loss to know. A quantity of turnip seed was sent to them, and of the same quality, as that received at other parts of the Island; and I know that the seed sent to St. Eleanors' was the same as that I used myself, which grew very well; but I know that turnip seed may grow very well at one time, and not at another. The Branch Society at St. Eleanors', sold seeds at the same price as they are sold in Charlottetown thus giving distant parts of the Island the same privileges as are enjoyed here; and not only this, but the Royal Agricultural Society are in the habit of sending stock to all parts of the Island, and at present I believe there are some as good animals, if not better, in that part of the County, than in other parts of it. The hon. member might let the petition lie on the table for the present, until enquiries are made.

Mr. YEO.—I will allow it to lie on the table at the present time; but respecting the turnip seed, I believe it was a bad sample. I had some from England which grew very well; but that seed was a heavy loss to the public; there was a great outcry about it. At the same time, the Society could not help it; but I think the Society there should be supported as well as other Societies.

Mr. CLARK.—I would just make a remark about that Society. That petition comes with a very bad grace from them, for they destroyed the former Society. If the first year they were capable of judging of the articles sold by the Royal Agricultural Society, why did they continue to take them and now repudiate the claims of that Society, as I am told they do? Through their mismanagement of the affairs of the Society, many left it, being disgusted at their proceedings, as I was before I left the place.

Hon. COL. SECRETARY.—I think since we have taken this matter up, we may as well enquire into it at once. Some resign office before they are turned out; and the Officebearers of the Society were well aware that if they did not resign, they would be dismissed; for they were £201 3s. 1½d. in arrears. It is proposed to establish a depot there, which I dare say will give more general satisfaction than the Society has done. I happen to have a statement of the affairs of the Society, by which I see that on Nov. 6, 1855, they received goods to the value of £304 4s. 0d. Perhaps they may have put the turnip seed referred to into a cellar, and have not taken proper care of it, and so it might be injured. Notwithstanding their complaints, I see they have received £40, as their share of the Legislative grant. They have returned turnip seed said to be bad, to the value of £42. Now, regarding this seed, it was the same as that which the farmers in this county sowed; I sowed some of it, and it came up very thick. But as was said by Mr. Yeo, turnip seed of the same kind, sowed in the morning, and in the evening, may grow in a very different manner. One cask, however, of the seed returned to the Royal Agricultural Society, had not been opened, and some of it was put in earth at the depot of that Society, and I believe half of the seed grew, which shows that all the seed was not bad. But the seed proving bad, is no reason why the Society should be broken up. The proper way for them to have acted, was to come to the parent Society, and show that the seed was bad; and then arrangements might have been made respecting it; but instead of that, they returned a quantity of the seed, and having a balance against them of £201 3s. 1½d. they drop connection with the Royal Agricultural Society, and say they have a Society of their own. I believe they had a meeting at St. Eleanors', to pass a vote of want of confidence in the Royal Agricultural Society; but that is no reason why we should break up a good institution. There is a Branch Society at

Cascumpec, and one at Tryon, which do very well. After having received goods of so much value from the Royal Agricultural Society, the sum of £201 3s. 1½d. is too large an amount for them to try to cheat that Society out of. As to their share of the Government grant, they received two Pounds for every one they subscribed, as is done with all the Societies connected with the Royal Agricultural Society. They are credited with that amount, and I think that is as fair as the parent Society can do with this Society. If stock is sent there, and loss sustained on it, it is at the loss of the Central Society. I am very glad however, that the Society is broken up, as I think a depot may answer much better.

Mr. YEO.—I know nothing about the Society; but the petition was handed to me by the mail-driver that came in yesterday. Anything for which the Society applies to me, I give them at prime cost, for the encouragement of the Society. I think they should have the same privilege that the Society here has.

The petition was laid on table.

Mr. Yeo presented a petition of divers Inhabitants of Cascumpec, Kildars, Tignish, and adjacent settlements, praying for a repeal of the Law for the collection of Anchorage duty, in so far as it affects Vessels engaged in the fisheries. He said the petition was very well signed, and it was his opinion if only one half of the duty were imposed, there would be more collected than the whole sum at present amounted to. Some vessels took in their supplies in the United States, and Captain Ryder, informed him they were so much opposed to the high duties, that they would not come into the Harbor. It would be for the House to consider, he thought, that if only half of the present duty was demanded, there be a greater encouragement to trade in the harbor, and it would be a benefit both to the Government here and to the petitioners in general.

Hon. COL. SECRETARY.—It is very well for the hon. member to advocate the claims of a petition praying for encouragement to vessels going into that harbor. The case is very much like that of a man who lives in the outskirts of a town, complaining that he does not get so much trade as those in the centre of it. But I have heard that Cascumpec is not now so good a Harbor as it once was, and that more vessels go into Princetown than formerly. They have had a light-house established at Cascumpec, and vessels only pay light duty at one port; but in looking over the account of light duties, I find the amount collected at Princetown, is £91 2s. 2d. and that at Cascumpec, £67 16s. This shows that as many vessels would go to Princetown as to Cascumpec, if there was as good a light-house at Princetown as at Cascumpec. I believe it is the intention of the Government to ask the House for a sum of money to put a better light at Princetown than is at present, if they could fix on a suitable site. Last year there was expended for the light-house service £1,240, and the receipts amounted to about £744, which shows that £495 more were paid for keeping up light-houses than all the light duties amounted to; and therefore the agriculturalists will be called upon to make up the deficiency; so instead of lessening the duty I think we may have to consider whether it would not be well to increase it. But I think the reason assigned for the Americans not entering that harbor, is not the true one, and that they do not go there on account of a shifting bar of sand at the harbor.

Hon. Mr. MONTGOMERY thought a greater amount of light duty might be collected at Princetown, as he was well aware that many vessels called there from which the duty could not be obtained. They set the collector at defiance, and he had not the means of enforcing compliance with the regulations relating to them. The masters of such vessels said they would pay the light duty, if there was a good and sufficient light provided; and if that were done, he felt satisfied, they would pay it cheerfully. The light at Cascumpec was better than it had been formerly; while a great many of the vessels called at Georgetown in going up the gulf, and paid their light duty, and so were not required to pay again; and a great number, went into Princetown and paid no light duty at all.

Mr. YEO said, respecting what the Hon. Col. Secretary said about the harbor of Cascumpec, he would not stand to hear him ridicule it as he had done. The harbor was better now than it had been seven years ago. There were twelve feet of

water at it last summer; but previously only seven feet. If the statement of the hon. member were to go abroad as he made it, captains of vessels might be afraid to go to that harbor.

Petition laid on the table.

Mr. Muirhead presented a petition of divers inhabitants of the Third Electoral District of Prince County, praying that as the Education Law is about to expire, the House will direct the Holy Scriptures to be placed on the list of books now in use in the public schools, and that they be introduced into the Academy and Normal School—to be daily read by the children of those parents who do not object to its use, and being taught therein by such Teachers as the parents may approve of; also, a petition of Robert S. Patterson and others, praying for a similar object; laid on the table.

Hon. Mr. Montgomery presented a petition of inhabitants of Princetown Royalty and Township No. 18, praying for a similar object to the two preceding; laid on the table.

Hon. Col. Treasurer presented a petition of divers inhabitants of Cascumpec, Kildare, and Tiguish, praying that an annual grant may be made to encourage a Packet to run weekly between Cascumpec and Miramichi, New Brunswick.

Mr. CLARK.—What are they going to do with a Packet? There is little or no trade at that place.

Hon. COL. TREASURER.—I was under the impression that there was not sufficient trade there to require the services of a Packet, but I have been told that I was mistaken in that opinion.

Mr. YEO.—I am well aware that they require a market; they raise a great deal of produce, and run a great risk in taking it to market in small boats in the summer. They pay largely to the revenue of the Colony, and being far from a good market in the Island, they are very much in want of a Packet to convey their produce to a market in the other Provinces.

Petition referred to a Committee of the whole House when on the Packet Bill.

Hon. Col. Treasurer presented a petition of Thomas Robson, Sackville, New Brunswick, praying encouragement towards the erection of a Fog Bell invented by him, at certain places therein mentioned.

Some hon. members were opposed to receiving the petition, as a similar one had been before the House last Session from the same individual, and because they regarded the proposed scheme as an impracticable one, especially as there was but little fog on the Island; while others were in favor of receiving the petition, knowing that the invention was an ingenious one, and being of opinion that the plan could be carried into effect.

Petition laid on the table.

Hon. Col. Secretary presented a petition of William Cousins, Duncan Macintyre and Robert Simpson, Commissioners for the recovery of Small Debts at New London, setting forth the serious inconvenience under which they labor for want of a suitable house wherein to hold their Court, and praying relief. He did not know what to say about the petition. He believed several other Courts felt a great inconvenience from the want of such buildings; but he also believed that the House was not prepared to vote a sum of money for their erection. Perhaps if the Bill to establish Municipalities throughout the Island, met with the favorable consideration of the House, such buildings might be erected in different parts of the Island; but as the Education Bill was before the House, provision might possibly be made in it that School-houses should be employed for the holding of Small Debt Courts, in cases where no other buildings could be obtained for that purpose.

Petition referred to a Special Committee consisting of Hon. Col. Secretary, Wightman, and Mr. Muirhead.

Hon. Col. Secretary presented a petition of John McLeod, New London, setting forth that in a suit brought by him against Thomas Pickering for the recovery of a debt due for work performed on the Public roads, he had obtained a judgement in the Small Debt Court, against which decision, the said Thomas Pickering had entered an appeal in the Supreme Court; that in consequence of a violent snow

storm which entirely impeded the travelling, and prevented the Petitioner's timely appearance at Court, he found on his arrival that the Supreme Court had previously dismissed the said appeal cause along with others, for want of prosecution, whereby the Petitioner has lost a just debt, and is called upon to pay an amount of costs which he had no means of defraying, and praying relief. He really did not know what to say in reference to advising the House what to do with the Petition. It was one of those unfortunate cases that some people occasionally became involved in. He believed the principal complaint was the short practice of the Court, that if no cases were present they tried the appeal cases, which usually were left to near the close of the Court. Under these circumstances many people having appeal cases did not attend at first, and should their case come on in their absence, the Court dismissed it; but in the present case the person was not able to attend Court at the time, and he (Hon. Col. Secretary) should think it would be better to send the petition to Court, and have a hearing of the case. The only thing that the House could do in the matter, was to endeavor to prevent similar occurrences in future, by providing that the Court should hear appeal cases on particular days. Some such plan had been suggested by some of the lawyers. Perhaps some honorable members better acquainted with such cases than he was, would give their opinion on the subject.

Hon. Mr. MONTGOMERY.—I am not much acquainted with the case; but it seems strange, he being the defendant, how the expenses came on him. Now the case has been dismissed, neither of the parties having appeared, and it seems remarkable how this person has to pay the expenses.

Hon. Mr. LONGWORTH.—This is a very hard case; it may be well to enquire into it.

Mr. MACINTOSH.—It is certainly a very hard case, and most unaccountable how the expenses crept upon it without its being tried. The petitioner was the defendant in this case, and the Commissioner obtained judgment in his own favor. I believe if ever there was a petition before the House that ought to be referred to a special committee, this is one.

Hon. COL. SECRETARY.—I suppose this person had a lawyer engaged in the case, and if he was not satisfied with the course pursued relating to it, it would not have been taken. The only question for the House to consider is, that the petitioner wants to have the expenses paid. Though I presented the petition, yet I would not trouble the House with an enquiry into the circumstances of the case, as we would have to send for witnesses, &c. I think the remedy is elsewhere, and that the Court ought to grant a hearing of the case.

Hon. Mr. MONTGOMERY.—It certainly is a great hardship on this poor man, who has undoubtedly performed the labor he engaged to do; and I do not know for what reason the Commissioner did not pay him. There may be some doubt whether he had the power to prosecute the Commissioner or not. I certainly think it advisable to refer the petition to a special committee.

Hon. Mr. MOONEY.—I would rather go as far as that, and get an enquiry into the matter, than give a vote in the dark; for a man may make out a fair petition, and we may vote away money in the dark. The members for the District are not acquainted with the case; but it is strange that the Commissioner did not pay the man for his labor. If it was stormy, the petitioner could not attend Court.

Mr. YEO.—This case ought to be investigated. The petitioner is a poor man; perhaps that £10 of expenses charged against him would ruin him.

Mr. LAIRD.—I do not think we can come to a decision, without knowing better about the case. It appears that the petitioner has been wronged some way; and I think it would

be better to enquire into the matter, and that an examination is necessary. It seems that the storm prevented him from coming to Charlottetown at the meeting of the Court.

Hon. Mr. MOONEY.—Let the petition lie on the table for the present, and let him be notified that his presence is required before the House, that we may know if his case is a good one. I believe that this petition was drawn up by Macleod's lawyer, Mr. Charles Palmer, and that the Court was too hasty in the case. The whole particulars of the case appear intricate; but if the House find that the proceedings have been unlawful, they would remunerate the petitioner.

Mr. LAIRD.—I saw the petitioner, Macleod; he wanted to take an oath relating to the petition. He said it was impossible for him to come to Charlottetown at the time referred to.

The petition was laid on the table.

The following petitions were also presented, viz:—

By Hon. Mr. Wightman, a petition of John Hyde, Road Commissioner, Murray Harbor, praying remuneration for extra time expended in superintending the building of a Bridge and Wharf in his District; laid on the table.

By Mr. Yeo, from inhabitants of Townships 13 and 14, praying a grant to extend the wharf at Brown's Creek, Township 13; also, from inhabitants of Grand River, Township 14, and others, praying a grant to repair a road; both laid on the table.

By Hon. Col. Treasurer, from inhabitants of Townships 10 and 8, and others, praying a grant to build a bridge at Goff's Ferry, Township 10; from inhabitants of Kildare, Township 3, praying a grant to rebuild the bridge at Hardy's Mill; both laid on the table;—from inhabitants of Kildare, and others; from inhabitants of the rear of Township 7; from inhabitants of Townships 1 and 2, and others; from inhabitants of Hill River and Mill River Settlements, Townships 4 and 5; and another from inhabitants of the same localities. The last five were praying aid to improve road communications, and were laid on the table.

By Hon. Col. Secretary, a petition from inhabitants of East Suffolk Settlement; from inhabitants of Townships 21, and others; from inhabitants of Tracadie Road Settlement and its vicinity; from inhabitants of Friston Road Settlement; also, from James Ferguson, Township 34,—all praying aid to improve their road communications, and were laid on the table.

By Hon. Mr. Wightman, a petition of inhabitants of north side of Narrow's Creek, Townships 54 and 55, praying aid to improve their road communication; laid on the table.

By Mr. Douse, from residents on and near Halkett's Road, Township 60; from Patrick Doyle, Malcolm Forbes, and others; also from inhabitants of Village Green and Monaghan Settlements, and others,—all praying aid to improve road communication, and laid on the table.

By Mr. Perry, from inhabitants of Townships 15 and 14; from inhabitants of Egmont Bay; also, from inhabitants of Townships 13, 14 and 15,—all praying aid to improve road communication, and laid on the table.

By Mr. Macdonald, from inhabitants of Townships 54 and 55, and others, praying a grant to extend the wharf at the south side of Cardigan River; laid on the table.

By Mr. Yeo, from Thomas Boyle, Township 11, praying for the opening of a road to his land; also, from inhabitants of Townships 14, 16, and its vicinity, praying a grant in aid of individual subscription towards the erection of a bridge over Trout River, and the opening of a road to it,—referred to the committee on new roads.

By Hon. Col. Secretary, from inhabitants of Township 23 and others, praying for the opening of a new road; referred to the new road committee.

By Mr. Cooper, from inhabitants of Mill River Settlement, Township 46; also, from inhabitants of Township 47, both praying for the opening of new roads,—referred to the committee on new roads.

By Mr. Macintosh, from Angus MacIsaac and inhabitants of Chepstow and its vicinity, praying for the opening of a new road; referred to the committee on new roads.

By Hon. Mr. Wightman, from inhabitants of Townships 59 and 61, praying for the opening of a new road; referred to the new road committee.

By Mr. Yeo, from Susanna Maclean, widow of the late Neil Maclean, teacher, praying for an allowance for the unexpired period of her husband's engagement as a teacher at Township 16 at the time of his decease; referred to the committee on teachers' petitions.

By Mr. Cooper, from inhabitants of Little Harbor, Souris East, Township 46, praying a grant for the services of Matthew Reville, a teacher in that District; referred to the same committee.

By Hon. Mr. Whelan, from John Campbell, praying an allowance for his services as a teacher at Bay Fortune; referred to the same committee.

By Mr. Macintosh, from inhabitants of Bull Creek back settlement, otherwise Glenanadale, praying a grant for the services of Lauchlan Macphee as a teacher in that locality for a period of nine months; referred to the same committee.

By Hon. Mr. Whelan, a petition of Peter McCallum, praying for a return of duties paid on goods imported by him, and afterwards sold as damaged goods.

Some objections were made to receiving this petition, on the ground that one relating to the same subject had been received from the same individual last session, and then disposed of; but it having been stated that additional information could now be communicated on the matter, the petition was received, and referred to a special committee, consisting of Hon. Mr. Whelan, Messrs. Macdonald and Macintosh, to examine it and report thereon.

By Mr. Laird, a petition of inhabitants of New London and adjacent Settlements, praying for the establishment of a ferry at the South West River, at the place known as Coles's Ferry, New London; referred to the special committee appointed last session to report on a petition praying aid to erect a bridge over said river.

R. LAIRD, Rep.

AFTERNOON SITTING.

PETITIONS PRESENTED.

The House being met. The following petitions were presented, and the same were severally received and read:

By Mr. Yeo, a petition of Domipick Knockwood and other Micmac Indians, setting forth their privations, and praying for relief. Laid on the table.

By Mr. Munro, a petition of Bridget Hobin, Widow of Andrew Hobin, late of Township No. 50, setting forth, that her husband was killed in the month of September of last year, and on the same day her house was set on fire, by which double calamity she has been left, with a helpless family in a state of destitution, and praying relief; and another petition, of Mary Lawrence, wife of Alfred Lawrence, a private soldier, praying a sum of money sufficient to defray the expenses of her passage to England to rejoin her husband, returned from the campaign in the Crimea. Both petitions laid on the table.

By Hon. Mr. Wightman, a petition of the President and Committee of the Royal Agricultural Society, praying that in addition to the sum annually granted to the Society, a sum of £1000 may be specially appropriated to stock, fence

and pay the rent of the Society's breeding farm; also, a petition of several inhabitants of Townships 61 and 68 praying a grant to erect a Bridge across Llewellyn's mill-pond; and also, a petition of John Bain, praying compensation for extra work performed in extending the Wharf at South River, Murray Harbor. Petitions laid on table.

By Mr. Laird, a petition of several inhabitants of New Glasgow Road Settlement, praying a grant to open a Junction Road between that Settlement and the Princetown Road, was received and read, and referred to the Special Committee on Petitions for opening new Roads.

The Bill intituled "an Act to continue and amend the Act to prevent Horses, Swine and Geese from going at large in Georgetown," was, on motion of Mr. McDonald, read a third time, and passed. It was then ordered that Mr. McDonald do carry the said Bill to the Council and desire their concurrence.

The Hon. Col. Treasurer, from the committee on Expiring Laws, presented a Bill to continue the Act relating to packets sailing between this Island and the Provinces of Nova Scotia and New Brunswick; read a first time.

On motion of Hon. Mr. Montgomery, the House resolved itself into a committee of the whole on the Princetown Royalty Incorporation Act and to repeal a certain Act therein mentioned. Mr. McDonald took the chair, when the Bill was agreed to without discussion.

The House resumed.

The Bill was then read a second time and ordered to be engrossed.

House adjourned.

MONDAY, March 16.

Hon. the Speaker laid before the House a communication from the Secretary of the Wesleyan Dorcas Society, enclosing a report of their proceedings, embracing an account of their receipts and expenditures in the past year, and stating the increased demands made upon the Society. Laid on the table.

On the motion of Hon. Mr. Montgomery the Act to continue and amend the Princetown Royalty Church Incorporation Act, &c. was read a third time, as engrossed, and passed; and Mr. Montgomery was ordered to carry the same to the Council, and desire their concurrence.

PETITIONS PRESENTED.

The following petitions were then presented to the House, and the same were read severally received and read, viz:

By Mr. Laird, a petition of James McNeill, of Cavendish, praying remuneration for his care and support of John Ashworth, an indigent and infirm old man; laid on the table.

By the Hon. Col. Treasurer, a petition of several inhabitants of St. Eleanor's, praying for an enactment to prevent the running at large of Swine within certain limits in the immediate vicinity of that village; laid on the table.

By Hon. Mr. Mooney, eighteen petitions of inhabitants of Second Electoral District of Queen's County all praying aid to improve their road communications, extend and erect wharves, &c.; laid on the table.

By Hon. Mr. Wightman, five petitions from inhabitants of north side Montague River—Townships Nos. 51, 52, 53 and 59; Townships Nos. 52 and 53; Townships No. 66 and vicinity; Sparrow's Road, and head of Montague River Settlements—praying aid to improve their road communications; laid on the table.

By Mr. Clark, a petition of Edward MacKay, Archibald

MacKay and others, Township 18 praying aid to improve their road communications; laid on the table.

By Hon. Col. Secretary, a petition of several inhabitants of Suffolk Settlement, Townships 34 praying aid to improve their road communications; laid on the table.

By Hon. Mr. Wightman, a petition of several inhabitants of Townships Nos. 61 and 59, praying for establishment of a Post Office at Sturgeon.

A special committee, consisting of Hons. Mr. Montgomery, Col. Secretary, Mr. Wightman, Messrs. Yeo and Muirhead, was appointed to whom all petitions praying for the establishment of Post Offices were to be referred, which committee were instructed to report thereon, and to which the last preceding petition was referred.

By Mr. Perry, a petition of inhabitants of Egmont Bay, praying a Post Office, (which at the last Session the House recommended to be opened at Abraham's Village,) may be permitted to go into operation. Referred to special committee on new Post Offices.

By Mr. McDonald, a petition of Trustees of the Georgetown School, and others, praying that the salary paid to the teacher of their School may be raised at least to an equality with that of teachers of the second or highest class in Charlottetown; laid on the table.

EDUCATION ACT.

On motion of the Hon. Col. Secretary, the second order of the day, viz:—"An Act to continue and amend the Education Act," was taken up.

Hon. COL. SECRETARY said, he did not know but that hon. members might have received petitions from their constituents in regard to this matter, since Saturday, and they would now have an opportunity of presenting them, to be referred to the Committee of the whole House when the Bill would be under consideration.

Hon. Mr. WIGHTMAN had received on Saturday night several petitions from his constituents, and thought, before proceeding further, it would be well to wait for the receipt of all petitions on the subject, that may be in circulation.

Hon. Mr. MONTGOMERY.—As to-morrow will be the last day to receive petitions, I think it would be well to postpone the consideration of the Bill until after then. It might seem like hurrying through the measure, without giving room for full consideration to take the matter up now.

Hon. COL. SECRETARY said, he did not wish to hurry the measure through. The Committee might report progress, after acting upon the amendments, and ask leave to sit again. It was, however, a fact that the Bill was before the House prior to any petitions being received on the subject. From what he could judge, the petitioners labor under the impression that the Bible was to be excluded from the schools. The Board of Education have recently passed a resolution to the effect, that it is better to leave the management of district schools in this respect to be adjusted by the local trustees thereof. Such being the practice hitherto, in renewing and amending the Act, it is not proposed to alter it in this respect. The hon. member from Murray Harbor (Mr. Wightman) need be under no apprehension that the Act will exclude the Bible from the schools. I think, sir, the resolution of the Board of Education will meet the views of the petitioners, who, no doubt, are not aware of its existence, as it was only recently published. If they did know its contents, I am confident they would not feel called upon to petition, as it removes all grounds for doubt on that head. Many persons think the Bible is to be made a class-book, and protest against its use as such. Now, we cannot force it on any one, and it would be wrong to legislate to

such an end. There are others again who think the Act goes to exclude the Bible from the public schools. And between these two parties, and through such ideas gaining credence, the present agitation has originated. But when it is known that neither will have cause to fear or complain, the agitation will subside. And I am confident when this is known, it will give as much general satisfaction as any Act ever passed in this Island. There seems, however, to be one or two opinions about the construction of the Act, in regard to the assessment laws; but the opinion of the Attorney General will be, I think, conclusive. It is said that under the regulations of the Act, a poor man will be assessed as much as a rich man for the support of Education; but this objection will be set at rest by the Attorney General, whose opinion, I think, will be satisfactory and remove all cause of apprehension, in that respect. It is a pity that any misapprehension should arise to disturb the harmony which has hitherto existed between the various denominations in this Island; but I am confident that under the existing state of things, there will in future be no room for complaint or jealousy. The Education Act, as amended, will not interfere with any of the provisions of the former Act, but will be more complete, and therefore more likely to secure a continuance of that feeling of general satisfaction which has characterised the working of the Act about to expire.

Mr. LAIRD thought too much precipitation was manifested in bringing up this measure so soon. He knew that many petitions were in course of preparation, but there would not be time enough allowed for their presentation if the House acted immediately upon this matter; it would be nothing more than an act of courtesy to let the consideration of the matter stand over for a day or so. At least he would like to see a full House in attendance before it was taken up.

Mr. MUIRHEAD thought the members ought not to absent themselves on such an occasion, especially when timely notice had been given that it would be taken up. As to the petitions, in relation to the School Act, the way they originated was because of an apprehension that the Education Act was to be altered; but when it is known the Act will remain as it was, it will be generally acceptable.

Mr. YEO said, the reason many of the hon. members were not present, was because of the Court at Georgetown, from which some of them had returned only about an hour ago, and others had not yet arrived.

Mr. COOPER said, it appeared that the origin of the agitation in the country was the effect of a remark that fell from the School Visitor, at the celebration of the opening of the Normal School, where he stated that the Bible was to be used as a class-book. He (Mr. Cooper) had no doubt but such a statement alarmed the people of different denominations in the Island. But when it is found no alteration will be made in the Act hitherto in force, that the Bible will not be made a class-book, the people will be satisfied.

Several petitions were then presented by Hons. Col. Secretary and Mr. Wightman, Mr. Laird and others, when the House resolved itself into a Committee of the whole, Mr. Perry in the chair—

Hon. Mr. Wightman again took occasion to protest against the proceedings, saying, that he thought it was not proper to hurry the matter through in such a fashion.

Whereupon considerable talk ensued, the members mostly retaining their seats, but speaking together, which occasioned such confusion that the reporter could not note down what was said. At length—

Hon. COL. SECRETARY said, if there was any desire manifested to amend the Education Act in a manner pre-

judicial to the wishes of the people, it would certainly be right to object to precipitate proceeding in the matter; but there was no such desire or intention. It was not even proposed to conclude the action to be taken on it, but merely to submit an amendment. The Committee could then report progress, and ask leave to sit again. He remembered when the Education Act was first mooted, there were many who feared the results. And as he introduced the Bill, many hon. members were so alarmed that they would not consent to pass the Bill if its operation was not confined to a period of three years; but it had been in operation not only three but four years, and it had even exceeded the most sanguine expectations of its supporters. There has been no petition against the Bill nor the tax levied for its support. Neither has there been any complaints made against the principles of the Bill. Therefore, as it has proved itself so capable of fulfilling the end for which it was intended, he thought it should now be passed for ten years, or until the expiration of the land tax.

Hon. COL. TREASURER.—One reason why the proposed amendment should be inserted in the Act, was, that under the provisions of the old Act, the Treasurer had to post up notices in all parts of the Island, on the first Tuesday in December of each year. If an accident should happen to prevent his doing so, a *Royal Gazette Extra* would have to be published. The amendment, however, would do away with this, and, therefore, such expense would not be incurred. Before now the Treasurer had been compelled to send a special messenger for that purpose to every district in the Island.

Mr. YEO said, such notice should be given on or before any given day; not on any very particular day. I believe there is another amendment. What is it for?

Hon. COL. TREASURER.—That is an alteration in the mode of collecting the tax for the support of the Education Act. Under the present law, an officer can go into a man's house,—if he refuse or cannot pay the tax,—and seize his goods and chattels, and sell them. Under the proposed alteration it will have to be sued for, and recovered like any other debt.

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

PACKETS AND STEAM COMMUNICATION.

It was moved that the fourth order of the day—the Bill in relation to packets and steam communication with the neighbouring Provinces—be read a second time.

The Bill was referred to a Committee of the whole, Hon. Mr. Wightman in the chair.

Hon. COL. TREASURER presented a petition from the inhabitants of Cascumpec, praying for a grant to establish packet communication between that port and Miramichi, and took occasion to remark on the advantages of such a communication to the people of the western part of the Island, saying that the returns of last year show that there was over 7,400 inhabitants who would be benefitted by finding an outlet for their produce.

Hon. COL. SECRETARY was sorry to see that only £58 duty was collected from the inhabitants of Cascumpec. But if the establishment of a packet would have a tendency to prevent smuggling, he was willing to do anything that was reasonable for the accomplishment of so desirable an end.

Hon. the SPEAKER thought it was fruitless for hon. gentlemen to discuss without knowing what it was about. The petition had better be read, that they might know its contents.

The petition was then read.

Mr. YEO.—Hon. members know that the principal part of the goods consumed on the north side of Prince County, are imported into Charlottetown and Georgetown. But the place grows a great deal of grain, for the shipment of which there is not many facilities. I think this House ought to do something for the people at the westward; at least it ought to give a little towards assisting them in procuring the services of a packet between Cascumpec and Miramichi.

Hon. COL. TREASURER.—The exports of Tignish last year amounted to £15,000, and the imports £400. If we go by these returns, it will be found that Tignish is the most flourishing settlement in the country, and I believe it is. There is a great deal of goods imported into Charlottetown for that place from the United States, and produce is taken in return. There are in Tignish three merchants, all connected with commercial houses in the United States—Messrs. Hubbard, Ryder and Dean—who annually send goods imported from the United States to Cascumpec, after the duty has been paid in Charlottetown, which they generally do in one vessel. We all know that the hon. member, Mr. Yeo, imports largely from Great Britain and the United States. He can sell as cheap as any other merchant, and supply those of Tignish with goods. But he enters all his vessels at Port Hill; hence Cascumpec is by no means the receptacle of all importations for the westward. If, however, a packet between that port and Miramichi were established, there would be a great increase of duty. In fact a similar result would take place wherever such a communication was opened.

Hon. Mr. MONTGOMERY thought the idea of a packet was the accommodation of the travelling public; but in this case there was not much prospect of travellers availing themselves of the proposed opening. He, therefore, did not think the House called upon to appropriate money for the purpose. If there was such a large quantity of produce shipped, as it was said there was, the freights would pay well enough, without the Government having to give anything. If a packet were established at all on the north side of the Island, it should be at Richmond Bay—the most central place—(Hear) and she could call on her way to Cascumpec. But, sir, I do not think such a packet is demanded by the interests of the travelling public.

Mr. CLARK.—I do not agree with the advocates of the petition, that a packet is wanting between Cascumpec and Miramichi. The idea is ridiculous. The market is nothing worth speaking of, and I believe people would get more for produce on the Island than they would there. There is very little travel to or from Miramichi, there being no railroad terminus or regular communication of any kind with the principal markets from that place. I am, therefore, opposed to the principle of voting money to a project from which no earthly good can be derived. There will be a steam packet on the route between Shediac and Bedeque the coming season, and the communication with New Brunswick will be within the reach of all who wish to travel. But to bolster up a trade by supporting a packet on the north side of the Island, I think, is ridiculous. The whole importations of Cascumpec and Tignish last year, amounted only to £1,300. The duty was—Cascumpec, £58; Tignish, £12. The hon. Col. Secretary said, he was willing to do anything to prevent smuggling; but the idea of smuggling from Miramichi is ridiculous. There is nothing there but deals, timber, &c. (Laughter). Of goods there is but a trifle. Why, sir, there was only twenty shillings duty on goods imported from Miramichi into Charlottetown, during the last year.

Mr. YEO.—My opinion is, if a packet is established between Cascumpec and Miramichi, it would be of great

benefit to the country. It was only last week that goods on which the duty amounted to £100, went from town up to Cascumpec, and places adjacent thereto.

Hon. the SPEAKER.—The reason why I shall oppose the petition is not because of the small amount of duty collected in Cascumpec; but because the merchants and others of that place purchase their goods in Charlottetown, where the duties are paid. Therefore, I do not think it a good rule to establish to charter, or grant a sum of money for the purpose of securing a vessel to carry produce to Miramichi or any other place. When there is a large quantity of produce for shipment the freight will pay a vessel well enough for carrying it. On looking at the returns for last year, I find, however, that in Cascumpec there was only 956 bushels of oats shipped, and 3,000 bushels of potatoes; and in Tignish 330 bushels of oats, and 2,000 bushels of potatoes. Now, sir, is it reasonable to suppose the Government should appropriate a sum of money as an inducement to a vessel merely to carry produce? for it is admitted that freight alone is to be the dependence of such a packet, as of passengers there would be few or none. If this be the case, then, a produce ship is as cheap as a packet for all purposes, therefore a packet is not required. And, again, there are no mails to be carried to or from Miramichi, and I apprehend the correspondence between that place and this is of a very limited nature. But Georgetown, situated so near Pictou, with a harbor open long after the navigation is closed in other places, is, I think, better entitled to a grant for a packet. Another reason why Georgetown is entitled to a grant for a packet is, that the mails have been, frequently during the last season, brought over in the Georgetown packet; and this was the case during the month of December, in particular. In conclusion, I do not think this House is justified in granting the prayer of the petition.

Hon. COL. TREASURER.—I think it is necessary to have the mail sent in a packet from the westward to Miramichi. There is a good deal of correspondence between the two places, as many of our young men are engaged in the lumber trade in Miramichi, and would often visit home, or at least write, if opportunity afforded. I agree with the hon. Speaker about a grant for the packet at Georgetown; it is just and proper, and I would be willing to do anything towards such an object. In the case before us now, the circumstances are peculiar. Cascumpec is shut out from all other ports of the Island, and therefore dependant, in a great measure, on communication with the other Provinces for a market for produce. A small sum,—say, £30,—would start a packet on the proposed route, and if it was found to answer the grant could be continued; if not it could be withdrawn. At least I hope hon. gentlemen will agree to try the experiment.

Hon. COL. SECRETARY.—The New Brunswick Legislature have proposed to run a steamer during the coming season between Miramichi, Bathurst, Buctouche Shediac and Charlottetown, and if we give them any encouragement, it is likely they will run a steamer to Summerside. Then it is likely there will be a packet on the route between Bedeque and Shediac, when the people at the westward will have an opportunity of going to New Brunswick if they wish. If we give them a grant, it might be as in the case of the petitioners of Green Shore. After £80 had been granted in compliance with their petition they again petitioned the House, stating that £80 was too much, and praying that the grant be reduced to £30 (Laughter.) I do not think there are fifty letters a year sent to Miramichi, and as there is no great correspondence and very little travel, a packet, in the proper sense of the word is not wanting. But if it be necessary to establish a trading vessel on the route proposed—as it is difficult to get a schooner to run regularly to New Brunswick—and as there are not many who like to go to the north side of the Island with their vessels, on account of the danger and uncertainty of making a harbor if it should come on to blow,—if this be the object of

the petitioners I should not object to giving them £30, if such a sum would encourage trading vessels to venture on the north side; but I would not be willing to give it for a packet, for such a vessel is not wanting: If a packet were established, as proposed, a post office would have to be opened, which would interfere with the General Post Office in Charlottetown. I do not believe there are more than twenty letters sent from that place to Miramichi, and they could be given to the captain of the vessel, without prejudice to the legitimate mode of conveying them. In the summer time a packet might be of use, in promoting the egg-trade, as I believe there is a great quantity of that article gathered among the sand-hills. But, I think, the Caravans, of late, buy them all up, as well as nearly all the produce in that part of the Island.

Mr. MACINTOSH.—If it could be shown that a great deal of produce had accumulated on the hands of the people of Cascumpec and Tignish, for which they could not obtain facilities to export, it would certainly be a hard case and might move this House to do something for them; but when it is found the reverse is the fact, I for one, am not inclined to pay their freight for them. It appears, also, they are soon to become a separate community, as Prince County is to be divided into two Counties, and I believe have already petitioned this House to build them a Jail; but, it may be, like the people of Princetown, when we do build them a Jail, they will allow none but themselves to use it.

Mr. CLARK.—There was a gentleman—Capt. Ellis—who run a packet between this port and Miramichi, but he had to give it up, because it would not pay him. I am surprised at the doctrine of the Hon. Col. Secretary, that he would be willing to vote money to induce vessels to go to the north side of the Island, as if a vessel would not go without such a grant. This is certainly a new doctrine, and one that I will never agree to.

Hon. COL. SECRETARY.—The hon. member (Mr. Clark) misconstrues my meaning. I said I would be willing to vote £30, if it would encourage trade in that part of the Island (Cascumpec).

Mr. YEO.—There is a great deal of smuggling carried on with the main land, through the means of open boats in the summer time. If packets were established it would do away with such a traffic altogether, and there would be a consequent increase in the duty collected, from goods imported by such a packet.

Hon. Mr. LONGWORTH.—Did not think such an establishment would be the means of increasing the duty. On the contrary it could give a monopoly to such a vessel, and no other vessel could compete with her. If we give £30 to this vessel, there is not a port on the north side of the Island but would be looking for a similar grant.

Hon. COL. TREASURER.—The hon. member (Mr. Clark) takes an extraordinary view of the question; and if his principles were followed out by this House it would put a stop to commerce altogether. I do not object to pay for a packet in Georgetown, or any other place where it may be necessary to have one. I do not want to encumber the Act under consideration with a provision for a grant to Cascumpec, for the purpose of establishing a packet. All I ask is to give such an enterprise a fair share of patronage, and a just proportion of the public money to help it along.

Mr. CLARK.—I rise to notice an extraordinary statement made by the hon. member (Mr. Yeo). He says the people smuggle in open boats from the Main Land, and the establishment of a packet would put a stop to such traffic; but I do not think it would have the effect he anticipates. If packets would make people honest, I would vote for the one under consideration yes, sir, if an hundred pounds would do it, I would be willing to vote it. But, I still think it would not.

The bill was then read when the Hon. Col. Treasurer moved as an amendment,—that Cascumpec be included in the Bill.

The motion was lost—11 voting in the negative and—7 in the affirmative. The clause as it stood at first, was then agreed to.

Hon. COL. SECRETARY said there was no chance of getting a packet to run for £30, during the whole season. He was willing to vote something worth while, and have a good packet.

Mr. CLARK.—I think Mr. Heard will continue to run his steamer during the forthcoming summer between Bedeque and Shediac. I think it is our duty to encourage steam communication, it is so much superior to that with sailing vessels.

Hon. COL. SECRETARY.—If a packet was put on the route it would have to run under the regulations of the Act; and we should have to employ one if we could not get a steamer.

The second clause of the Act was then read and agreed to. The House resumed. The chairman reported the Act agreed to without amendment. The report of the committee was received and the Act ordered to be engrossed.

Hon. Col. Secretary presented a petition from Lawrence Warren, painter, praying for an Act to naturalize him, and moved that the same be referred to a Special Committee.

Hon. Mr. PALMER.—Asked if the petitioner did not reside in Charlottetown? On being answered in the affirmative, he proceeded to say, that it was only last session a petition of a similar nature was presented, when this House passed a bill in accordance with the request of the petitioner; but the petitioner refused to avail himself of the Act so passed, and it might be the same in the case under consideration. He thought, in view of this fact, there was no necessity for such action as the present petitioner prays for. If his memory did not deceive him, a short time ago, at an election held in Charlottetown, the petitioner took an oath that he was qualified to vote under the election franchise. This, he (hon. Mr. Palmer) thought could not be denied; and if Mr. Warren was not then qualified to vote, he had taken a false oath.

Hon. COL. SECRETARY.—While a resident of New Brunswick, Mr. Warren enjoyed all the privileges of citizenship; but when he came to this Island, a few years ago, he was denied a like privilege. Finding he was refused the right of voting, he has taken this method of becoming a citizen, as he intends to settle in this Colony, and purchase property. In the case of Mr. Mann, alluded to by the hon. member, Mr. Palmer, it is well known that Mr. Mann has, since the passage of the Act in his favor, sold property in this Island. In fact, it seems that any person, a resident here having to comply with all our laws should be considered as entitled to citizenship. While he is a resident of the Island he is a citizen; and if he should go back to the United States he will have to conform to the laws of that country and will be virtually a citizen. It is nothing but just that the prayer of Mr. Warren should be complied with. There have been hints thrown out that it would be well to pass a general naturalization bill; but the propriety of such a measure is questionable. Still it is nothing but an act of justice, when a foreigner lives eight years among us, and sufficiently demonstrates his intention of becoming a citizen, to take his case into consideration, and accede to the prayer of his petition.

Hon. Mr. PALMER.—Mr. Warren said he was a native of Nova Scotia, and that his father was a native of Germany. If that be the case, he is not a foreigner, and has no need of a naturalization Act to enable him to become a citizen.

Hon. Mr. MOONEY.—The reason I have for supporting this measure is, that it will assist in removing a doubt that is in the minds of many hon. members about this matter. But the hon. member (Mr. Palmer) thinks, as the petitioner has heretofore exercised the elective franchise without being qualified, he should always persist in doing so. But, sir, two wrongs will not make one right. 'Tis true, Mr. Mann applied to this House for bill of naturalization, and it was granted to him; and if he did not avail himself of the permission the Bill gave him to dispose of his property, he had every right to do so. Therefore, to remove all doubts respecting Mr. Warren, I am prepared to support the measure.

Hon. COL. SECRETARY.—believed Mr. Warren was born in Nova Scotia; but at an early age, removed with his father to Sweden, of which country, a long residence made him a citizen.

Mr. CLARK.—If I understand the matter rightly, there is a doubt as to his citizenship involved, which Mr. Warren wants to be removed and cleared up.

Mr. YEO.—Would like to know who would bear the expense of the drawing up such a bill. The reason he asked the question was that last year, when Mr. Mann caused a bill of

naturalization to be drawn up, he neglected to pay for it. He thought the present petitioner should deposit the money before the House acted upon the matter.

The petition was referred to a special committee. Hons. Col. Secretary and Mr. Whelan were appointed the said committee.

By Mr. Mooney, a petition of Dennis Carroll praying for an allowance as a Teacher at Township 66; referred to committee on teachers petitions.

Adjourned for one hour.

T. KIRWAN, Rep.

AFTERNOON SITTING.

PETITIONS PRESENTED.

Mr. Yeo presented to the House a petition of John McIntosh, Lot 14, Prince County, mail carrier, praying remuneration for extra services performed by him in that capacity, and moved that it be referred to Supply.

Hon. COL. SECRETARY.—Let this petition be sent to the Government, and let them make inquiries respecting it, and settle about it. When the new post offices, alluded to in the petition, were established, it was understood that no additional expenses would be required; the carrier would leave the mails as he passed along. If the claims of the petition were well founded, and it came before the Government, they would authorize payment to be made.

Mr. YEO.—It makes no difference to the petitioner where his petition is carried to, whether to the Government or to the House of Assembly. He applied to the House last year, and was recompensed for similar services. My hon. colleague, Mr. Perry, and all hon. members from that part of the Island, know that he had to travel a considerable distance farther than was mentioned in his contract.

Mr. COOPER.—The only question appears to be, has the person applied to the proper quarter? The objection to the petition appears to be, that the person should have applied to the Government, as indeed he ought to have done.

Hon. COL. TREASURER.—I wish to make a few remarks on the petition. I know that the carrying of the mails to the Quagmire is more than the petitioner contracted to do, and that the post office at Barrow's mill is out of his way; but I wish myself that some inquiries should be made, because last year after the grant was made, I learned that some of the people there were sorry that it had been made, because he did not perform his duty in carrying the mails to Kildare. I wish enquiries were made, because I know that the Hon. Col. Secretary, as one member of the Government, would not refuse to grant a sum of money to any carrier who was required to perform extra work. I think it would be very well to allow the petition to lie on the table, and to inquire if the allegations contained in it are correct; and if not, I would not grant him anything.

Hon. COL. SECRETARY.—I think that the remedy is elsewhere. A petition of this nature comes to the House; and see the trouble it gives this House to write to the postmaster relating to it; but if sent to the Government they could endeavor to have the matter settled after proper inquiries; whereas here the House is voting away money in the dark. One person applies for the sum of £5, another for £10; and this swells up the items in the public accounts. If this person has performed additional work, let him send his account to the Government for extra service, and then the Postmaster General, who knows that route, would write to the postmaster there and learn the truth of the case; but now the Postmaster General can hardly tell whether the statements made in the petition are correct or not. Such applications for money should come through the proper channel—the Government, who are responsible for the expenditure, and responsible for the payment of the contracts they enter into. If the Government refuse to make those payments, then I have no objection that parties having contracts with the Government, send petitions to the Legislature; but I think the Government would not refuse to pay just demands.

Hon. Mr. MONTGOMERY.—We have had several petitions of this nature before us; and perhaps it would be better to refer this petition, since it has come before us, to the committee on petitions relating to post offices.

Mr. MACINTOSH.—I think the proper course is, that such petitions come through the Government; because when they are presented to the House, which supplies the Government with money to carry on the public service by means of contracts, the members of the House do not know what contracts the Government have made with parties, and so cannot decide on their claims. It is only when the Government refuse to pay them that they should apply to the House of Assembly.

Mr. YEO.—The mail carrier does not know what to do, whether to apply to the Government or to the House of Assembly. He pays 3s. per week to carry the mails in one direction, and also pays a person for performing a like service in another direction, so that he is out of pocket. I think he should be fairly remunerated for the service which he has performed.

Hon. COL. TREASURER.—There is no doubt but additional service has been required of this person. What Mr. Yeo says is pretty correct; for he has to do much more than was required by his original contract. At the time this contract was advertised for, it was only required to take the mails once a week to Quagmire; but since then they have been carried twice a week instead of once. If, however, this circumstance had been mentioned to the Government, they would, no doubt, have given him a sum sufficient to remunerate him. But the reason I wish an inquiry instituted is, that some of my constituents have complained of his taking a short way, and I wish to know if this is the fact or not.

Mr. YEO.—I believe he did this; but employed some one to deliver the mails at the proper place. The journey is very long, and as the roads have been very bad some times, one horse could scarcely accomplish it.

Mr. COOPER.—The person certainly made a contract with the Government, and not with this House. If he contracted with them, he ought to call upon them to pay him; and if they refuse to do so, then he may come here for redress.

Hon. Mr. LONGWORTH.—Last year, the Post Office committee recommended something extra to this person, and he is just doing the same as he did then in making his application. As he petitioned the House last year and his petition was referred to the Post Office committee, let the same be done this year.

Hon. Mr. MOONEY.—It is only wasting the time of the House to discuss the subject in this manner; for it is manifest if application had been made to the Government, there is not a member of it who would have opposed the payment of a just debt. If the petitioner was under the necessity of performing more labor than was expected, the Government would pay him for it. I never heard one member of the Government object to paying a lawful demand; it is time enough for him to come here, when the Government say they will not hear his petition. Petition referred to the Post Office committee.

By Mr. Douse, a petition of inhabitants of Orwell, Point Prim, Pinette, Newton, Flat River, Wood Islands, and Belle Creek, praying for the transmission of the mails semi-weekly to those Districts; referred to the Post Office Committee.

By Mr. Laird, from inhabitants of Corbett's Woods Settlement, and others, praying aid to improve their road communications; laid on the table.

By Hon. Mr. Mooney, from James Macleod, Township 48, praying for a similar object as the preceding petition; laid on the table.

By Hon. Mr. Wightman, from inhabitants of the interior settlement of Township 64; from inhabitants of Baldwin's Road; from inhabitants of Townships 38 and 51; also from settlers on Brudenel Road and others, all praying aid to improve their road communications, and laid on the table.

By Mr. Muirhead, from inhabitants of Margate and its vicinity, praying aid to improve their road communications; laid on the table.

By Mr. Douse, from inhabitants of Townships 48 and 49, praying a grant in aid of individual subscription towards the erection of a wharf at Burhoe's Island; from inhabitants of Townships 49 and others, praying a grant to extend the wharf at Pownal Bay; also from inhabitants of Township 50 and others, praying a grant for the removal of the wharf at China Point, and for rebuilding it on a better site; all laid on the table.

By Hon. Mr. Whelan, from inhabitants of Township 38; also from inhabitants south side of Grand River; both laid on the table.

By Mr. Munro, from inhabitants of the Fork's Settlement, Township 50; from inhabitants of Beech Hill Township 49, also from inhabitants East side of Township 49 (in aid of individual subscription); all praying aid to improve their road communications, and laid on the table. From inhabitants of Bone Creek Settlement and its vicinity, praying for the opening of a new line of road; referred to a committee on new roads; also from Murdoch Mackenzie, praying an allowance for his services as a teacher at Murray Harbor Road; referred to the committee on teachers, petitions.

By Mr. Douse, from Jane Green, praying an allowance for her services as a teacher at Township 37 for a period of one year and seven months; referred to the committee on teachers, petitions.

Mr. DOUSE held in his hand several petitions sent to him, one signed by about 400 persons, another by about 600, and another by about 50 persons. It was his duty to present those petitions, and to act in accordance with the wishes of the petitioners. He saw it was a delicate subject, and he regretted that a resolution adopted by the Board of Education relating to the use of the Bible in Schools, had not been published more extensively in the newspapers than it had been. The subject had caused more agitation in the country than he had been aware. The petitions were as follows; viz: from inhabitants of Belfast and contiguous Districts, praying—that as the Education Act is about to expire, especially if it be the intention of the House to frame any new law, or to alter or amend the present Act—that they will direct the Holy Scriptures to be placed on the list of books now in use in the Public Schools, and that they be introduced into the Academy and Normal School, and that the children of those parents who desire or do not object to their use, shall have the privilege of reading a portion of Scripture as the first exercise of the day, after the opening of the School with prayer to Almighty God, and of being taught therein by such Teachers as the parents or guardians approve of; from inhabitants of Township 49; also from Alexander Munro, Minister, and others Protestant inhabitants of Brown's Creek and adjacent Settlements, both praying for a similar object;—all referred to the committee of the whole House on the consideration of the Bill to continue and amend the Free Education Law.

PAPERS PRESENTED.

Hon. Col. Secretary presented to the House the following Message:—

“The Lieutenant Governor transmits the accompanying correspondence for the information of the House of Assembly, and for such careful consideration as he feels assured the very important subject of the more perfect lighting of the coasts of this Island will receive.

“He also invites the early attention of the House of Assembly to that portion of the correspondence which has reference to Cape Race Light.

“Copies of Despatches from the Secretary of State: “No. 26, of the 23rd July, 1856. No. 35, of the 15th October, 1856. No. 42, of the 13th November, 1856.

“Copy of Despatch to the Secretary of State, from the Lieutenant Governor. No. 37, of the 23rd August, 1856.”

Hon. COL. SECRETARY.—It appears by the last Despatch that an Address from the House of Assembly to Her Majesty, praying the levying of a tax for the support of Cape Race Light-house, is all that will be required. I think that will be a preferable course; for we can then bring the subject in reference to establishing Light-houses at the North Cape and East Point of this Island, before Her Majesty's Government and the other Colonies, which is all that should be done, till it is seen what the neighbouring Provinces will do in the matter; and by that time we may see what they will do for Lights in general. The Government applied to the Home Government some years ago in reference to the erection of the Light-houses in question, as well as to the other Provinces; but I believe they declined to contribute towards them; but by this clause in the Shipping Act, they will be obliged to contribute towards them. I, therefore, move that the Despatches be referred to a Special Committee to report thereon by Bill or otherwise.

Committee—Hons. Messrs. Wightman, Longworth and Montgomery, Messrs. Macdonald, Cooper and Yeo, and Hon. T. H. Haviland.

House adjourned.

TUESDAY, March 17.

PAPERS PRESENTED, &c.

Mr. Speaker laid before the House a communication from the Hon. the Speaker of the House of Assembly of Newfoundland, enclosing certain documents involving a question which that body desire to bring under the consideration of the House of Assembly of Prince Edward Island, viz:—

Copy of Convention between Great Britain and France, relating to Fisheries on the coasts of Newfoundland and Labrador.

Copy Secretary of State's Despatch accompanying Convention. Correspondence between Her Majesty's Government and the several Governors of Newfoundland.

Copy of Resolution and Address of House of Assembly of that Colony, protesting against said convention.

The said communication having been read, it was ordered that it, with the accompanying papers do lie on the table.

Hon. Col. Secretary, by command of His Excellency, presented to the House the following Message and accompanying documents:—

“In transmitting for the information of the House of Assembly the accompanying Despatches regarding alterations in the Colonial Tariffs rendered necessary by the Reciprocity Treaty with the United States, the Lieut. Governor invites the attentive consideration of the House of Assembly to this subject, which he trusts will lead to the adoption of such measures as may be necessary for the reconciliation of the Tariff of this Island with the Treaty obligations of the Home Government and the extension to the Trade of the United Kingdom of the privileges enjoyed by the neighbouring Colonies and the United States.

“After careful consideration of the probable consequences of a compliance with the suggestions of Her Majesty's Government in regard to the proposed alterations, the Lieut. Governor fully concurs in the opinion expressed by the Secretary of State that no practical inconvenience to this Colony is likely to arise from their adoption.

“Copies of Despatches, with their enclosures, from the Secretaries of State—No. 23 of the 15th July 1856; No. 41 of the 10th Nov. 1856.

“Copy of Despatch, with its enclosure, to the Secretary of State from the Lieut. Governor—No. 42 of the 6th September 1856.

“Government House, 17th March, 1857.”

After a few remarks relating to the said papers, they were laid on the table.

Hon. Col. Secretary presented to the House the Blue Book for 1855, also a copy of the Warrant Book for the same period; which were laid on the table.

ESTIMATES.

Hon. COL. SECRETARY, in presenting the estimates for the current year said, I also beg to submit the estimates for the present year. I believe the Government have been as liberal with the estimates as the revenue would admit of. It is true that by the Auditors' classified statement, which has been some time before the House, hon. members will see that the revenue of last is not equal to the expenditure; but there is a deficiency that has been occasioned to a great extent by the purchase of lands under the Land Purchase Bill. The money for purchase is charged to the Colony, and the credit for sales, which the Government would legally receive, is not placed to it. Still the expenditure is larger than the receipts, and that has been occasioned by the building of two new wharfs. The fall before last, a storm carried away one on the other side of the Hillsborough, so that a new one was required to be built, and also the new Wharf at Prince Street, was provided for last year; the expenditure for both amounting to about £2,000. But the receipts are not equal to what they were the previous year, which I will endeavor to account for.

There is only a small difference between the impost accounts of the two last years, the decrease last year being £20 17s. 6½d.; but last fall a good many vessels, which would have come into port, did not arrive, yet I have been informed that they have arrived at Georgetown and Souris since the end of the year. The impost duty on their cargoes would amount to about £1,500, so that if they had arrived, there would have been an excess of impost duties over the previous year. The excise duty for the year ending January, 1853, amounted to £25,702 7s. 5½d., for 1856, it amounted to £30,111 19s. 7d., and last year it amounted to £30,091 2s. 0½d., making a difference between the two last years of £20 7s. 6½d. Last year the expenditure, including the amount paid for lands, was £50,364 12s. 8½d., the receipts were £40,662 16s. 9½d., showing a difference of £1,318 5s. 4½d., between the receipts of last year and the previous year. Still if the duties referred to were included, the receipts of the past year would far exceed those of the previous year. Then we must take into account that in incorporating Charlottetown, a great deal of privilege was given to it, such as the charges for licensed, and the wharfage duties. The difference between the wharfage duties of last year and the previous year is £117 13s. 10d., which has gone into the city fund. The loss for licenses in the City last year, amounted to £418; and the Vice Admiralty money, to £752 7s. 9d.; while the Warren Farm rent, which was not paid till the accounts were handed in, amounted to £27 10s. 0d. Taking all these items into account the revenue of last year is just about equal to what it was the year before, being within about £3 of what it was at that period, independent of the duties on those goods which have arrived since the end of the year; so that I think our financial affairs are improving. I see our light duty is increasing, there being an increase over the previous year of £13 17s. 2d.; and also that the head money has increased for the same period to the extent of £7 9s. 6d. The receipts of the Post Office have also increased, £71 9s. 5d., those for 1855 being £1,060 10s. 7d., and those for 1856 £1,132. The Land Assessment for 1855 was £4,686 19s. 6½d., and that for 1856 was £4,845 4s. 6½d., showing an increase of £158 5s. The License money for 1855 was £702 10s., and for 1856, £284 10s., showing a decrease of £418. The fees from the Registrar's and Secretary's Offices, were for 1855, £517 19s. 6d., and for 1856, £559 4s. 4d., the increase being £41 4s. 10d. In wharfage duties, as stated before, the decrease is £117 13s. 10d., which is accounted for from the fact that the wharfs of Charlottetown were handed over to the city. Upon the whole then our financial affairs are improving. There has also been a grant made of a very large sum for Education, amounting to nearly one third of the revenue of the Island, the sum for the past year being about £13,000. When the Education Act was introduced, it was expected that it would draw heavily on the revenue of the Colony, but not to such an extent as it has done; as the grant was not expected to exceed £9,000. When it was introduced too, there was a reduction made of one per cent. on ad valorem 3s. per cent. on sugar, 1d. per lb. on tea, and 1d. per gallon on molasses; but now when the inhabitants of the Colony are receiving so large a sum as £13,000 for Education, I think there can be no complaints made, though there is a small addition made to the duties in order to meet this expenditure. Our duties are also low in comparison with some of the other Provinces; for I see that in Nova Scotia the duties are 6½ per cent. sterling ad valorem, and they propose this year to raise them to 10 per cent. sterling; whereas ours are only 5 per cent. currency. Merchants here, importing from Nova Scotia, have only to pay 1½ per cent. ad valorem duty on their goods as they receive a drawback of 6½ per cent. sterling. Since then the inhabitants of the Island only pay so much duty, they can have no objections to pay a little additional; and I think it is better to lay on a little more than go behind hand, tho' I contend we are not behind yet. Of the £22,000 debt of the Colony, £11,500 are not bearing interest, so that the entire debt of the Colony bearing interest, is about £10,500. To illustrate this, there is about £11,000 worth of land on the Werrell Estate and Lot 11 sold, bearing interest. So I think we are not going in debt; but still it is much better to lay on a little more ad valorem duty, when the Education Act is being renewed. If the people have the benefit of large

grants for Roads, Bridges and Wharfs, and for Education, there can be no objection to lay on a small sum.

Hon. Mr. LONGWORTH.—His remarks are going very far. He says there was a reduction of one per cent. some years ago; but such was not the case. It was reduced nominally in this way; 6 per cent. sterling with one ninth added, and subsequently 5 per cent. sterling with 50 per cent. added, the latter of course being the larger duty. I certainly think this is an improper time to bring this subject forward.

Hon. COL. SECRETARY explained, that the hon. member was mistaken: for the ad valorem duty was reduced from 6 to 5 per cent.

It was then ordered that they lie on the table.

PETITIONS PRESENTED.

By Mr. Munro, a petition from inhabitants of Uigg Settlement and others; also, from inhabitants of Uigg back Settlement and others; both praying aid to improve their road communications; laid on the table.

By Hon. Mr. Wightman, from inhabitants of Montague River, praying a grant in aid of individual subscription towards opening a road and purchasing the right of way; referred to the committee on new Roads.

By Mr. Macintosh, from John Macdonald, Postmaster at Souris, praying for an increase of salary; referred to the Post Office committee.

By Hon. Col. Treasurer, from Josiah Grant, Postmaster at Cascumpec, praying for an increase of salary; referred to the Post Office committee.

By Mr. Heath Haviland, from Andrew Lockhead and other inhabitants of Georgetown and its vicinity, praying the House to repudiate all attempts that may be proposed for the exclusion of the Bible from the schools of the Island, and to give such support and countenance to its introduction as a text book, as shall tend to the spiritual well being of the people in general and to the glory of God; referred to the committee of the whole House on the Free Education Law. Also from inhabitants of Georgetown and its vicinity, praying an increase of the grant allowed last year for a Sailing Packet between that port and Pictou; laid on the table.

By Mr. Laird, from James Laird, sen. and other electors of New Glasgow and its vicinity, praying the House to make provision, by amending the Education Act, that the Bible be placed on the list of books that may be lawfully used in any of the schools of the Island, and also introduced into the Central Academy and Normal School, and that the opening and closing of all schools with paayer, be not prohibited, but without compulsion, or against the wishes of parents or guardians of any children attending the said schools, and also praying that the French Acadian Teachers be required to qualify as other Teachers under the existing Act, and the religious tests at present required of them should be abolished, and that with such amendments or others of a similar nature the Free Education Act may be continued. Also from John Macdonald and other inhabitants of Wheatley River and its vicinity, praying the House to grant that the Scriptures may be placed on the list of books to be used in the schools; that they be introduced into the Normal School and Academy to be read daily as the first exercise after the opening prayer, by the children whose parents or guardians are willing. Both petitions referred to the committee of the whole House on the Free Education law.

By Mr. Macdonald, from Peter Anderson, Master Mariner, setting forth that on a voyage from Lisbon to Richibucto he deemed it prudent to winter at Georgetown where he put in, in the month of December last, and where he paid light duty, and praying that such light duty may not be exacted of him a second time in the same port on the one voyage; laid on the table.

By Mr. Cooper, from inhabitants of Rollo Bay and its vicinity, praying for the appointment of a Harbor Master or Wharfinger at that harbor, and for a grant to place Buoys and Beacons thereat. It having been stated that such applications should be made to the Government, and that they would attend to the present one, the petition was withdrawn by the hon. member.

Adjourned for one hour.

AFTERNOON SITTING.

PETITIONS PRESENTED.

The House met, according to adjournment, when the following Petitions were presented, and the same were severally received and read:—

By Mr. Douse—a petition of T. H. Haviland and others, Office-bearers of the Charlottetown Horticultural Society, praying a grant to enable them to carry out their views for the further improvement of vegetable productions, and the encouragement of Horticulture in all parts of the Island. Laid on the table.

By Mr. Munro—a petition of Peter Gillis, Murray Harbour Road, setting forth that he had completed a piece of road, for which he received only £5, being the half of the sum appropriated for the performance of the said work, and praying the House to give him a further sum therefor.—Another petition of inhabitants of Pisquid road, and others of Lot 49, praying for a sum of £20 to repair the road leading from the head of Vernon River to Lot 49; also, a petition of various inhabitants of Townships Nos. 57, 58, 59, 60 and 62, and others, inhabitants of Belfast, praying the House to sanction a Loan by which the Local Government may obtain the means of purchasing the Earl of Selkirk's property, and reselling it to the petitioners. Laid on the table.

By Mr. Laird—a petition of inhabitants of Lot 22 and Millvale, praying for a grant of £20, towards cutting down and levelling certain hills in the vicinity of said petitioners places of residence. Laid on the table.

By Hon. Mr. Mooney—a petition of inhabitants of Hillsborough river, Mount Stewart, Savage Harbour, St. Peter's and Pisquid, setting forth the benefit derived by the public in the past season, from the running of a small steamboat on the Hillsborough river, between Charlottetown and Mount Stewart, and praying a grant to the owner thereof, to induce him to keep the Boat on the station. Laid on the table.

By Mr. McDonald—a petition of Matthew Young, praying compensation for extra work performed in building a bridge at Murray Harbour, and also for payment of a balance due on his contract for the said work.—Another of inhabitants of Georgetown, Royalty, and its vicinity, praying a grant to extend and repair the Wharf at Georgetown. Laid on the table.

By Mr. Muirhead—a petition of Patrick Deagan and James Irving, praying payment of a balance due on their contract in repairing a bridge at Cape Traverse. Laid on the table.

By Hon. Mr. Mooney—a petition of inhabitants of Townships 36 and 37, praying a grant to improve the Afton road; of inhabitants of Cranberry Point and vicinity, praying a grant to extend and repair the Wharf at that Point; of inhabitants fronting on Bedford Bay and vicinity, praying for a sum sufficient, in addition to individual subscription, for the erection of a wharf at the Portage, on Township 36;—of inhabitants of Monaghan Settlement, and of inhabitants of Townships 30 and 65, praying aid to improve their road communications;—of inhabitants of the Five Houses road, Township 36, for aid to improve their road communications. All of which were laid on the table.

By Mr. Douse—a petition of inhabitants of Douse's road, Township 57, for aid to improve their road communications. Laid on the table.

By Mr. Munro—a petition of inhabitants of Township 57, and others, praying an alteration in a line of road on that Township, was received and read, and the same was referred to the Special Committee on new roads.

A petition of William Woodman, Joseph Whitlock and others, praying that the House will direct the Holy Scriptures to be placed on the list of Books now in use in the Public Schools, and introduced into the Academy and Normal School, to be daily read by the children of those parents who desire it, or do not object to their use, as the first exercise of the day, after the opening of the School with prayer, and of being taught therein by such teachers as the parents or guardians approve of. Referred to the House in Committee of the whole on the Education Act.

By the Hon. Col. Treasurer—a petition of Patrick Connick, Licensed Teacher, praying to be remunerated for certain services performed over and above what the Education Act requires; of inhabitants of the Brae Settlement, Township 9, praying for an allowance to Ann McLean for her services as a Teacher in that Settlement, during the past twelve months. Referred to the Special Committee on Teacher's petitions.

By Hon. Mr. Mooney—a petition of James Thomson and others, of the old Town Road Settlement, Township 22, praying remuneration to Duncan McDonald, for his services as a Teacher in that locality during the last twelve months; of Dennis Carroll, praying remuneration for his services as a Teacher at Darrynane Settlement, Township 66, for a period of ten months last past. Referred to the Special Committee on Teacher's petitions.

By Hon. Mr. Lord—a petition of inhabitants of Tryon and adjacent settlements praying for the transmission of the mails semi-weekly, from Charlottetown. Received, read, and referred to the Special Committee on Post-offices.

By Hon. Col. Secretary—a petition of inhabitants of Tracadie road; and two of inhabitants of Covehead road, were received and read. Laid on the table.

Hon. Col. Secretary—from the Committee to whom was referred the petition of Lawrence Warren to examine the same and report thereon, by Bill or otherwise, presented to the House a Bill to naturalize the said Lawrence Warren, and the same was read the first time, and referred to the Special Committee on Private Bills.

A good deal of desultory discussion took place about the propriety of appointing a day for the House to go into Supply, when it was

Resolved, That the House will, to-morrow, resolve itself into a Committee of the whole House, to consider of the Supply granted to Her Majesty.

On motion of the Hon. Col. Treasurer, the Bill intituled "an Act to continue the Act relating to packets sailing between this Island and the Provinces of Nova Scotia and New Brunswick," was read a third time, as engrossed, and passed, and Mr. McDonald was ordered to carry the same to the Council, and desire their concurrence.

It was then resolved to take into consideration the several private petitions before the House, on Thursday next.

Then the House adjourned.

WEDNESDAY, March 18.

PETITIONS PRESENTED.

The House met, when it was agreed that the order limiting the time for the reception of private petitions be suspended for this day, and thereupon the following petitions were presented to the House and the same were severally received and read:

By Mr. Yeo—a petition of inhabitants of the northern and western portions of this Island, praying for the establishment at Cascumpec of a Court House, office of Probate of Wills, and other law offices. Laid on the table.

By Hon. Col. Treasurer—a petition of inhabitants of Kildare, praying for an enactment to prevent the running at large of

Swine. Another of inhabitants of Townships 7 and 8, praying aid to complete the building of a School-house, the first one built having been consumed by fire. Laid on the table.

By Hon. Col. Secretary—a petition of James Howatt, Crapaud, setting forth that he had paid duty on machinery imported by him, part of which proving defective was returned and replaced by new gear imported, for which latter he was again compelled to pay duty, and praying the return of the latter duty so paid. Laid on the table.

Hon. Mr. MONTGOMERY presented a petition of Thomas McNutt and others, shareholders of the Princetown Royalty Mechanics' Institute, praying a grant to fit up a Lock-up within the walls of the Mechanics' Institute of that District—when he took occasion to say that there was a building in that place in a part of which the small debt Court met which could be fitted up for the purpose. During court days in that place, disturbances frequently occur, and if there were a place where the disturbers could be incarcerated for a time, it might have a salutary influence in preventing such disturbances in future. During the summer season, especially, when numbers of American fisherman land in the neighborhood of Richmond Bay, and create disturbances, much to the annoyance of the quiet inhabitants, a place of that kind would be found necessary. The very name of such a place in a settlement often had the desired effect. He hoped the House would give the petition its most favorable consideration.

Hon. COL. SECRETARY.—Hoped the hon. member would be prepared to vote for the Bill to incorporate the country into municipalities, when it would come up. When that bill goes into effect, they can regulate their affairs without our aid and have what they wish.

The petition was then read and laid on the table.

By Mr. Munro—a petition of inhabitants of Wood Islands' settlements and vicinity, praying for the removal of the Small Debt Court of the District of Belfast to Flat River, which would be about the centre of the District, or otherwise praying for an alteration of the Act limiting the number of Small Debt Courts, and the granting of an additional Court. Laid on the table.

By Hon. Mr. Mooney—a petition of Edward Lane and others, trustees of the Dunstaffnage school, setting forth that in defending an action for trespass, in relation to their school house, in the last two terms of the Supreme Court, they have been adjudged to pay costs and fines, amounting in the whole to £60 9s. 4d. and praying relief. Laid on the table.

By Hon. Mr. Whelan—a petition of Daniel Scott, Contractor for repairing the Wharf at Minchins Point, setting forth losses and disasters sustained in the prosecution of that work, and praying the House to avert from him the penalty incurred in consequence of delay in completing his contract. Laid on the table.

By Mr. Clark—a petition of William Chappell, Bay Verte, praying a grant to aid him in continuing to run his Sailing Packet between the ports of Charlottetown and Bay Verte. Mr. CLARK, in presenting the petition said, that he was against granting money to packets which did not carry mails, and in this instance, as the packet run by petitioner did carry a mail, he was ready to give him his support in asking a grant from the House. The petitioner had for some years past run a packet between Charlottetown and Bay Verte, and last season he put on the route a fine new vessel, and continued to run every week. If the House would propose to give him any sum, by way of compensation and acknowledgment, he would be happy to support any such grant.

By Mr. Yeo—a petition of Richard Costain and others, offering to surrender a right of way on their property and over their Milldam, and to keep the same in repair for a consideration of about £60; of inhabitants of Indian Point, Township 8; of inhabitants of Townships 8 and 9; of inhabitants of Brae Settlement, Township 9. All praying for aid towards repair of roads, &c. Laid on the table.

By Hon. Col. Treasurer—a petition of inhabitants of Kildare, for aid for roads &c. Laid on the table.

By Mr. Perry—a petition of inhabitants of Townships 16 and 17; and of inhabitants of Township 14, praying for aid to construct roads, &c. Laid on the table.

By Hon. Mr. Mooney—four petitions of inhabitants of Grand Tracadie, praying for aid for construction and repair of Roads and Bridges. Laid on the table.

By Hon. Mr. Wightman—a petition of inhabitants of Townships 51 and 38; of inhabitants of Townships 51 and 52; and of inhabitants of Townships 66, all praying aid for the repair and construction of Roads and Bridges. Laid on the table.

By Hon. Mr. Whelan—a petition of inhabitants of Greenwich, praying for aid to improve roads, &c.; another of inhabitants of the Head of St. Peter's Bay, praying for the opening of a road across a swamp; also, a petition of Archibald McAulay, praying for compensation for loss, sustained on his contract in extending the wharf at the Head of St. Peter's Bay, occasioned by a storm which swept away his work and timber. Laid on the table.

By Hon. Mr. Lord—a petition of inhabitants of back settlement, Township 27, praying for an allowance to Henry Lecky, in consideration of his services as a teacher in that locality. Referred to Special committee on Teachers petitions.

By Hon. Col. Treasurer—a petition of Thomas Mansfield, setting forth his long and arduous services as Teacher, on Townships No 1, and praying for a small remuneration therefore; and then of Thomas O'Brien, praying remuneration for his services as a Teacher at Mimingash, for a term of four months. Referred to Special Committee on Teachers petitions.

By Mr. Perry—a petition of Francis Boute, Tignish, setting forth that after fulfilling two months of his yearly engagement as an Acadian teacher, he was obliged from indisposition to relinquish his charge, and for which in he has received no remuneration, and praying that in consideration of his long services, his old age and great infirmity, a sum of money may be granted towards his support. Referred to Special Committee on Teachers petitions.

A petition of William Meek, minister, John Sims and others, of the Congregation of St. Thomas's Church, New London, praying that the House will direct the Holy Scriptures to be placed in the list of books now in use in the Public Schools, and that they be introduced into the Academy and Normal school, and that the children of those parents who desire it or do not object to their use shall have the privilege of reading a portion of Scripture as the first exercise of the day, after the opening of the school with prayer, and being taught therein by such teachers as the parents or guardians shall approve of. Referred to the committee of whole on the Education Act.

By Mr. Laird—a petition of Tenants on Township 22 praying for the opening of new roads. Referred to Special Committee on new roads.

By Hon. Mr. Whelan—a petition of inhabitants Head of St. Peter's Bay, praying for the opening of a new road. Referred to Special Committee on new roads.

By Hon. Mr. Montgomery—a petition of inhabitants of Princetown Royalty and vicinity setting forth the inefficiency of the Light placed on Fish Island, and praying for the erection of a sufficient Light-house there. Referred to Special Committee on Light-houses.

By Hon. Mr. Mooney—a petition of inhabitants of Grand Tracadie and of others in the vicinity, praying for the establishment of a Post Office; another of inhabitants of Crapaud praying for the establishment of a Post Office. Referred to Committee on new Post Offices.

SALARIES AND APPROPRIATIONS.

The House then went into a committee of the whole on supply. Hon. Col. Treasurer in the chair.

Hon. COL. SECRETARY.—presented the following resolution, embodying all the grants fixed by law:—

1. RESOLVED, That the following salaries, as provided by Statute, be paid to the respective officers entitled to receive the same, viz:—

Chief Justice,	£600	0	0
Master of the Rolls and Assistant Judge,	500	0	0
Attorney and Advocate General,	350	0	0
Solicitor General,	100	0	0
Clerk of the Crown and Prothonotary,	160	0	0
Colonial Secretary,	300	0	0

Colonial Treasurer, - - - - -	300	0	0
Commissioner of Public Lands, - - - - -	300	0	0
Controllers of Customs and Navigation Laws, and Collector of Impost, - - - - -	300	0	0
Keeper of Plans and Registrar of Deeds, - - - - -	150	0	0
Road Correspondent and Assistant Clerk of the Executive and Legislative Councils, - - - - -	100	0	0
Clerk of the Legislative and Executive Council, - - - - -	120	0	0
Assistant Colonial Secretary, - - - - -	150	0	0
Assistant Colonial Treasurer, - - - - -	150	0	0
Assistant Controller of Customs and Navigation Laws, and Collector of Impost, - - - - -	100	0	0
Assistant Registrar of Deeds and Keeper of Plans, - - - - -	100	0	0
Postmaster General of Charlottetown, - - - - -	350	0	0
Assistant Postmaster General, - - - - -	120	0	0
Country Postmasters, - - - - -	140	0	0
Controllers of Navigation Laws and Collectors of Impost for the Out-ports, - - - - -	195	0	0
School Visitor, - - - - -	200	0	0
Three Masters Central Academy, - - - - -	300	0	0
Adjutant General of Militia, - - - - -	25	0	0
Thirty-three Road Commissioners, - - - - -	345	0	0
Librarian of the Legislative Library, - - - - -	40	0	0
Pension of the Hon. T. H. Haviland as late Secretary, - - - - -	200	0	0
Lunatic Asylum and House of Industry, - - - - -	350	0	0
Normal School Teacher, - - - - -	200	0	0
	£6,245	0	0

The resolution was read and agreed to.

Mr. PERRY presented the following resolution, embodying the grants for Prince, Queen's, and King's Counties:—

2. RESOLVED, That the sum of seven thousand pounds be granted for the service of Roads, Bridges and Wharfs, for the present year, including all special grants that may be hereafter granted during the present season, 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, - - - - -	£1,750	0	0
Prince County, - - - - -	1,450	0	0
King's County, - - - - -	1,450	0	0
Charlottetown Royalty, - - - - -	350	0	0

3. RESOLVED, That the sum of two thousand pounds, voted for special grants for the service of Roads, Bridges and Wharfs, be equally divided between the three Counties, viz: the sum of six hundred and sixty-six pounds thirteen shillings and four-pence.

[Making in all, for Queen's County, the sum of £2,766 13s. 4d.; for Prince County, £2,116 13s. 4d.; and for King's County, £2,116 13s. 4d.]

Mr. CLARK asked would it not be better to have the grants more equally divided? There was too great a difference between the amount granted for Queen's County and the grants for the other Counties. He was opposed to such unequal division of the public moneys.

Hon. COL. SECRETARY said the grant for Queen's County for this year was less than of last year; and believed the hon. member (Mr. Clark) was the person who drew up the resolution for the last year.

Mr. CLARK—I question very much whether I drew up that resolution. (Hon. Col. Secretary—You did). Well if I did wrong last session it is no reason I should do wrong now. Queen's County has always had a larger sum appropriated than any of the other Counties; and of late there has been a special grant of £2000 to construct ferry wharves in Charlottetown and at the other side of the Hillsborough river. Many hon. members would, no doubt, be unwilling to appropriate money for wharves

in other counties; but when it is in Charlottetown, where they will never receive any benefit from it, such a grant is nothing.

Hon. COL. SECRETARY—The hon. member forgets the amount of excise duties collected here, in comparison with that of other counties.

Mr. CLARK—That is no argument why the appropriation for Queen's County should be so much more than for other counties. Besides, in the discussion on the petition presented by hon. member from Prince County (Mr. Yeo), it was stated that Charlottetown receives the duty on the greater part of the goods imported for the westward.

Hon. the SPEAKER—The hon. member (Mr. Clark) voted against that petition, I believe.

Mr. CLARK—That has nothing to do with the present question.

Hon. Mr. LORD—I would ask the Leader of the Government if it is fair to vote a special grant for the wharves in Charlottetown, when the money for building the bridge at Wilmot Creek is to be taken out of the general appropriation bill for Prince County? There is often a great uncertainty about the cost of public works, and I think we ought to have a plan of the works accompanying each report. In the case of Wilmot Creek Bridge the Road Commissioner had asked for £290, when the bridge would cost when finished, nearly £400. The balance would have to be taken out of the money assigned to the members for the district, and it would take more than comes to their share to reconstruct it.

Hon. COL. SECRETARY thought the hon. member (Mr. Lord) had nothing to complain of, as the district he represents gets a fair share of the public money. There had been, it is true, £2000 assigned as a special grant for building ferry wharves in Queen's County; but such an appropriation was called for, and would be of as much general benefit to the country as any other public work. As regards the Wilmot Creek Bridge, he thought there had been enough voted for its reconstruction;—but if it were not enough the hon. member could get his share of the contingent fund of £365. Now, as regards Prince County, hon. members from that part of the Island have no reason to complain, as they get over £2000 road money. Especially the hon. member (Mr. Lord) should not complain, as in the settlements of Tryon and Bedeque, the Statute Labor would keep the roads in repair; but it was different in a settlement like that which the hon. member, (Mr. Yeo) represents, where there is sometimes fifty miles of a road with but few inhabitants,—in such places it would require a great amount of public money to keep the roads in repair, whereas in the case of Tryon and Bedeque, the Statute Labor could be performed by the people and the roads kept in repair without the expenditure of a shilling of the appropriation money.

Hon. Mr. LORD was glad to hear the hon. Col. Secretary had not lost sight of the fact of the large tracts of Public Roads uninhabited in Prince County; but he (Mr. Lord) thought hon. member had lost sight of evils that would arise if a sufficient grant was not given to re-construct Wilmot Creek Bridge. The whole of that structure would have to be taken down and the bridge built anew—and as it was about the longest bridge in the Island, and would cost a great deal of money, if there was not a sufficient sum granted for its completion, it would cause a great deal of inconvenience,—and people would have to travel about ten miles out of their way. And this might be the case if the money was appropriated before a report from the Commissioner could be had in regard to its estimated cost. He thought, in view of such facts, it was unfair to make such an appropriation.

Mr. CLARK said he should not agree to the manner of dividing the public money. He wanted an equal division, which the resolution under consideration did not embody. If the returns from Prince County were turned over, it will be found the grants have not been made in proportion to the amounts required, some commissioners not having enough and others too much. In his district the Road Commissioner had to pay £175 more than his share, to his (Mr. Clark's) knowledge.

Hon. Mr. MONTGOMERY thought when officers were appointed by this House, and had certain sums of money placed at their disposal, they were not warranted in expending more than their share without the consent of the Government or

Legislature. He was not surprised at the statement made by the hon. member (Mr. Clark) as he had known the same thing to occur frequently before. As, however, all the post-roads in the Island converged in Queen's County, and as they were of utility alike to the people of King's and Prince Counties, he thought it was nothing but fair that Queen's County should have a greater share of the public money. He had heard that a Road Commissioner in Mr. Clark's district had expended as much over and above what was allowed by the Government, as his share of the public money amounted to.

Mr. MACINTOSH took the same view of the matter as Hon. Mr. Montgomery, and thought that there was nothing but justice in allowing to Queen's County a fair proportion of the public money, if the hon. members did not wish to confine themselves to King's and Prince County. He said the road from St. Peter's to Charlottetown had cost a great deal to keep it in repair, owing to the amount of travel upon it, and it was nothing but fair to observe a great deal of of the wear and tear of that road was occasioned by people from King's County. On the same grounds he thought other roads leading into Charlottetown, travelled by people from Prince County, cost a great deal to keep them in repair. In view of such facts, he thought hon. members ought to be willing to give what was reasonable.

Mr. YEO thought the Government ought to appoint a Commissioner to go and ascertain where the money is most wanted, not to vote money indiscriminately for the use of roads. He instanced the western road, for which more ought to be done than has been by this House. He suggested that it would be well to appoint a man to oversee the whole road, and the necessary grants placed at his disposal for the purpose of repairing it. If something of the kind was not done, the travel on that road would be stopped, as it was during the latter part of last season, impossible to travel upon it.

Hon. COL. SECRETARY referring to the statements made about the over-expenditure by the Road Commissioners, as adverted to by hon. members, said that if such was the fact, it was done without the consent of the Government. If any Road Commissioner did so, this House ought to resent it, and such a person ought never to be appointed again. There was, however, no returns of any such over-expenditure, to his knowledge.

Hon. Mr. MONTGOMERY.—In the case of the Road Commissioner in Mr. Clark's district, there was an over-expenditure of £175.

Mr. CLARK rose to explain. There was one Road Commissioner who expended £80 over his allowance on one contract, and £95 on another. He believed there was some correspondence carried on between him (the Commissioner) and Mr. Ball, but he (Mr. Clark) did not know the result. The money will have to be provided by some means, as the parties are poor men, and cannot afford to do without it. Then there was Darnley Bridge. It was yet in an unfinished state, and it would cost a good round sum to complete it, which will have to come out of the money appropriated for Prince County.

Hon. Mr. MOONEY said—that from all he could learn from hon. members, nothing short of a separate Legislature would content Prince County members. They want Court Houses built for the Small Debt Commissioners in Princetown; and failing to get a Jail built, they now apply for permission to convert their Institute into a Jail. He was sorry to hear that the mechanics of Princetown would resort to such an application. The hon. member (Mr. Yeo) wanted a wharf here and a bridge there, and schoolmasters petitions in abundance he had on his desk. We must open a Telegraph Office at Summerside. Prince County is growing fast.

Nothing short of a separate Legislature would satisfy them, and a Railroad from Summerside to Charlottetown. The Jail, he supposed, would soon break down with the multiplicity of business, as did Georgetown Jail last week. But the greatest disgrace that ever the inhabitants of that City (Princetown) would be guilty of is the converting of their Hall into a House of Correction. Where, he asked, were all the great men that City could boast of? Were the days of their greatness gone by? If the illustrious Moore was in the land of the living, he would exclaim—

"Town of fame, said the croaking frog,
Though all the ducks annoy thee,—
One swamp at least my life shall guard;
They never shall destroy me."

And Mr. Clark, although he lives in Charlottetown, must cut a swell about the division of the road moneys. He voted, last year, money out of my share of the appropriation; but he did that to please some parties who shall be nameless at present. The sooner the people can get clear of this system the better. Yes, yes; "help me and I'll help you" is the order of the day, as far as road moneys go; and how, sir, am I to get the many applications which are made to this House from the inhabitants of Lots 35, 36, 37, attended to? of the north and south side of the Hillsborough River, in the neighbourhood of McConnell's Ferry, to extend the wharf and improve the road thereto; a wharf at Battery Point; a wharf at the Portage; a wharf at Hayden's shipyard, and another at Cranberry Point; a draw-bridge at Mount Stewart; and keep the post road in good order from St. Andrew's to the line of Lot 48? Whatever share of the public money comes to my lot, I divide it to the best advantage; and if that will not please the people, I am only sorry for it.

Mr. MACDONALD thought the appropriation unfair—the division unequal. If hon. members would take the trouble to look over the Journals for the last few years, they would find that more had been spent on the roads of Charlottetown Royalty for the last ten years than what the revenue for the last year amounted to. On looking over the expenditures for last year, he found that Queen's County received £800 more than King's or Prince Counties for the service of roads, bridges and wharfs, besides receiving £2,000 for the ferry wharfs in Charlottetown, over and above the usual amount appropriated for the road service. In addition to these facts, Charlottetown, with its taxes, wharfage, &c., has been given up to a City government, and it was not fair to tax the whole community to support Queen's County. If King's County received the money for the Crown Lands sold there by the Government, it would be on a much better footing than it is at present, nor would it be dependant on the Government for a special appropriation. He proposed that Queen's County should receive £2,400, including Charlottetown Royalty.

Hon. the SPEAKER.—Although, as a general thing, he would support an equal division of the public money, yet, in this instance, he thought hon. members must all admit that Queen's County has a larger claim upon the public revenue than any of the other Counties. Queen's County has a larger population; has more roads, upon which there is a great deal of travel, to keep in repair; receives more revenue, and pays more taxes than either King's or Prince Counties. As to the large amount spent for building wharfs in Charlottetown, it does not become a member from King's County to reflect upon such an appropriation, when he considers what benefit is derived by the people of that County, travelling from the Southward. As to the division in the present Resolution, he thought it a just one; and when it was shown to be short of last year's appropriation, he was prepared to go for it, as he thought it a fair one. He thought that if the amounts of public money squandered on the roads, was applied to the formation of the

roads, bridges and other useful works, better results would follow. The system of Statute Labor at present in force, was, he thought, defective, and did not answer the desired end. He had argued for years that Statute Labor was not the thing, and should be done away with, as he had ample opportunities of knowing how it had been misapplied. (The Speaker then related several facts relative to the misapplication of the labor, illustrative of his argument, by which it appeared that people in most cases expected to be paid by the Road Commissioner for the most trifling repairs done to roads, and that in some Districts the Overseers did not actually know in what manner to expend the labour, and only waiting their share of the public monies.) He thought the system of Statute Labor had better be done away with, and he was certain if a tax of eighteen pence were levied on each man, there would not be found one but would gladly accede to the arrangement. And then if there was a tax of 6d. or 1s. laid on each horse, in addition, they would not grumble at it. In this way a considerable revenue might be raised, which, under competent Commissioners, appointed by the Government, would be nearly sufficient to keep the roads in better repair than they are kept under the Statute Labor system. And this reminded him of a paragraph in a newspaper which he held in his hand, part of which, although he did not agree with all the editor said, was to the present purpose:—

“But there is no class of our public works which require more careful supervision than our roads and bridges. The system, or rather the want of system, which characterises this branch of the public service demands the most earnest attention. We believe that our roads and bridges could be constructed and kept in repair for two or three thousand pounds less than they now cost the country, and be in a more efficient state, if they were placed under the direction of a Board of Works. There is a fearful waste of the public money in the usual indiscriminate vote, made without any proper estimate, and too often with the view of gaining popularity; while utter wastefulness, and, perhaps, something worse, is practised, in too many instances, in laying it out. There is a glorious unanimity amongst “honorable members” with respect to this vote. If there be any squabbling at all, it is as to which County should have the largest share—the “honorable members” for Queen’s contending stoutly for the lion’s portion, while those for Prince and King’s enter into a sort of “solemn league and covenant” to resist an unjust distribution.”

The debate he had just heard, was something like the editor’s remarks, “if there be any squabbling at all, it is as to which County should have the largest share.” He could not hold to such a doctrine, and supported the motion as it stood.

Mr. COOPER said the time was drawing near for another system of managing the repairing of roads, &c. The only way to have good roads was to let them on contract to a competent person for a number of years. The Government, at the same time, could appoint an Overseer, whose only duty would be to examine the work and see that it be properly done. Then we might have good roads, and not as at present, when during certain seasons of the year it is impossible to travel. We should also have good roads in winter time, and there would be no possibility of the mails being delayed. Under the present system of things, if a snow-storm were to happen, ten chances to one but the mails would be delayed a week. The mails should not be delayed on any account, when it is possible to have them promptly forwarded. In the neighbouring Provinces no such stoppages take place, but a strict discipline is observed and enforced. The present system of statute labor is defective, and if it were abolished, and instead, a tax laid on property as well as persons, it would be much more satisfactory. Without some such reform as he alluded to, be introduced, we shall never be able to have good roads or substantial bridges. In regard to the division of the public money, which had raised so much contention amongst hon. members, he had no objection to give Queen’s County the precedence; still in the subdivision of it, he thought there was much unfairness, as one place needed more money than another, but got for its share only the same amount. Also, he thought it should be no inducement for hon. members to strive after a share of the public money for the purpose of promoting their popularity.

Hon. Mr. PALMER said this was not the proper time or place to discuss the feasibility of doing away with the present system of Statute Labor, or the formation of a Board of Public Works. If he were present when such questions were

brought in form before the House, he should be prepared to give his opinion upon them. The only question now be discussed was whether Queen’s County got more than a fair share of the public money. He thought the apportionment of it was right and fair. The population of Queen’s County was greater than that of Prince and King’s Counties together; and there is more taxes paid, and more roads to be kept in repair, than in either of the other counties. Hon. gentlemen seem to lay great stress on the fact of so much money being appropriated for special grants. It did not affect the justice of the present appropriation, if the Special grant was £10,000 instead of £2,000. He hoped the hon. members would look upon the question from a fair point of view, and they would be better conscious of the propriety of proposed division of the public money. He, for one, never opposed Special grants, from the conviction that they benefitted the country at large; but, on the contrary, always gave them his warmest support. He thought, therefore, hon. gentlemen should not permit such a feeling as they had manifested, to actuate them in voting against the resolution. It should, at least, have his most cordial support.

Hon. COL. SECRETARY was not aware of the difference between the population of Queen’s County and that of either of the other counties: in Queen’s County the population was 36,000; in King’s, 17,000; in Prince, 17,000. It would be seen by this statement, that the proportion is not even fair in regard to Queen’s County. He believed the members for Queen’s County have hitherto yielded too much in this respect, to the members from the other counties. Hon. members are not satisfied with the Special Grant for the erection of Ferry Wharves; but if there be a wharf to be built in Georgetown or in Crapaud, hon. members would not then think it unreasonable for this House to give a Special grant for the purpose. Why, it often happened that the members in King’s County did not know what to do with their share of the public money, and consequently it was as bad as wasted on roads which Statute Labor would keep in repair. While he alluded to Statute Labor, he had improved on the suggestions thrown out by some hon. members, and found that if a tax of 3s. were laid on each person, liable to perform Statute Labor, it would amount to £2,567; and 2s. on horses, £2,000; which would be the means of lessening the expenditure on roads and bridges one half. If such an amount were laid out on the roads, no Statute Labor would be required. There was not a farmer in the Island, he was confident, but would gladly pay the required taxes, sooner than go to the inconvenience of working on the roads, in obedience to the present system of Statute Labor, for three days. He thought, with some hon. members, it was better to do away with the present system altogether, and when the Municipality Bill went into effect, they would have ample opportunities of collecting such taxes.

Hon. Mr. LONGWORTH did not see why any exception could be taken to the division as in the resolution under consideration. He thought the spirit displayed by some of the hon. members from Prince and King’s Counties boded no justice to Queen’s County. We will (said Hon. Mr. Longworth) have to trust to the tender mercies of the members for Prince and King’s counties, as they could combine if they chose; and therefore we had better take what they may be pleased to give us. The fact was self-evident that the sum provided by the resolution, when the greater amount of population, &c. was taken into account, was far below what Queen’s County was entitled to. Hon. members seemed to forget the number of roads to be kept up in this County, upon which there was ten times the travel there was on roads in the other Counties. He thought the suggestions thrown out by hon. members, as to the abolition of statute labor, and the levying of taxes instead, were good for it was a notorious fact, that, whether from an indisposition to work, or a habit of regarding such labor as a hardship, people did not perform their statute labor with anything like a cheerful spirit. The sooner, therefore, such a system was done away with, the better. Whenever a measure was introduced having for its object such reforms he should vote for it. (Hear.) He would rather pay 1s. 6d., or 2s., on all his stock than be compelled to do statute labor, and he knew there was not a farmer in the Island but would entertain the same opinion. He did not like to hear hon. members say that so much had been spent on the roads of Charlottetown Royalty, when such expenditure was

made necessary by the amount of travel upon them by people from the other counties. In 1835, the amount expended upon the roads in the Royalty of Charlottetown, was £500; last year, £350; the City Government, alone, expended £250. When such a large sum is expended by the City, for the repair of roads, it does not look as if the taxes formerly collected there are a dead loss to the country. These facts instead of causing complaint, should be the most powerful arguments to induce hon. members, to accord to Queen's County its fair proportion of the public money.

Hon. Mr. LORD said he had no objections to give to Queen's County what was its just share of the public money; still, he could not shut his eyes to the fact that there were many important works which needed the assistance of the Government in Prince County as well as in Queen's. As he had before alluded to Wilmot Creek bridge, he would now state that unless something was promptly done towards the reconstruction of that most important edifice, it would be the occasion of great trouble and inconvenience, not only to the travelling public, but to the inhabitants of Bedeque and vicinity. (The hon. member then alluded to the special grants made for the purpose of building wharves in Charlottetown, praying that although they were needed it was no reason why hon. members should be blind to the fact that there were other places in the Island entitled as well to consideration as Queen's County). The hon. member (Mr. Longworth) said the members of Prince and King's counties combine to deprive Queen's County out of its just rights. He (Mr. Lord) would tell that hon. member that such a conclusion was far from the truth. He would inform that hon. member, that such was not his (Mr. Lord's) or he believed any other hon. member's design. The hon. member (Mr. Longworth) said the inhabitants of the Island were not disposed to work on the roads. He (Mr. Lord) did not like to hear the inhabitants of this Island stigmatised as being too lazy to work on the roads. He could tell the hon. members that the inhabitants of Tryon and Bedeque (in Lots 27, 26, and 25) work as hard on the roads as they do on their farms.

Hon. the SPEAKER said it was probable that when they saw the hon. member (Mr. Lord) coming they worked hard, as he (the Speaker) had known to happen when he was himself an overseer. The fact is, the people, very often think that if they labor on the roads they are working for the Queen (laughter), and not for themselves. As regards the over-expenditure of money by Road Commissioners, last year a circular was sent to all the Road Commissioners, instructing them to enter into no contracts without they had means at their disposal to complete them. Now, it appeared, that one Road Commissioner had expended £174 more than he was authorised to do. In view of this fact, he thought the Government ought to issue another circular this year, threatening to remove all Road Commissioners who should be guilty of a like impropriety.

Mr. PERRY said he was not aware that a Bill was before the House to tax people for Statute Labor. He hoped hon. members would adhere to the question.

Mr. YEO was in favor of doing away with the system of Statute Labor at present in force; and if the tax in lieu thereof was even a half-a-dollar, it would be better than the present system. The hon. member (Mr. Longworth) said the members of King's and Prince Counties combine to do injustice to Queen's County. He did not think they did, he was sure they did not. If there was more inhabitants in Queen's County than in either of the others—and that was a fact no hon. member would dispute—there was more taxes paid, and therefore Queen's County was entitled to a greater share of the public money. (Mr. Yeo, then illustrated the bad effects of the present system of Statute Labor, by relating some facts which came under his own immediate notice.)

The resolution was then agreed to, without amendment.

The House resumed.

The chairman reported progress, and leave was granted to sit again.

House adjourned for one hour.

T. KIRWAN, Rep.

LEGISLATIVE COUNCIL.

FRIDAY, March 13, 1857.

Adjourned for want of a quorum.

SATURDAY, March 14.

After the presentation of some petitions, the following special committees were appointed:—

Education—Hons. Col. Swabey, Messrs. Craswell and Aldous. Roads, Bridges and Wharves—Hons. Messrs. Dingwell, Walker and Bagnall.

Agriculture—Hons. Messrs. Beaton, Craswell and Wright. Paupers—Hons. Messrs. Walker, Craswell and Bagnall.

Miscellaneous Petitions—Hons. Attorney General and Mr. Forgan.

MONDAY, March 16.

A Message from the House of Assembly, by Hon. Mr. Montgomery, with a Bill to amend and continue the Princetown Royalty Church Incorporation Act, and to repeal an Act therein named. Read first time.

Mr. McDonald from the House of Assembly, brought up a Bill to continue and amend the Act relating to the running at large of Horses, Swine and Geese, in Georgetown. Read first time.

Hon. Attorney General reported from the committee on expiring laws. Ordered that the report be received.

Several petitions having been presented, read and referred to the several committees appointed to consider and report upon their respective subject matters, the Council adjourned.

TUESDAY, March 17.

Hon. Attorney General, by command, laid before the House copies of the following despatches and documents, which were read, viz:—

Despatch from the Secretary of State for the Colonies. No. 27, dated 6th August, 1856, with reference to the Act prohibiting the exportation of Saltpetre, &c., as unnecessary to be assented to.

Despatch No. 30, dated 29th August, 1856, transmitting an order of Her Majesty in Council, dated 21st August, 1856, confirming various Acts of the Legislature.

Despatch No. 39, dated 30th October, 1856, transmitting an order of Her Majesty in Council, dated 22nd October, 1856, confirming several Acts of the Legislature.

After several petitions had been presented, read and referred to the appropriate committees—Hon. Col. Swabey, by command, laid before the House the following Message from His Excellency the Lieutenant Governor:—

D. DALY, Lieutenant Governor.

The Lieutenant Governor transmits the accompanying correspondence for the information of the Legislative Council, and for such careful consideration as he feels assured the very important subject of the more perfect lighting of the coasts of this Island will receive.

He also invites the early attention of the Legislative Council to that portion of the correspondence which has reference to Cape Race Light.

The Message was accompanied by copies of the following despatches:—

No. 26, dated 3rd July, 1856. No. 35, dated 15th October, 1856. No. 42, dated 13th November, 1856.

WEDNESDAY, March 18.

Mr. McDonald from the House of Assembly, brought up a Bill to continue the Act relating to Packets sailing between this Island, and the Provinces of Nova Scotia and New Brunswick. Read first time.

Several petitions having been presented by different members of the Council, and referred to the respective committees, Hon. Col. Swabey, by command, laid before the House the following written Message from His Excellency the Lieutenant Governor, viz:—

D. DALY, Lieutenant Governor.

In transmitting, for the information of the Legislative Council, the accompanying despatches regarding alterations in the Colonial tariffs, rendered necessary by the Reciprocity Treaty with the United States, the Lieutenant Governor invites the attentive consideration of the Legislature to this subject, which, he trusts, will lead to the adoption of such measures as may be necessary for the reconciliation of the tariff of this Island with the treaty obligations of the Home Government, and the extension to the trade of the United Kingdom, of the privileges enjoyed by the neighbouring Colonies and the United States.

After careful consideration of the probable consequences of a compliance with the suggestions of Her Majesty's Government, in regard to the proposed alterations, the Lieutenant Governor fully concurs in the opinion expressed by the Secretary of State, that no practical inconvenience to this Colony is likely to arise from their adoption.

Copies of despatches, with their enclosures, from the Secretary of State:—

No. 23, of the 15th July, 1856. No. 41, of the 10th November, 1856.

Copy of despatch, with its enclosure, to the Secretary of State, from the Lieutenant Governor:—

No. 42, of the 6th September, 1856.

Government House, 17th March, 1857.

Hon. Attorney General laid upon the table the Blue Book for 1855.

The House went into Committee on the Princetown Royalty Church Incorporation Act, which was agreed to without amendment.

FRIDAY, March 20.

The Princetown Royalty Church Incorporation Act, was read third time and passed.

Hon. Mr. Wightman from the House of Assembly, brought up a Bill to continue the Act exempting Bills of Exchange, &c., from the operation of the Laws relating to Usury. Read first time.

After the reading of several petitions, the Act prohibiting the going at large of Horses, Swine and Geese in Georgetown, was committed and reported as agreed to, without any amendments.

Hon. Attorney General laid before the House the Impost and Excise Accounts of Charlottetown and the Outports, the Auditors' Classified Accounts, and the statement of the Accounts of the Bank.

MONDAY, March 22.

Several petitions were presented and read, after which the Act preventing Horses, Swine and Geese, going at large in Georgetown, was read third time and passed.

The Bill to continue the Act relating to Packets sailing between this Island, and the Provinces of Nova Scotia and New Brunswick having been committed, was agreed to without any amendments.

Hon. ATTORNEY GENERAL introduced a Bill to amend the practice of the Supreme Court, and to alter the time for the attendance of Petit Jurors in Queen's County, and for other purposes therein mentioned: and, in doing so, briefly explained the leading features of the measure. Under the present practice of the Court, parties were being frequently subjected to loss and inconvenience, in consequence of the uncertainty as to the time at which their cases might be called on. This was more particularly the case with appeals and summary suits. One instance of the truth of this statement was before their honors in the petition of John McLeod, of New London, who was perfectly justified in supposing that his case, being an appeal, would not be tried until late in the Term; but on arriving in Charlottetown to attend the Court, he found that his case had gone off in his absence, on the second day of the Term, although the whole of the Jury cases had not been tried. Another individual, a client of his, (Hon. Attorney General) had himself experienced a similar surprise in another case of appeal, which stood for trial at the last term. In mentioning those instances, he did not intend to impute harshness or undue

haste to the Judges, whose action arose from the very proper desire to expedite the business before the Court, and not delay those parties who were in attendance. The present Bill provided certain stated days for the trial of appeals and summary causes, and would thus obviate the inconvenience to parties in such cases and their witnesses, of having to attend the Court during the trial of Jury cases, which at present they were compelled to do, lest at any moment the appeals or summary causes should be taken up. The Bill also made the venire for Petit Jurors for Queen's County returnable to Wednesday the second, instead of Tuesday the first, days of Hilary and Trinity Terms. By this alteration the Petit Jurors need not attend during the first day, the greater part of which is generally consumed in the formal business connected with the opening of the Court, charging the Grand Jury, &c., during which the attendance of the Petit Jurors was not required. It also proposed to appropriate for the Jury trials, ten days from the second day of the Term, with power to the Court if the business required it, to extend the period two additional days—thus giving twelve days for Petit Jury trials, when required, or under any circumstances. The appeals would be tried after the lapse of those days, and parties would thus know when they might expect their cases to be called on, and would be saved the expense and loss of time consequent upon their own attendance and that of their witnesses, to which under the present system they were subjected. It would be competent for the Court to set down Special Jury cases for trial at any time, even after the expiration of the Petit Jury days. Attornies would have the time for docketing their causes for trial extended to three o'clock, p. m., of the first day of Term, instead of being limited to an hour after the opening of the Court as at present. Another change to be effected by the Bill, had reference to Warrants of Attorney and Cognovits, executed by parties confined in jail. At present, no Warrant of Attorney or Cognovit, so executed, had any validity unless the execution took place in the presence of an Attorney. Such a rule operated in many instances as a very great hardship, as their honors would perceive, when they reflected on the fact that all the Attornies resided in Charlottetown, and that consequently the expense and difficulty in obtaining the attendance of an Attorney, which might be experienced by an unfortunate debtor confined in jail in King's or Prince Counties—might frequently cause him to remain in prison until the next Term of the Court for the County in which he is incarcerated, although his detaining creditor might be willing, and even anxious to liberate him, on receiving either of the above securities. This inconvenience and hardship it was one of the objects of the Bill to terminate, by allowing such documents to be executed before the Deputy Prothonotary, in either Prince or King's Counties, who would, for his attendance to witness the execution, be allowed the sum of 3s. 4d. With the exception of that clause, the Bill had reference to Queen's County exclusively. Conceiving the Bill to be a most necessary and useful one, he trusted it would receive the sanction of the House.

Hon. COLONEL SWABEY expressed his warm approval of the Bill, which he considered would be productive of great improvement in the present system, and that the Hon. Attorney General was entitled to the thanks of the community for having introduced the measure. No doubt the Judges were actuated by a desire to accelerate the business of the Courts, and thus quicken the action of the Barristers; but it was clear that under the present practice of the Courts, great inconvenience resulted to individuals. A very decided improvement would result to parties to appeals, from the knowledge of the time when it would be necessary for themselves and their witnesses to appear at Court.

The Bill was then read a first time.

On motion of the Hon. Attorney General, the Bill exempting Bills of Exchange, &c., from the operation of the Usury Laws, was read a second time and reported agreed to, without amendment.

Hon. Attorney General, by command of His Excellency the Lieutenant Governor, presented copy of a despatch from His Excellency, to the Secretary of State, regarding a Loan to be raised under the Imperial guarantee; also, an extract from the Minutes of the Executive Council, on the same subject.

HOUSE OF ASSEMBLY.

WEDNESDAY, March 18.

AFTERNOON SITTING.

USURY LAWS REPEAL BILL.

House in committee according to order on the second reading of this Bill, Hon. Mr. Wightman in the chair.

Mr. T. HEATH HAVILAND.—Mr. Chairman the Bill now before you was originally introduced into the Legislature of this Colony, by myself in the year 1854. I introduced it because I was convinced that the Usury Laws so far as they affected the ordinary commercial transactions of the country, were contrary to the spirit of the age, Sir,—contrary to the principles of free trade, and in fact that any country that boasts of enjoying free trade, must repeal the Usury Laws. For it is contrary to common sense to say, that an individual should not be entitled to use all his capital in money in the same manner as if that money were converted into goods or houses. It is impossible to justify any country in any longer permitting the Usury Laws to remain on its Statute Book. In England, the first Act interfering with the old Act of Anne, which declared that no more than 5 per cent. interest should be recovered on any contract or loan of money, was passed in the reign of King William the Fourth, in consequence of a very able Essay written upon the subject of the Usury Laws by one of the most talented men of his day, the late Jeremy Bentham. The bill was passed through the British Legislature as an experiment, and it was thereby declared that any amount of interest might be received on a bill of Exchange or promissory note, provided the bill or note, had only three months to run. The Legislature subsequently passed another Act extending the time to twelve months. In fact, any person who calls himself a political economist, must admit this principle that a man has the right to receive as much interest or profit for his money as the merchant has to make on his goods and merchandise. It certainly would be a retrograde movement for this House to fall back, and fix the rate of interest on money by statute. I am confident that if a Special Committee was appointed, and parties were examined before it, the generality of borrowers would declare that they have paid or been charged a lower rate of discount since 1854, than they were under the old law, when only six per cent. interest could be legally charged on money loans. Because now, there is more competition amongst capitalists, in consequence of the Act of 1854 having declared it legal to exact more than 6 per cent. interest than there was before it was legal so to do. Under the old law, there were many capitalists who would not lend money at a higher rate of interest than 6 per cent. from scruples of conscience, as they were averse to breaking the laws of their country, in consequence whereof the business of shaving or bill-discounting was in the hands of a few less scrupulous capitalists, who charged a high rate of discount in order to insure themselves against the pains and penalties they were liable to, for exacting a higher rate of interest than the law of the land sanctioned or allowed. In order to convince this House that Usury Laws are unsound in principle and impossible to be enforced, I shall, lawyerlike, quote a few authorities. The Colonial Treasurer, who I suppose occupies the same position in this House as the Chancellor of the Exchequer does in the Imperial Parliament, should have been the warmest advocate of the bill now before you, instead of its greatest opponent. In England, the whole of the Usury Laws were abolished and wiped off the Statute Book in 1854, upon the motion of Mr. Gladstone, the then Chancellor of the Exchequer. In 1839 when one of the bills for suspending the operation of the Usury Laws, was introduced into the House of Commons by the then Chancellor of the Exchequer I have found on reference to Hansard, that a Mr. Warburton, a relative, I presume, of the Colonial Treasurer, was one of the warmest advocates of the measure. I will read the debate for the information of the House, as it is a short one:—

“The Chancellor of the Exchequer rose, pursuant to his notice, for leave to bring in a bill to make perpetual the Act of 1 Victoria, cap. 80, to exempt certain bills of exchange and promissory notes from the operation of the Usury Laws. The

right hon. gentleman said, this was a subject of the greatest importance to the commercial world. By the Act, as it at present stood, all bills not exceeding three months date were exempted from the operation of the Usury Laws. Now, it would be in the recollection of hon. members, that an attempt had been made about two years ago to extend that exemption to bills of a longer date; and a bill to that effect had passed through this House, but had been lost in another place. During the late commercial difficulties of the country, had it not been for the small relaxation of the Usury Laws to which he had alluded, those difficulties would have been greatly increased. On this account, therefore, he now proposed to extend the exemption from the Usury Laws to bills of twelve months date, and also to re-affirm the original proposition of making the Act perpetual. Although he asked only for this limited remission, yet, had he consulted his own feelings, he would have given the fullest benefit he could to the commercial world by a total repeal of these laws, for he thought there ought to be as free a trade in money as in any other article.

“Mr. Warburton fully concurred in the principle of the right hon. gentleman’s motion. It was, he had no doubt, the general feeling of the commercial world, that the whole of the Usury Laws should be done away with. If such a measure had been in operation during the late commercial crisis, many houses which had sunk and been ruined under that pressure, would have been saved, and be now in a sound and flourishing condition.”

There is a very able article in the *Encyclopedia Britannica* on the subject of the Usury Laws. In 1818, when a committee of the House of Commons was appointed to inquire and report on the expediency of abolishing the Usury Laws, a member of the great commercial firm of Baring & Brothers was examined before it, and I will read the evidence he gave: “The laws against Usury drive men in distress, or in want of money, to much more disastrous modes of raising it than they would adopt if no Usury Laws existed. The landowner requires capital to increase his live stock, or improve his land, or for any other purpose, at a period when the government is borrowing money at above five per cent., or when the funds give a greater interest than five per cent.; no one will then lend to the land-owner, because his money is worth more to him than the law allows him to take, the landowner must, therefore, either give up his improvements, or borrow money on annuity interests, on much more disadvantageous terms than he could have done if no law existed against usury. The man in trade, in want of money for an unexpected demand, or disappointed in his returns, must fulfil his engagements, or forfeit his credit. He might have borrowed money at six per cent., but the law allows no one to lend it to him, and he must sell some of the commodity he holds, at a reduced price, in order to meet his engagements. For example, he holds sugar which is worth 80 shillings; but he is compelled to sell it immediately for 70 shillings to the man who will give him cash for it, and thus actually borrows money at twelve and a half per cent, which, had the law allowed him, he might have borrowed from a money dealer at six per cent. It is known to every merchant, that cases of this kind are common occurrences in every commercial town. A man in distress for money pays more interest, owing to the usury laws than he would if no such laws existed; because now he is obliged to go to some of the disreputable money lenders to borrow, as he knows the respectable money lender will not break the laws of his country. The disreputable money lender knows that he has the ordinary risk of his debtor to incur in lending his money, and he has further to encounter the penalty of the law, for both of which risks the borrower must pay. If no usury laws existed, in common cases, and where a person is respectable, he might obtain a loan from the respectable money lender, who would then only have to calculate his ordinary risk, and the compensation for the use of his money.” The article in the *Encyclopedia* at its conclusion, recommends the laws of Usury to be repealed by a statute which should provide that where the contract was silent as regards the rate of interest, that then in such a case only five per cent. should be recoverable. Now, a law framed upon those principles has been upon our statute book since 1854, and the bill now before the

House is a bill for its continuance. I shall now quote an authority from this side of the Atlantic in support of my views, from a work on Political Economy written by Professor Wayland, who has a namesake in this House. He says that "Laws regulating the rate of interest are injurious to the prosperity of a country." Some of the reasons for this opinion are the following:—"Such laws violate the right of property. A man has the same right to the market price of his capital in money, as he has to the market price of his horse, his house, his shop, or any other of his possessions. The real price of capital cannot be fixed by law, any more than the real price of flour, or iron, or any other commodity. There is, therefore, no more reason for assigning to it a fixed value, than there is of assigning a fixed value to any commodity. The price of capital or money, is really more variable than that of any other commodity. Most other commodities have but one source of variation, namely, use or profit. But capital in the form of money, is liable to two sources of variation, risk, and use. These vary, at different times, in different investments, and with different individuals. There is, therefore, less reason why the price of money should be fixed by law, than why the price of anything else should be so fixed. These laws, instead of preventing, give rise to great and disastrous fluctuations in the price of money. It is I presume needless to add, that such laws can never be enforced. Men in want of money, will pay what they please for it, and those who chose to pay enough for it, can generally borrow. The effect, then, of the Usury Laws, is merely to drive the best and most conscientious lenders out of the market, or else oblige them to lend by means of subordinate and less scrupulous agents. For this agency the borrower must pay, and hence the additional rate of interest." The Usury Laws are disobeyed year after year, and should therefore be repealed, as it is bad policy for any government to have laws upon their statute book, which are considered by the people as a dead letter. In fact, it is impossible to retain the Usury Laws any longer, unless we are determined to set at nought all the arguments that have been adduced against them by the most enlightened Political Economists of this century. The Imperial Parliament has expunged the Usury Laws from the statute book with the approbation of statesmen of all shades of political opinions. The benefit of abolishing them has been proved over and over again, not only in theory but also in practice; for in those countries in Europe which have laws regulating the rate of interest, higher rates of interest are charged than in those countries where no such laws exist. In Holland, there are no Usury Laws, and money is loaned there at a lower rate of interest than in any other Continental Kingdom. In fact money, like any other article, will find its level; and when an individual wants it, he will have it, let him pay what he may for it. If a committee were appointed, and I am sorry that one has not been appointed, I feel convinced that they would come to the conclusion that the rate of interest charged on discounting bills and notes of hand is much lower now, than it was previous to 1854. Rumours are in circulation, and I presume they are not without foundation, that the main objection to the bill now before you Mr. Chairman, is, that it enables the bank of Prince Edward Island to exact seven and a half per cent. discount. But I would ask the Representatives of the people, especially those who call themselves liberals, why we are to have free trade in all articles but capital in the form of money. No individual is obliged to pay the bank seven and a half per cent. interest, unless he borrows money there. Surely the whole community is not again to be saddled with the Usury Laws, because the Bank is charging seven and a half per cent. for discounting mercantile paper. I trust there is sufficient good sense in this House, and gentlemen who are liberals not only in name but in principles who will carry this bill and not burk it either from party or private feelings.

Hon. COL. TREASURER.—The hon. member for Georgetown ought to have allowed me to make the first speech, before he stated my opinion upon the bill. He certainly has made very strange statements, yet I hope to have this bill burked. The hon. member spoke of the evils of allowing people to be usurers contrary to law; but I know it is a fact, and that in this town, people—called religious people too—have got as

much as 60 per cent. for money; and when 60 per cent. and 50 per cent. has been obtained for the use of money in Charlottetown while the usury laws were repealed, where now is the morality of such conduct? There certainly is need of some act to prevent people from acting in this manner. I do not oppose the bill merely because the Bank charges 7½ per cent. though that is a benefit which private persons cannot have; for in reality the Bank has 22½ per cent, since they are allowed to issue £3 for every pound of specie lodged in their vaults. Three months I believe is the time to which their discounts are limited. The hon. member has brought forward the names of parties,—and one of my name who supported the doing away with the Usury Laws in England; but that gentleman is no relation of mine, nor any connection; in fact, his name is Warburton only by act of Parliament. Mr. Gladstone has also been alluded to as supporting the measure; well, I happened, at one time to be acquainted with that gentleman, but his opinion has no influence on mine respecting this bill. But the hon. member for Georgetown will not say that people in this Island who can get 60 per cent. for their money, are in the same circumstances as those in the old country who lend money. As to opposition to free trade, I am quite prepared to take my share of the blame that may be laid on the members of this House, who take the same views on the subject as I do. I shall now move that the Speaker take the chair.

Mr. YEO.—Certainly there is more sense in the House than do that; for money is scarce enough already. Now, there is a gentleman belonging to this place, Mr. Peake, who has sent out from England to withdraw his money from the Island, as he can get more interest for it in England. If people that have got money, do not lend it, what are people in business to do? It is a good deal better to let the Usury laws die away than add others. If one man have a document against another, he cannot charge more than 6 per cent. except by express agreement; but with this he can charge more than 6 per cent. So it must be to stop trade and distress poor people, were not such an Act as the proposed one in force. I had a bill from England not long since; they charged 7½ per cent; but I knew no such thing before; 6 per cent. was charged not long ago. I do not know why the laws should be different here from those in other parts of the world. I think it is a very unfair thing, and has no reason at all in it.

Hon. COL. SECRETARY.—It is a remarkable circumstance that the hon. member (Mr. T. Heath Haviland) has been so long in the House, and such an abominable law allowed to remain on the statute book. It was the Liberal Government who introduced the measure now before us. [Mr. T. Heath Haviland.—I introduced it myself.] It was supported and passed by the Liberal House. Now, sir, if this Usury act is such an evil to the country, why, I should like to know, was the measure in question not introduced under the old system of Government? I think it is hardly fair for the hon. member to come forward and accuse other hon. members who hold different views from him on this subject, and who wish to benefit the poor man. But from what was stated by my hon. friend on my right (Hon. Col. Treasurer) I think the poor man has to suffer by paying 60 per cent. Now, with regard to what he (Mr. T. Heath Haviland) said, that there should be free trade in money as well as in everything else, this is very correct; but if an exorbitant merchant were to charge an extravagant price for goods, he could not recover it, and courts of law would decide against such an extravagant charge in the bill. But here it is a difficult matter to decide what money is worth; in fact, a man borrowing money has no chance of bringing a charge against parties in the Court. They prove there that he made his bargain, and had a right to pay for it. Well, in such cases, perhaps the poor man was glad to obtain the money at any rate; perhaps it was paid for a month, and might not appear to be at a high rate, but if for a year, the transaction would be better understood. Now, as to free trade in money as well as in every commodity, every person having a store or place of business, is known as a man of business; but with money lenders, it is otherwise; they are not generally known as men of business. If licences were given to them, as to retailers of spirits, then parties would have some chance of knowing what is in the market; but such is not the case. One individual

may be inclined to lend money at 6 per cent., but that not being known, a person wishing to borrow money, may run about and at last get it at 60 per cent. I think, then, these money lenders cannot be placed in the same scale as those similarly engaged in the old country. With reference to the Bank charging 7½ per cent., I think when a company obtains the privilege of a charter, as this Bank has, they should not charge so high a rate, merely because they are privileged individuals. It is true of some money grasps about the city, that they will take all they can get, 30, 40, or 50 per cent; but a fair money lender will be satisfied to get 10 per cent. But, sir, when the bill incorporating the Bank, was introduced into this House, they were to issue only two pounds for one; but I thought they should have the privilege of issuing three for one, and moved accordingly, which was carried. Now, however, they are making 22½ per cent. by the Act of Incorporation; whereas private individuals have not that privilege,—they cannot issue notes, but must lend their hard cash. When, therefore, the Bank has such a privilege over private individuals, they ought not to charge an extravagant rate of interest; for 7½ per cent. is in proportion very high; but I think if they got 6 per cent., it might pay them very well. Besides, they would get more to do, and might take the business out of the hands of money lenders. I do not know whether this Usury law will do that or not. It is no more than just to allow this act to expire, and not to allow the Bank to take more than 6 per cent. It is said by Mr. Yeo that in England they charge 7½ per cent; but they issue pound for pound, which is the principle they go upon; and therefore they have some excuse for charging 7½ per cent; but I think very few charge that. It has been stated that a gentleman with large capital, was about taking it to England, because he could get more for it there; but it is well known that money can be had there for 4 or 3½ per cent. I do not dread persons taking money out of this country to other countries. I shall hear what arguments can be adduced in favor of this Act; yet I think if the Bank could only charge 6 per cent., it would be very well. Most of the directors of the Bank are money lenders, and if a person be refused money at the Bank, he will go to the money lenders, who, knowing that he has been refused at the Bank, will say, we will shave him. In England, it appears the Usury laws have been repealed; but it must have been only within a quarter of a century. In England, where there is such an abundance of money, they perhaps did not think it necessary to continue the Usury laws; but in a country like this where money is scarce, there is more need of such laws; and that is also the case where money is confined to a few persons, than where it can be had as easy as goods in a shop, which is not the case here. A person in debt may think to stave off the evil day, and so may give 50 or 60 per cent. to avert his distress, such as was the case in England in the time of the depression of shipping; but here there is no need for holding money so long or to such an amount; for the most of the borrowers of money are those who want £5 or £10, for a short time. It is said, if money could not be borrowed, many would not be able to buy their lands; but most of the farmers of Prince Edward Island would be able to pay the first instalments of their lands, and the Government would only charge them 5 or 6 per cent. for their bonds. I, however, am not disposed to oppose the re-enactment of the bill; but I must say I was a little surprised that the Bank charged 7½ per cent., and no opposition Bank here now. If several Banks were established, the Legislature would not require to interfere in the matter; only if I had thought that more than 6 per cent. would have been asked, I would have introduced a clause in the bill to restrict the amount.

Mr. YEO.—The hon. member says, money is not plenty here; but why is that the case? Opposing the bill is just the way to make it scarce. But here they drive the money out of the country as fast as it is obtained. If the bank take too much, another will soon be established in opposition to it, as is done in England. Because money is scarce here, they say more than common interest should not be charged for it.

Hon. Mr. SPEAKER.—We have a motion to quash the Bill; but we have heard no good reasons why we should do so. I am in favor of the present Bill. There are two questions to be considered; is the Bank making too much of its capital;

and have we a right to restrain it? I would wish to see it successful; but if we were to tie it up, what would be the result? We have known parties in this Island charged 8 and 9 per cent; and when such is the case, why should they not be allowed to charge the same? Certainly they should; and in time it would work its own cure; if monied men found the Bank making money, a second would be required, and the evil would be cured. But we are told money is scarce; well, though that be the case, yet I would allow a man to make as much as he can with money. Money makes money; and if you do not allow a man to make it in one way, he will in another. It would almost be an act discreditable to the Legislature to oppose the Bill; and I think that the Bank would not have been in operation, if that Act had not been in force. I think an Act interfering with the rate of interest, would be a discredit to the Legislature, and we ought not to pass such an Act. The cure will come of itself. They have no Usury laws, in the old country, in Canada; nor in New Brunswick; they abolished them in those countries, and in Nova Scotia, they will likely do the same. I believe they have three Banks; and here it may be the same. I know from experience something of money lending transactions. A person wishes to get a few pounds; he goes to a money lender and asks what he charges; he says 6 per cent. But what does he do? he actually charges as a bonus 10 or 15; and in one case I have known 30½ per cent. charged for a few months; these transactions were between private individuals. We find the Bank charges 7½ per cent. for 3 months; but even at this high rate it is found to be a benefit to individuals, and I believe the Government itself last summer found the Bank an accommodation. The Bank paper of the other Provinces, is now almost withdrawn from our circulation. Some time ago the Government refused to take the notes of the Westmorland Bank, and the consequence was that it created such a panic amongst its shareholders or the directors that they were obliged to send a person over here to get the Government to withdraw the restriction. I argue on the principle that we ought to allow money to make money, when the transactions are done fairly and openly as at the Bank. I see no reason to fall back on the old Usury laws, and I think from the concluding remarks of the hon. the Col. Secretary that he is not opposed to the present Bill.

Hon. T. H. HAVILAND.—I am sorry to hear from the remarks which have fallen from the Hon. Col. Secretary and the Hon. Col. Treasurer, that the Bank of Prince Edward Island appears in their minds to be so great a bugbear. It has been stated by the Hon. Col. Treasurer who was supported in his views by the Hon. Col. Secretary, that the shareholders in the Bank are receiving 22½ per cent. interest upon their capital; and that is adduced as a reason why the Bank should be restricted to the old rate of interest. Were they, however, to examine the Accounts of the Bank recently presented to this House, they would see that the notes of the Bank now in circulation, fall considerably short of two pounds for one pound of subscribed capital, the amount of notes issued being £37,816 6s. 6d; whilst the amount of specie in the vaults of the Bank is £22,716 5s. 1½d. It is further made a subject of complaint against the Bank that three months, the limit of the period for which notes or bills are at present discounted, is too short to suit the convenience of the mercantile community. But by reference to the fifty-fourth section of the Bank Act, it will be seen that the hands of the directors are completely tied in that respect; for if a suspension of specie payments should take place for 90 days within any one year, either consecutively or at intervals, the Bank would forfeit its privileges. There would be great danger of such a contingency occurring, if the directors should extend the time for discount beyond three months; but there is no doubt, that as soon as circumstances will admit of a change in the existing system, every disposition will be manifested to meet the views and greater convenience of the public.

Hon. COL. SECRETARY explained that the hon. member had incorrectly represented his expressions. What

he stated was, that if the Bank had all their paper out, three pounds for one, they would make 22½ per cent. on their money.

Mr. COOPER.—There would have been no Bank in operation here, if there had not been a Bill of this sort introduced. Now, when a Bank is in operation, then the next thing is, withdraw encouragement from it, and let it go down, which would be unfair. With regard to the Banks in England issuing pound for pound, I have understood that the issue was in proportion to the quantity of gold and silver in the vaults of the Bank; that is, if their specie was taken out, they had to withdraw their paper at the rate of two pounds for one of specie that was paid out. In our Island Bank there is not paper in proportion to the quantity of gold and silver in its vaults.

Mr. DOUSE.—I cannot see why there should not be an act of this kind here. It has been well known to all commercial men, that great advantages must naturally result to persons engaged in business transactions from the aid to enterprise which is afforded by the banking system. I was proud, sir, that we established a Bank, and that means can now be so readily obtained to assist those whose energy and honesty demanded it. It is all very fine for individuals to rail about discount; but to illustrate, "I am for free trade and sailors' rights," and content that every man should, in fairness, be left free to make the most of his money and his property. With respect to some allusions in reference to usury and the old system of loans before the Bank was established, if a person wanted to borrow forty or fifty pounds—call it sixty or perhaps more, and a bond was given to secure that amount. These days are happily passing away; and what is the difference? Why, just call on the Bank with a safe signature, and it is responded to, I think at 7½ per cent. for 90 days, or 6 per cent. for 60 days, just the same rate of discount you would pay a short time since at the Bank of England. Then why complain? If our Bank affairs are coercive, they will soon meet correction, and another be established. I am for giving an impetus to all honest industry, whether in money, land, labour, or merchandise, or in anything else. I think no attempts should be made to cripple the fair trader. At the time the Bank was contemplated, I felt sanguine of its success. I was happy to learn it is prosperous, and that it requires no back-stair influence, either to prop it up, or cause its downfall. It is a safe investment—it is in safe hands; and I believe its directors to be men of integrity, and equally anxious as the public that trade may increase to require a large bank extension in this Colony, at as fair a rate of discount as elsewhere, which would have the effect of suppressing usury.

Hon. Mr. PALMER.—I stand perhaps as disinterested in this matter, Mr. Chairman, as any individual in this House. I am in no manner concerned in the Bank of Prince Edward Island; and as regards that institution, I can give a very impartial opinion. Now, sir, with respect to the repeal of the Usury laws, I think it has been attended with advantage to the trade and commerce of other countries, and would be in some measure to their advantage here. There was a great difference of opinion for many years in Great Britain among statesmen as to the policy or utility of Usury laws; but as time wore on and people became more enlightened and liberal in their opinions and sentiments, it resulted at last in the total repeal of those laws. Now, sir, I think it was wise that they should be repealed—I think that greater facilities have been given to trade and business of all kinds, and I do not see that those advantages apply one bit less to a new country than to an old one. We think they are of most advantage to a new country. If we look to the United States of America, we see there that the rates of interest have been allowed by law in almost all the States, so far as I recollect, to run very high, greatly above the

old in Great Britain, and they have found the advantage of it. No people know the value of the dollar better than they do, and what they can make of it; and they have seen the fallacy of making laws to prevent monied people from lending money at whatever rate of interest they pleased to ask for it. But laying aside the consideration of the Bank, and looking at the law in general, I think it would be very bad policy for us not to allow people to trade as freely as they please. My own professional experience has taught me that it would be for the advantage of people in trade to continue the act; for I have seen people in trade coming to me and asking my professional services to enable them to borrow money, and they would willingly have given 10 per cent, and the best of security too. I am no money lender, but I have borrowed money at interest, and have found very great benefit from it; and would have given more than 6 per cent., rather than have been obstructed in my speculations. I can imagine persons careful in their habits and honest in their purposes wishing to engage in speculations. For instance a young man of enterprise may see a vessel driven ashore and sold as a wreck, and who perhaps could get it off successfully if he had a few hundred pounds to expend on it. He goes to a person and asks him to lend him a few hundred pounds; and would it not pay that man to give as high as 10 or 20, or 30 per cent. for money which would perhaps enable him to make 100 perhaps 200 per cent? Various other things might be mentioned to show how money may be borrowed to advantage when there are no restrictions by Usury laws. I think it was very well to repeal the law against usury. Now, what was the intention of the House in passing the repealing act? We are eating our own words the course we are now taking by opposing it; and I think if we consult the interest of the public generally, we ought to take off those trammels on trade. With respect to the Bank, I am not disposed so frequently as some persons to express an opinion inimical to the way in which it has transacted its business. A number of gentlemen having obtained an Act of incorporation, established a Bank; if the Legislature can see that it is working to the injury of the public, I shall not oppose hon. members wishing to control its regulations so as to check it as far as we can. As far, however, as the Bank in Charlottetown has worked I do not think the time has arrived to check its transactions. We all know how anxious the people of the Island were some years ago to get up a Bank in this Colony. At last, gentlemen of sufficient spirit were found to enter into the speculations, and when with the aid of an Act of incorporation, it has gone into operation, I think we are too hasty in passing an opinion respecting that the rate of discount charged by it is too high. Now, it has been very well stated by some hon. members that if they charge too high, it is always open to every person to get money from other people, or to get up an opposition Bank; and looking at the charges, I think we are perhaps rather too hasty in complaining of the rate of discount at present. As to the rate of discount in England; it is only the last mail that I received a letter from a gentleman who has a large business there, giving me instructions about his accounts in this Island, and he says, remember I am at this moment paying 9 per cent. interest in England, and that letter was dated a very few weeks ago. That being the case, and when we look at the interest paid in other places, I think it would be rather premature in continuing the Usury laws, and thereby trammelling trade. The Bill could be continued for a few years as at present, till an opportunity be afforded of testing it. I hope the Legislature will see the policy of taking into view the interest of all parties, guarding as they do their interests, and inflict no injury on the very parties they wish to protect. I say what I did before, that as regards the Bank I am perfectly disinterested and in fact, so far as I was concerned, I was a loser by it, for I had business to transact for other parties whose interest clashed with it. I hope and trust that this discussion will be of advantage to the country, and will perhaps be the means of inducing the Bank to keep their rates of interest within bounds, when they know that the Legislature intend to watch their movements.

Hon. Mr. LORD.—I do not rise to make any lengthy remarks on this question, which perhaps is worthy of more extensive information than I possess in reference to banking transactions.

It is, however, my opinion that we would not benefit the money borrower by falling back on the old Usury Bill. I will therefore support the Bill before the House, independent of any interest which I may have in the Bank, which I waive for the benefit of the money borrower. We know what money lenders did under the old act. Money, like every thing else, has its value in the market, and let the laws be ever so stringent, money lenders can easily evade the law and receive even 20 per cent. What is the case in England? There the rate of interest rises as the want of money increases. Hon. Mr. Palmer states, that his friend at Liverpool had to pay 9 per cent. I myself paid in January last 7 per cent. for discounting six months paper, which was a high rate; but even at that I considered it an accommodation, as otherwise perhaps some property might have been forced into the market and sacrificed. Hon. members who are not engaged in commercial transactions do not take a proper view of the question as regards the value of money; but those of us who are in trade, know the value of it, and if we cannot be accommodated by a bank, we must go to a private individual for it, and if he is not a particular friend, the probability is you will get pretty closely shaved. The hon. member for Princetown, Hon. T. H. Haviland, has taken the wind out of my sails by his explanation respecting the Bank in not discounting paper over three months, as a clause in the Bank charter prevents them; but I think this House will allow them to extend that time. As to their suspending payment, I do not apprehend anything of that kind. I am satisfied that the Bank since its establishment has been, and in future will be, of immense benefit to the agricultural and commercial communities of this Colony. It is said that in three or four years another Bank will be established, and I hope to see that the case, as competition has a good effect. Let us for a moment refer to England. Throughout its country towns, you see farmers' banks established, where each respectable farmer has an account open, and can be accommodated on his own responsibility, the directors of the banks not being so penurious as to demand further security; and I trust the day is not far distant when a man of property in Prince Edward Island will be accommodated more readily than at present,—when the directors of the Bank can walk into the Prothonotary's office, and see what amount of real estate or other property unencumbered he may be possessed of, and allow him accommodation, without having to go round begging among his friends for the loan of a pound. I presume the greatest number of the directors of the Bank are very like myself, afraid of risking their money—perhaps too much shipbuilding going on or other over speculations, and thus hesitate to lend their money without great caution as to the security they receive. In conclusion, I hope the country at large will be benefited by the Bank, and that the time to which it is restricted in lending money will be extended. With these few observations, I shall feel much pleasure in supporting the Bill now before the House.

Hon. Mr. LONGWORTH.—I certainly think it would be a retrograde movement to go back to the old Usury laws in these days of enlightenment, as money as a commodity ought to be worth its value in any country; still I think this discussion will do no harm. I must say I was a little disappointed when the Bank went into operation, that so high a rate of discount should be charged, and that the time was so limited; but the directors were appointed after the Usury law was repealed. At that time, I dare say 7½ per cent. per annum was not too much; yet I think they were not quite liberal enough, and that they will be justified hereafter in extending the time, which I have no doubt they will do. I cannot see why they should dread the clause of the Act restricting the time to ninety days, because the Bank must cease to exist if they cannot respond to their paper within three months;—this the Bank need not dread, and in my opinion should under circumstances extend the time for the discount of bills and notes. But at the same time, it would be as well to have the Act amended, so as to extend the time as affects the existence of the Bank, in case of their notes not being duly responded to. The duration of the Act, I think, should not extend to more than one or two years. I think so far there are no complaints as to the manner in which they manage the affairs of the Bank.

Mr. MACINTOSH.—I do not rise to say much on the affairs

of the Bank, for I do not know much about them; but as we are satisfied that this is the age of free trade, I am not for restricting the Bank. I do not think it is a greater hardship for a man to borrow money at a given rate, than to buy any other thing, even a quantity of turnips at a particular price. If he is going to pay for the use of a certain amount of money, there must be an understanding between him and the man from whom he borrows, as to what he is going to give; but leave him free, and let him make the best he can of it. Let us have free trade.

Mr. COOPER offered a few additional observations. When there were many speculators, as in England, restrictions were sometimes necessary. They often heard of money being tight, which was to prevent ruin, and to prevent people from getting money at an easy rate which might encourage improvident speculations. At the beginning of the operations of the Bank, 7½ per cent. was a high rate of interest; but it was perhaps better to be so, as no persons would borrow money at that high rate, but those who required it in the regular course of trade.

Hon. Mr. SPEAKER.—I must rise to order; we are discussing the principles of this Bill, and have not heard a single word of it read yet.

Hon. Mr. MONTGOMERY.—I was just going to observe that I have been a member of the House of Assembly a long time, and have never heard a discussion like this; it has been all on one side; for all seem to agree that the Bill should be continued. As far as I am concerned, I have no objections to the Bill before you. I think it would not be well to renew again the Usury laws in this Colony; for I think they have been evaded; and therefore I see no use in continuing them.

The first clause was then read, and moved to be agreed to.

Mr. CLARK had listened a long time, and had been forcibly struck with some of the arguments advanced against the Bill. It seemed surprising to him that the party who seemed desirous to renew the Usury laws should not bring forward a Bill to regulate the price of wheat, as it had failed the past year; for he might as well regulate the price of wheat as that of money. Were those laws to be enacted, a person might borrow money from another who could not charge more than 6 per cent. by law, yet he might easily say, give me your bond for a larger sum than that lent.

Hon. Mr. MOONEY considered some of the arguments advanced to be very shallow. If a gentleman had money to lend, he would get parties to borrow it some way; and if laws were enacted limiting the rate of interest, some plan would be devised to evade them. He was reminded of a man in the old country, who, if a person applied to him for £40 or £50, would bury a duck and giving it to him, would charge the whole sum for it. The hon. members who had money to lend were not so simple as to do so without applying to Blackstone; and it was all mere moonshine to legislate on the subject. There was a hole in every act on the subject; for the lawyers would not make an act perfect, and though they made one good clause, they just left a loophole in another. He did not wish to flatter those gentlemen in Charlottetown, though he was rather disposed to flatter; but he was prepared to state, though he was opposed to them in politics, that he would rather have the notes issued by them than those which came from Nova Scotia; for he did not know anything about the parties there who issued them, and some of them might be no better than spurious paper. He was prepared to support a measure to leave it open to all parties to ask as high a rate of interest as they pleased. He hoped there were wiser men enough in the Island to support another Bank. Some persons in the country had said that they had some dollars—rusty dollars, and did not know how to address themselves to those gentlemen in Charlottetown in giving them the dollars, lest they should dirty their fingers. If, however, those gentlemen dealt well with the people, the people would deal well with them; but if they trampled upon the people, they would suffer for it in the loss of business.

Hon. COL. TREASURER was not sorry that the discussion had taken place. It had been stated that the Bank was a great benefit to the country at large, but such was not the case; for they would not discount bills drawn by persons in the country, yet he believed it was a great benefit to the merchants in

Charlottetown. He did not argue for imposing any check on the Bank in Charlottetown; but he wished to restrict those persons who lent money, and obtained 60 per cent. for it.

Mr. T. HEATH HAVILAND would offer a little explanation on what fell from the hon. member (Hon. Col. Secretary) which might otherwise create a prejudice regarding the transactions of the Bank. That hon. gentleman stated he had heard that the Bank would only discount paper payable in Charlottetown, and in that he was perfectly right, for there was no Bank that would discount paper except the acceptor of the Bill or the maker of the Note made it payable in the place where the Bank was doing business. Supposing they discounted a note at the Bank, and the maker was resident in Cascumpec, and supposing that note fell due on Monday afternoon, still the Bank would be bound to present it to him the very day it became due, otherwise the indorsers would be discharged. That was the reason why money was payable at the place where the Bank was doing business, and the Bank did not adhere to the rule more rigidly than private individuals.

House resumed, and the Bill reported agreed to without amendment.

PETITIONS PRESENTED.

By Hon. Mr. Palmer—from D. B. Purnther and other inhabitants of this Island, relating to the introduction of the Bible into the Schools of the Island, referred to the Committee of the whole House on the Education Bill. Also, from Josiah McLeod, praying remuneration for his services for a term of six months, as a Teacher of a private School at St. Eleanor's, during which time the Free School of the District was vacant; referred to the Committee on Teacher's petitions.

By Mr. Laird—from inhabitants of Township 33.

By Hon. Mr. Wightman—from inhabitants of Township 66. Both the last petitions were praying aid to improve roads, and laid on the table.

By Hon. Mr. Whelan—from John McPherson, praying compensation for loss sustained on his contract for building the wharf at Launching Place. Also, from inhabitants of Township 53, praying that the road crossing the swamp between Enman's and Matheson's, on that Township, may be continued on the old line, and a grant made sufficient to complete the same, instead of the line approved of by the members of the Government who inspected the disputed lines; both petitions laid on the table.

By Mr. Clark—a petition of divers inhabitants of Summerside, St. Eleanor's, and others, praying the House to amend the Act conceding to the New York, Newfoundland, and London Telegraph Company, the exclusive right of constructing lines of Telegraph on this Island, or grant a small sum of money to induce the Company to complete the line to Summerside, or to adopt such other measures as may be deemed most advisable to confer upon that part of the Island the advantages of Telegraphic communication. The hon. member offered a few remarks relating to the Company in question, the consideration of matters concerning which would no doubt come before the House, as they were deserving of every encouragement, proposing, as they did, to lay a cable across the Atlantic, and if the House were liberal to them, they might extend telegraph lines through the Island. It, however, was absurd for the petitioners to expect the repeal of the Act to which they alluded, and if they wished to have a Telegraphic office at Summerside, they must accomplish it in a proper manner.

Hon. Mr. LORD had been travelling lately, and perhaps knew a little more respecting the proceedings of the Telegraph Company than some hon. members. While in England, lately, he had observed one or two tons of telegraph wire about being shipped for Prince Edward Island, and on enquiry found that it was the intention of the Company to lay a telegraph cable either from Mabou, Cape Breton, to the East Point, or carry it direct from Cape North to the Island, so as to be entirely independent of the Nova Scotia line, and that they intended to extend wires through the Island.

Mr. YEO explained that it was the intention of the people

at Summerside, if offices were established, to pay the officers themselves.

Petition laid on the table.

House adjourned.

THURSDAY, March 19.

The Bill repealing the laws relating to Usury was read a third time and passed.

PETITIONS PRESENTED.

By Hon. Mr. Montgomery—from Isaac Murray and other inhabitants of the Island, praying for the introduction of the Holy Scriptures into the Public Schools, &c., referred to the Committee of the whole House on the Education Bill.

By Mr. Mooney—from inhabitants of the Second Electoral District of Queen's County, praying a sum sufficient to repair the bridge at Mount Stewart, and also to construct it on the principle of a drawbridge, so as to facilitate the passage of vessels; referred to a Committee consisting of Hons. Messrs. Mooney, Longworth and Lord.

By Hon. Mr. Lord—from James J. Rice, setting forth that in both the newspapers published by him, he had caused to be inserted certain documents, ordered last session of the Legislature, to be inserted in all the newspapers published in Charlottetown, and that his bill of charges for the insertion of the same in the *Morning Advertiser* had been disallowed, and praying the House to consider his case; laid on the table.

By Mr. Muirhead—from inhabitants of Township 25, praying a grant towards the opening of a new road; referred to the members for the District.

By Mr. Laird—from divers inhabitants of Queen's County, praying for the introduction of the Bible into the schools of the Island, &c.; also from divers inhabitants of Queen's County, setting forth that the Gaelic speaking portion of the population of this Island are much more numerous than the French Acadians; that it is expressly provided by the Education Act that teachers of French Acadian Schools shall be examined, not by the Board of Education, but by a Priest, receiving certificate from the latter; that in many Districts the Gaelic speaking people feel the great disadvantage of Teachers being unable to give a lesson in Gaelic reading to the children, or in some cases to speak to the children in that language, a matter so necessary at the outset, to all who understand nothing else; and praying that if the above privilege is to be granted and continued on behalf of the French speaking people to their priests, it may be extended on behalf of the Gaelic speaking people, to the Gaelic speaking Clergy. Both petitions were referred to the committee of the whole House on the Education Bill.

The House went into the order of the day for taking into consideration the several private petitions before the House.

On motion of Hon. Mr. Longworth, it was resolved that all the petitions praying aid for the service of Roads, Bridges and Wharfs, be severally referred to the members for the different districts, for consideration in the sub-division of the sums appropriated for that purpose.

Adjourned for one hour.

R. LAIRD, Reporter.

AFTERNOON SITTING.

PETITIONS PRESENTED.

By Hon. Mr. Longworth—a petition of members of the Free Church in Charlottetown, praying to have the Bible retained in the public schools. Referred to the House in Committee of the whole on the Education Act.

By Mr. Macintosh—a petition of John McDonald, John Ford, and others. It appears the petitioners took a load of cattle to Newfoundland; but owing to the stress of weather and scarcity of fodder, were obliged to put into French St. Pierre's; not being able to procure any fodder in that place, they were obliged to sell their cargo, and to take the principal part of the payment therefor in spirits; and after clearing in a regular manner from the Custom House of St. Pierre's, they returned to the Island. The liquor, however, having been placed in casks of less than sixty gallons, was, according to law, seized by the Collector of Customs at Souris, and sold, by which the petitioners sustained

a severe loss. The petitioners prayed the House to take their case into consideration, and reimburse them to some extent for the loss sustained, as they were not aware that the law forbid importations of liquor in less quantities than sixty gallons. Mr. Macintosh warmly advocated the prayer of the petition, which was laid on the table, and the House adjourned.

FRIDAY, March 20.

House met, when the Hon. Colonial Secretary presented the returns of the several Road Commissioners of the sales of winter roads in the present season, and the Road Correspondent's statement of the amounts required for the main post roads during the winter season, as per Commissioners' returns. Laid on the table.

The Hon. Colonial Secretary presented the detailed public accounts for the past year. Referred to the special committee on public accounts.

The Hon. Colonial Secretary also presented to the House the following papers, which had been laid before His Excellency the Lieutenant Governor, and referred to the House, viz:—

Report of Ronald McDonald, Road Commissioner, relative to road from Sheep Pond to Rollo Bay. Report of Commissioners appointed to open new line of road between Townships Nos. 18 and 19. Petition of inhabitants of Township No. 50, respecting the wharf at China Point. Report of Commissioners on an inspection of the road between Enman's and Matheson's, on Township No. 55. Referred to members for districts.

WILMOT CREEK BRIDGE.

Hon. Colonial Secretary presented a report of the Superintendent of Public Works on the state of Wilmot Creek Bridge, together with a plan of the proposed new work.

Hon. Mr. LORD said the design was a good one, but Mr. Barnard did not say what it would cost. The Road Commissioner asks for £290 for its completion, but he (Mr. Lord) thought when it was properly built it would cost £400. It would cost £200 to purchase materials alone; and he was assured stones for the abutments could not be procured within a less distance than two miles. He thought, however, it would be better to let the matter lay over for two or three months, to enable the Commissioner to get a new site, which he thought might be obtained a mile further up the river. (Right). In the present situation of the bridge, the abutments had sunk down some ten feet. Mr. Barnard suggested the propriety of widening it; and that may be a very proper suggestion, but he (Mr. Lord) thought nothing could be done with it this year. How was the bridge to be built, if there was not money to complete it? Was it to come out of the money apportioned to members for the district?

Hon. COL. SECRETARY.—How much did the bridge cost?

Hon. Mr. LORD.—£900 originally. It would not, however, have been built but for Mr. Campbell, whose farm and residence was near it; but the site was wrongly chosen. That was twenty-five years ago. Since then it has cost the country nearly £3000.

Mr. YEO said he was not inclined to give one penny for more timber, as there was plenty wood in the old bridge to build a new one above. It will certainly cost something for the right of way, but that would not cost a great deal. The bridge would stand, when built, longer above than it would below. In the former place it would have a firmer foundation, and not, as where it now stands, be imbedded in a soft mud, where the wood is continually eaten away by worms. All the people of that neighbourhood, to whom he had spoken, said the bridge ought to have been removed long ago; and such removal would, he thought, be for the better.

Hon. Mr. LORD.—The right of way would cost £100 or £150, which was no inconsiderable sum. The proposed new site would be near Rogerson's farm.

Hon. COL. TREASURER said the hon. members for that district had better keep their share of the money, and not waste it by laying it out in the present structure. It was impossible to get a solid foundation for Wilmot Creek bridge where it now stands, as the mud was forty or fifty feet deep. The bridge is

built on a foundation of brush thrown upon the mud and the blocks laid upon the brush, therefore it must be continually sinking, and all the money in the Island would not make it substantial.

Mr. MUIRHEAD—The bridge, however, requires to be widened: at least the northern portion of it, where the bottom is hard.

Hon. COL. SECRETARY—The hon. member (Mr. Lord) lays great stress upon the fact that the money for that bridge will have to come out of that apportioned to the members for the district. Now in my district we will have to make up £400 for Oyster-bed bridge. The only remedy for hon. members, who have such works to complete in their district, is to repair all roads by statute labour. The best plan would be to have a report of the estimated cost of building a bridge on the new site spoken of, where it will be of greater service and less expense to the country. It would be better to go two miles around than to have the bridge where it is.

Hon. Mr. MONTGOMERY—The proposed new site for the bridge is only a few yards above where it now stands. It will not cost a great deal to remove and re-build it; neither would the right of way cost much. But under the circumstances, I would agree to leave it as it is for the present, and in the course of the incoming summer preliminaries can be arranged to have it removed, and a new site marked out for it, and a right of way secured, which would not cost near so much as was stated by the hon. member (Mr. Lord.)

Mr. CLARK—I agree with what the last hon. member says. Let the bridge remain as it is until a better site can be obtained. It would be only throwing away money on it to repair or rebuild it where it now stands. It is not in a good situation, being, as it were, laid on a bed of soft mud, and the sea and the high tides causes it to sink, from time to time, deeper and deeper. It would not cost as much to build the bridge higher up the river, where the bottom is hard, as to construct it where it now stands. I hope hon. members will see the necessity of not acting precipitately, but take time to consider what is best to be done.

Hon. Mr. LORD—After weighing the matter well in my mind, and considering all the advantages to be derived from a new site for Wilmot Creek bridge, I have, as I before stated, thought it best to postpone any immediate action upon it. If the people want to have the site altered, we have received no petition praying for such an alteration; but we should not mind the people, if by altering the site of the bridge we could benefit them. Still, I have no doubt, if we carried out Mr. Barnard's plan, embodied in the report now before the House, we should make a good bridge of it; but where is the money for such an undertaking to come from? There was a special grant made last year of £2000 to build ferry wharfs in Charlottetown; but here, when a work of fully as great importance to a portion of the country is to be completed, there is no money for the purpose. We ask where is it to be got? and echo answers "where?" This is certainly a great hardship. It is unjust to tax one part of the country to support the other.

Hon. Mr. MOONEY—Mr. Chairman, the hon. member who has just sat down thinks it is unjust to tax one part of the country to support the other. Now, I would tell that hon. member that I think if he got a special appropriation for Wilmot Creek bridge, he would not say it was taxing one part of the country to support the other; but to build ferry wharfs in Charlottetown is nothing else, he thinks. This bridge the hon. member has such a liking for has always been a "bore" to the country. In 1847, when Mr. Pope was Speaker, he, some how or other, managed to obtain a sum sufficient for rebuilding it from this House. I believe some of the hon. members were asleep at the time. This same bridge, sir, has always been a drag upon the country, ever since I came into this House; and I think it would be better to alter the site of it to any place—even as far up as the smelts can go—than to have us continually killing ourselves endeavouring to keep it from sinking in the mud. I have heard more about that bridge, sir, than ever I heard about my grandfather; but it must be a curious pile. I suppose it would pay a man to go and get a squint at it.

The report was then referred to the members of the district.

PETITIONS.

By Hon. Colonial Secretary.—A petition of inhabitants of Seal River settlement, Township No. 50, praying for the appointment of Commissioners to report on a new line of Road desired on the east side of Seal River. Also, Returns of the state of the Charlottetown Gas Light Company, December, 1856. Laid on the table.

Petitions of inhabitants of Townships Nos. 15 and 17, praying for a new line of road;—of inhabitants of New Glasgow Road, praying a further grant to open and render passable a junction road between that place and Malpeque Road. Referred to committee on new roads.

Report and estimate of repairs required at the Prince County Jail. Report and estimate of required at the Queen's County Jail. Referred to the committee of supply.

The report of the commissioner appointed by the Government to distribute money, clothing, &c., to such Indians as were in want, was also presented by the Hon. Col. Secretary when it appeared that £50 had been expended over and above the amount allowed by the House at the last session. The commissioners accounted for this by stating that the poor Indians were now, in a great measure, deprived of the sources from which a livelihood had been obtained in years past. That the sale for the articles they manufacture, owing to various causes, was gradually becoming narrower and narrower; and that, especially during the last year, owing to the failure of the crops and the consequent scarcity and high price of provisions, many of the poor creatures were unable to obtain the commonest necessaries of life; more particularly, as in instances referred to by the commissioner, many of the heads of families had been prostrated by sickness. Considerable discussion ensued, during which some hon. members expressed their opposition to the principle of any commissioner taking upon himself to spend more of the public money than was given him by appropriation, but there was no dissenting voice to the course Mr. Stewart had pursued on any other grounds; indeed there seemed to be a general willingness manifested on the part of all hon. members, to allow that the Indian should be cared for, if unfortunate. The report was then referred to the House in committee of supply.

The House then proceeded further to consider private petitions.

The petition of Hugh Logan, Jailor, of Georgetown Jail, was taken up, and, after a short debate, during which the prayer of the petitioner was warmly seconded by Hon. Mr. Wightman, Messrs. Haviland and Macdonald, referred to the House in committee of supply.

The petition of Dominick Knockwood and other indigent Micmac Indians, was taken up and referred to the House in committee of supply.

The petitions of Bridget Hogan; of Mary Lawrence; and of officers of Royal Agricultural Society, were severally taken up, and referred to the House in committee of the whole on supply.

The petitions of inhabitants of St. Eleanors and Tignish praying for an enactment to the running at large of Swine, were again read, and Hon. Col. Treasurer moved for a committee to draft a bill to carry out the objects of the prayer of the petition, when a very lively and general discussion ensued, in the course of which quite a sharp fire of wit was kept up between Hons. Messrs. Mooney, Palmer, and Whelan. Hon. Mr. Mooney moved as an amendment that the petitioners have leave to withdraw. The House divided on the amendment, when it was manifest that only the Hon. Mr. Mooney voted for his motion; all the other hon. members voting in the negative. The original motion was then put and carried, and Hon. Col. Treasurer, Mr. Muirhead, and Hon. Mr. Palmer were appointed a committee to draft a bill in accordance with the prayer of the petition.

The petition of inhabitants of Township 33 and others praying for an addition to the salary of James Douglas, Teacher, or some allowance to encourage him in his prosecution of the study of Agricultural Chemistry, was again read, and referred to the House in committee of the whole on the Education act.

Hon. COL. SECRETARY—Before adjournment, I would call the attention of the House to a resolution came to by this

House in 1854,—as several hon. members have inquired of me if any, and what action had been taken with reference to it. I will quote from the Journals:

“Tuesday, October 3, 1854.

“Mr. Speaker called the attention of the House to the state of the Manuscript Journals, which had been brought by the Messenger, since the opening of the session, from the residence of the late clerk assistant, J. B. Cooper, Esq., whereby it was discovered that he had neglected the duty of transcribing or engrossing the same, since the 10th day of April, 1851, and for which he had been paid; it was thereupon

“Ordered, That the Clerk do perform or employ a competent person to perform the work, and to be paid by the House; and that the Government be requested to proceed against James B. Cooper, Esquire for the expense incurred.”

Now, sir, the work is not yet accomplished, nor has the former assistant clerk been called to account for not completing his work. One reason is, I believe, that Mr. Cooper, had left the Island, and therefore the Government could not take action in the matter. The Journals show that the salary of the assistant clerk was £80—one half to be paid at the rising of the House, and the other half when his work was completed. After the lapse of nearly three years, when the clerk was asked where the Journals of 1851 were, and if they were finished, he replied he did not know, but on sending the messenger to the residence of Mr. Cooper and obtaining the Journals, it was found that only a small portion of them had been engrossed; and thus they were returned to the House in an unfinished state, notwithstanding the fact that Mr. Cooper had been paid for doing the work. As I stated before, it was out of the power of the Government to proceed against Mr. Cooper, on account of his absence from the Island; but I expect, now that he is returned, he will refund the money drawn, or pay the cost of finishing the work.

Hon. Mr. Palmer presented a petition from the inhabitants of Charlottetown and Royalty and other districts similar to those presented by hon. members, in respect to having the Bible in the Public Schools. Referred to the House in committee of the whole on the Education Act.

Adjourned for one hour.

T. KIRWAN, Rep.

LEGISLATIVE COUNCIL.

TUESDAY, March 54.

The Bill exempting Bills of Exchange, &c., from the operation of the Usury Laws, and that relating to packets sailing between this Island and the Province of Nova Scotia and New Brunswick, were severally read a third time and passed.

Hon. Attorney General moved the second reading of the Bill to amend the practice of the Supreme Court, and to alter the time for the attendance of Petit Jurors in Queen's County, and for other purposes therein mentioned.

Bill read second time and committed.

His Honor the PRESIDENT, on the clause defining the number of days for jury trials being read, suggested that the number of additional days after ten should be four, instead of two. As the object of the Bill was to effect the clearance of the docket, at times when the number of cases should be unusually great, he would move that the days be substituted for two as in the Bill. His Honor would like to know if the Judges had been consulted on the subject of the Bill.

Hon. ATTORNEY GENERAL stated, that they had not; and without meaning the slightest disrespect to them, he must say that he did not consider it expedient that it should be referred to them, as in case it were, and they dissented from its provisions, it might appear uncourteous to them to pass it.

His Honor the PRESIDENT did not mean to intimate that the Judges had a legal right to be consulted; but regarded a reference to them on a matter of this nature as merely a matter of courtesy.

Hon. ATTORNEY GENERAL stated, that the Bill had been put into his hands by some members of the legal profession, who would doubtless have consulted with the Judges, if it trenching in any way upon their privileges.

Hon. Mr. Forgan seconded the amendment, which was agreed to.

The several clauses of the Bill were then agreed to.

The Hon. Col. Secretary brought up a Bill from the House of Assembly, entitled "an Act to continue and amend the Free Education Law," which was read a first time.

One or two petitions were presented and referred to the proper committees.

WEDNESDAY, March 25.

The Bill to prevent frauds by secret Bills of Sale of personal property, was committed to a committee of the whole House and agreed to without amendment.

Several petitions were received and referred to the different committees.

THURSDAY, 26th.

The Hon. Col. Secretary brought up from the House of Assembly "a Bill for the naturalization of Lawrence Warren," which was read a first time.

The Act amending the practice of the Supreme Court was read a third time and passed.

The Bill introduced by the Hon. Attorney General, to enable the Supreme Court of Judicature to give relief against adverse claims made upon persons having no interest in the subject of such claims, having been read a second time—

The Hon. ATTORNEY GENERAL, in moving that it be referred to a committee of the whole House, explained that the Bill was a transcript of the Imperial Act 3 Will. 4, by which it was provided that parties in possession of property, in a ministerial or representative character, to which adverse claims were made, should be protected from the consequences of those claims, the justice or validity of which they had no means of ascertaining. As an instance of the evils which the Bill was intended to obviate, let their honors take the case of a Sheriff, whose duty, under a writ of *Fieri Facias*, might render it incumbent on him to levy on certain property presumed to be owned by, and notoriously in the actual possession of, the party against whom the writ issued. He levies on a ship, generally, supposed to be the property of the defendant, when a Bill of Sale from the defendant is produced, purporting to have conveyed his interest in the property levied on to some third party. In such a case, under the present state of the law, the Sheriff has to decide, on his own judgment, on one of two courses, either to retain the property on which he has levied, or to abandon it, in which latter case, he virtually admits the validity of the document of transfer. In either case he becomes personally responsible for the result, a state of affairs of which he had no means of judging. Does he abandon his levy on production of the document purporting to transfer the property? The plaintiff brings his action against him. Does he refuse to act on the assumption that the Bill of Sale is genuine and *bona fide*, and consequently retain possession and proceed to the disposal of the property seized, straightway the holder of the Bill of Sale or other transfer of the property drags the Sheriff into Court, for illegally taking and disposing of his property. Under circumstances such as these, what course could a Sheriff pursue? He had no means of forming any judgment, as to the right of either party to the property but was liable to the consequences of his action whichever course he adopted, accordingly as a Jury might find the property in the defendant to the original suit or the party subsequently claiming it. In this county, last summer, a very strong case, as illustrating the necessity which existed for the enactment of a law similar in principle to the one now before the House, came before the Supreme Court. In the instance to which he referred the Sheriff had levied on some household furniture. A Bill of Sale of that furniture was produced and the Sheriff having no judicial means at his disposal whereby to test the validity of this instrument, proceeded to sell the property. An action was subsequently brought against the Sheriff by the holder of the Bill of Sale, the *bona fide* character of which having been found by a jury, the Sheriff was thus rendered liable for the consequences of his proceeding according to the best of his judgment. Hon. Attorney General had reason to believe that, in the instance he had cited, the officer had been indemnified, but that circumstances had not nor ought to have any reference to the principle on which the present measure

was based, viz., the opinion of disinterested parties from the consequences of a delayed official action.

After the Bill had been gone through in committee, clause by clause, the Hon. Attorney General moved that progress be reported, in order that he might have an opportunity to add a clause or two.

The order of the day for to-morrow, viz., the second reading of the Education Bill, was postponed to Tuesday next.

TUESDAY, March 30.

THE BIBLE QUESTION.

Hon. COLONEL SWABEY, in moving the order of the day, that the House go into Committee on the Education Bill, spoke as follows:—In rising to address your honors on this subject, I admit that I do so with some anxiety, arising from the knowledge of the agitation which has been excited, with the view of influencing our conduct as legislators, in dealing with this measure; but I feel no uneasiness as a member of the Government, the conduct of which, with reference to this subject, I feel assured will not be misunderstood by the bulk of the people of the Island. There are too many examples around us of the evil consequences of religious differences in a community. In Nova Scotia a truly deplorable state of affairs has sprung from the evil spirit of religious animosity. It is the duty of this and every other Government to crush the hydra-headed monster; and when I consider the present peaceful state of the community, the absence of any strife of creeds, I have no hesitation, your honors, in stating that I consider it my duty, not only as a legislator but as a Christian, to pursue that course which commends itself to my conscience as best calculated to repress uncharitable feelings, and thereby to foster brotherly love. Notwithstanding the strong denunciations which have been made against all those who may be opposed to the views of parties who desire the compulsory introduction of the authorised version of the Scriptures, as a class-book, into our common schools, and thus do violence to the consciences of our Catholic fellow-citizens, I collect from the words of the blessed Saviour himself, that Christian charity and forbearance are our highest duties, and surely toleration—perfect toleration—is one of its most essential parts. The Apostle Paul urged strongly the duty of toleration, when he impressed upon his Asiatic converts the expediency of yielding even to the prejudices of their unconverted fellows, that they might not offend the brotherhood—that they should not, by an obstinate opposition to forms, obstruct the onward progress of Christianity. I repeat, your honors, that in advocating and acting upon the principle of toleration to all, I am acting in compliance with the obligation imposed upon me as a Christian. I will now consider the question in my capacity as a member of the Legislature and of the Government, and I ask, your honors, if it is not the paramount duty of a Legislature and of a Government to preserve the peace and harmony of the community? In order to shew to your honors the unnecessary character of the alarm which had been excited on this subject, I will request your attention to the following extract from the Circular which was issued by the leaders in this movement to the different Protestant Ministers in the Island:—

"The times imperatively demand some decided and vigorous action to be made by the Watchmen on the walls of Zion, and by every friend of Biblical instruction throughout the Island, unless they are willing to see, step by step, every vestige of their liberties as Christians, and of their rights as British subjects, swept away from them.

"You will please direct the attention of your respective congregations to the subject in this letter, and, if possible, bring down with you some efficient, right-minded laymen of your body, to take part in the proceedings at the public meeting."

Now, I ask, your honors, what foundation exists for such statements? What facts can be referred in justification of them? I trust that if Protestant rights were invaded, I should not be found more backward than others in resenting the aggression, and I feel assured that I express the feelings of your honors, when I emphatically characterise the extract as a

baseless misrepresentation. As a member of the Board of Education, I am anxious that the real state of the case should go forth to the public. The facts are briefly these:—The Roman Catholic Bishop, impressed by some imaginary prospects of evil, writes a letter to the Secretary of the Board of Education, who acknowledged its receipt and laid it before the Board at its next usual meeting. The Board directed investigation, and an answer was returned to the Bishop, which showed that the allegations in his letter were based on a misrepresentation of facts, and there the correspondence terminated. What, I ask your honors, is there in all this to justify the idea that the rights of the Protestant population in the Colony were sought to be invaded? or that they were not safe in the keeping of the calumniated Board of Education? In furtherance of the views of those who have excited this clamor, a press has been established—this, your honors, is to me a subject of regret; for however sincere and well-intentioned some of the parties controlling it may be, I cannot but consider a journal of a sectarian character, as an instrument powerless for good, but strong indeed for evil. In this Island, I am happy to believe, that the good sense of the majority of the people will, to a great extent, neutralize the evil effects of religious rancor, and to a great extent the excitement and agitation on this subject has already subsided. But such is not the case elsewhere; and I regret that, notwithstanding the assertion that this agitation was unconnected with politics, I read a few days since a purely political attack upon Departmental Government; and in the very last issue, I find a gross attack upon the Legislature in connection with this very subject. And to shew how transparent is the veil which covers, but conceals not, the political element which is the main-spring of the movement, I will read to your honors the following extract:—

“ And we much mistake the Protestant feeling of the majority of the inhabitants of this Island, if the disregard shown to their “ well understood wishes” by their Representatives, be allowed to pass with impunity. We believe that the Protestant constituency of this Island will not fail to mark with indignation, and to remember until the next reckoning day at the polls, the recent action of those truckling politicians, who, recreant to the high principles of Protestantism, have been controlled by motives of political partizanship, manifestly treating this great question as being secondary to party considerations; or who in their neediness, would sell their own and their country’s highest birthright for a mess of pottage.”

Now, your honors, I would ask, what can be more imbued with the spirit of party politics than this? What can be more gross than such an attack on the character of the Legislature? The petitions on the subject are numerous signed, and I do not doubt for one moment the sincerity of the petitioners, whose applications I would treat with all respect; but I have no hesitation in declaring, that they have been misled—that their feelings have been excited by a misstatement of the fact. As to the Board of Education, it decided to leave the present system, against which, until the recent agitation, no objections had been urged, unchanged, in a matter so important. There is one point connected with this question, to which I wish to direct your honors’ attention, it is the apparent disclaimer of any wish to render the reading of the Scriptures in the common schools compulsory. This may be an after thought on the part of some of the petitioners; but I can assure your honors, that at the Board of Education the avowed object of the advocates for their introduction was, that the Scriptures should be made a class-book, which necessarily meant, that there should be no option as to the user or non-user of the sacred volume; but that it would be equally obligatory on the teacher to impart lessons in the sacred volume, as in any other which the order of the Board had brought or might bring under the designation of a class-book. And, I was told at that Board, that inasmuch as Protestants were in a numerical majority, they should force the use of the Scriptures as a class-book. Now, I trust your honors, that there is among the Protestants of this Island too generous a spirit, to allow the fact of what may be only a temporary superiority in numbers, to so influence their judgments as to induce them to do violence to the religious feelings of the minority. Such conduct is not consonant to my feelings; and,

I feel assured that it will meet but small approval from your honors. Such arguments should have no weight in any Christian community, the paramount duty of the rulers of which should be to render the people happy, and to see that the religious opinions and feelings of all classes are respected. Let your honors consider for a moment the consequences of a deviation from this principle, in the case of the Huguenots in France, what shocking scenes of blood and extirpation followed in the wake of a majority tyrannising over the religious convictions of a minority. The answers to the questions relative to the use of the Scriptures in the schools of the Island, which were received from the various teachers to whom the Circulars had been addressed by the Board of Education, which answers I laid before your honors a few days ago, I have read with attention, and the result to my mind is a decided conviction, that it is impossible in view of the continuance of any system of common school education in this Island to adopt the change sought for by the petitioners, and that it is imperatively necessary to leave the action on the subject of the Scriptures in the schools to the voluntary option of the people as at present, otherwise the Education Act will be utterly nugatory. I recollect, your honor, when the Hon. Mr. Holl, formerly a member of this House and of the Government of the day, a gentleman for whom personally I entertained a high respect, differed with me on this question. His opinion was, that the reading of the Scriptures in the schools of the Island should be rendered obligatory, and he introduced resolutions to that effect. He requested the visitor of schools to give him statistics, shewing the extent to which they were used. The result of the whole matter was, the conviction in Mr. Holl’s mind, that the Bible was more used when its use was not the subject of legislation. I trust, your honors, that the spirit of the resolution, agreed to by the Board of Education, will be endorsed by this House. This is not the first time, when a temporary ebullition of feeling has been elicited, in order to influence the action of the Legislature. Some of the parties to those petitions are, no doubt, sincere in urging the adoption of their views, others are influenced by political motives; but, your honors, the impressions which gave rise to this agitation are rapidly dying out, because they were based upon misrepresentation. Why then, I ask, your honors, should the peace of the community be needlessly disturbed? Why should we be asked to call into existence, and to perpetuate bad feelings in our midst? As to all the scriptural education which would be imparted amid the distractions of the common schools, would not, I consider, be of much practical value; but the connections formed between those who are fellow-pupils, who daily meet for instruction in the same class or under the same roof, influence the whole after life, and elevate the social and moral character of society, by carrying into manhood and old age the kindly associations of childhood. I cannot, your honors, while I entertain those opinions, sanction a measure calculated so pre-eminently to cause a sundering of such ties, and thus introduce the apple of discord into this Colony. I would ask, your honors, if you should purpose any alteration in the Bill, what you would have to enact? First, we have been requested to make the Bible a class-book. If that be sanctioned, how is it to be used? Would the children of Catholic parents be allowed to hear a Protestant expound it? And, on the other side, I ask, would Protestants suffer a Catholic to be the impartor of religious instruction to their children? In my opinion, your honors, the real place at which a child is most likely to derive spiritual benefit from the Scriptures, is at the hearthstone of a pious father and the knee of a pious mother, whose examples illustrating the divine precepts which fall from their lips, are the potent means of “ training up a child in the way it should go.” As a Protestant parent, I have no hesitation in saying, that I would not confide to every Protestant teacher the authority to impart scriptural information to my children, so wide are the differences between the various denominations of Protestants. In concluding these observations, I wish to repeat, that my objection is to the compulsory element sought to be introduced into the Bill; and on this point, I think, that the resolution of the Board of Education will satisfy the public mind—that our duties as legislators and our obligations as Christians, indicate plainly

the course we ought to pursue in this matter; and, in moving the second reading of the Bill, I shall detain your honors no longer than by saying, that the differences between the present and the last Bill are merely regulations as to minor details.

Hon. ATTORNEY GENERAL.—I am glad of an opportunity to offer a few remarks on the subject of the Bible in the Schools, and to repudiate the charge which has been unjustly cast against the Board of Education, of being indifferent to this important subject. Speaking individually for myself, I can sincerely say that I feel deeply the importance of the question, and the responsibility which would justly rest on any person entrusted with the administration of the Government or the educational department of the country, who should heedlessly or wrongfully exclude the religious element from the system of public Education. But when we come to apply the religious element to the education of a people composed of differing denominations and persuasions, great difficulties present themselves. The country is not rich enough to support separate schools, the children of all denominations must necessarily therefore be combined under one system. And here the difficulty is felt. How is the religious element to be applied in such a case? It has been remarked that, under the mixed system, if we attempt to make the religious teaching sufficient, and what it ought to be viewed as religious teaching, we cannot do so without invading the rights of conscience; and if, on the other hand, we wish to respect the rights of conscience, we are compelled to make it scanty and defective. This is the acknowledged evil of a mixed system, that it precludes an efficient system of religious teaching, or rather that which we ourselves would term efficient. But failing what we consider to be an efficient system, we are nevertheless bound to approach as near to it as possible, and under all the circumstances of our situation, I must say, that I consider the system in that respect laid down by the Board of Education in administering the Education Act, is the proper one on the subject of the Bible, and the one likely above any other to promote the religious instruction of all denominations, both Catholic and Protestant. It is that which is commonly termed the permissive system, similar to that adopted some few years ago, and I believe still by the National Board of Education in Ireland, with eminent success. It permits the use of the Bible in the public schools to the children of those parents who desire it, but is opposed to any compulsory regulations on the subject, and every attempt to interfere directly or indirectly with the peculiar tenets of any body of Christians. The difficulty of enunciating any specific rule for the guidance of mixed schools on the subject of religious instruction, is indeed great, but cannot perhaps be fully appreciated except by those in charge of the Educational Department, when called upon to frame them. We have the experience of Ireland and other countries before us to prove, that attempts to enforce specific rules have frequently foiled and defeated the objects they were intended to advance. Even in England it seems now to be pretty generally admitted that the permissive system is the only practicable one in a mixed community. Not longer than a month or two ago Sir John Pakington (before then a steady supporter of the party who advocated compulsory religious teaching), publicly, in the House of Commons, acknowledged his mistake, and moved for and obtained leave to bring in a Bill, recognising the permissive system, at the same time adducing numerous instances to prove that a permissive system has proved more successful than a compulsory or any other one in other matters as well as religion. An hon. member (Mr. Aldouse) has just put into my hands a statement, that the permissive system is in force in Canada, and under it two thousand out of three thou-

and schools make use of the Holy Scriptures. Man will not be forced, but give him leave to use or neglect a privilege at his own free will and pleasure, and he will almost always avail himself of it. I cannot do better than refer your honors to Sir J. Pakington's speech on this subject, delivered on the occasion alluded to, and in doing so I must express my wish, that in discussing such matters on this side of the Atlantic, parties would exhibit a little more of that spirit of moderation and Christian consideration for the feelings of those who differ from them, which characterize the speech of the right honorable baronet. The Board of Education has been accused of prohibiting the use of the Bible in the public schools, and this idea has been sedulously propagated in the various districts of the Island. I deny the accusation; the returns from the different schools in the Island prove how untrue this is. The Board of Education have declared that they have permitted, and will permit the Bible to be used by those children whose parents desire it, and the returns show that in nearly one hundred out of the schools in the Island, the Bible is daily used. Thus, Catholic and Protestant, by the exercise of mutual concession and forbearance, are educated peaceably together, each enjoying their own religious instruction, without offence to the other, and in harmony and good will; and I trust that this principle may be daily extended, and more schools be daily added to the list of those whose occupants avail themselves of this permissive right. This system, too, is eminently applicable to the Normal School, and will, I trust, be extended to it. Our system will now be, I believe, the same as that in force in Ireland in the year 1854, as I gather from the report of the Irish Educational Commissioners for that year. But then I am told that the Irish National School system has been termed in this Island "the most corrupt on the face of the earth." If this is so, it seems strange to me that it should have received the support, countenance and approval of so many eminent and pious men as it has done. The Lord Bishop of Limerick, (a Protestant), in a speech delivered in the House of Lords on the 7th day of May, 1853, on the subject of the National Education system of Ireland, made use of the following remarks:—"From his experience of that system, he felt justified in saying, and he did so with the utmost integrity of purpose and of feeling, that there was no system of Education so well adapted to the people of Ireland as the National System. He did not mean to say that as a Protestant minister he would, had a choice been in his power, have selected that system for his own people in preference to some others; but he did mean to state that, taking into consideration the circumstances of Ireland—the divisions that prevailed among its inhabitants upon the subject of religion—the various religious sections into which they were separated—no system could have been devised which would have answered the exigencies of that country so well." The Bishop of Norwich, also a Protestant, on the same occasion stated, that the conclusion he had come to was, "That of all the Legislative boons conferred upon Ireland, since her Legislature had been one with that of Great Britain, there had been no boon so great or capable of producing such great results as that of the establishment of the present system of National Education." The Archbishop of Dublin, a Protestant, in a speech delivered in the House of Lords on the subject, also commended the system, being, as he remarked, "convinced that a very large portion of the objections which had been raised to the system of education laid down in the National schools, arose from a misapprehension of many particulars, and from a very incorrect use of language. He believed that many Protestants laboured under the impression that the Scriptures were excluded from these schools.

Now, to speak plainly, this was not a fact: The Scriptures were only excluded in this sense, that the teacher was not permitted to force religious instruction upon any adult student, contrary to his religious convictions, or upon any child, contrary to the religious convictions of its parents." The Bishop of Down and Cornw, likewise a Protestant, spoke approvingly of the system, and stated that he could not see his way to make any change in it.

I could cite commendatory remarks on this system uttered by other pious and eminent men, both Protestants and Catholics, if I thought it necessary, but with the testimony before me to its excellence of Archbishop Whately, whose firm fidelity to the Protestant faith has never, I believe, been disputed, and of the other Bishops of my own Church, which I have read over, and all acquainted with the practical workings and results of the system, I cannot accept the declaration made in this Island, that it is "the most corrupt on the face of the earth," although made by a gentleman for whom I entertain feelings of the strongest friendship, and whose piety, sincerity and excellent intentions, having long known, I respect and acknowledge. A large number of the Protestant clergy of this Island have expressed themselves strongly on the subject now before us, and I own I have felt much pained by many of the remarks made by them, which tend to fasten unjust blame upon the Board of Education for the course pursued respecting the use of the Scriptures, I have stated to, and I trust satisfied you, that the Board of Education have no wish to prohibit the use of the Bible by those children whose parents desire them to read it. Such a desire has been improperly attributed to them; and, speaking for myself, with the views I entertain of the vast importance of religious instruction, I can conscientiously state that I never had such a wish. But I do not now seek to make any charge against those who have endeavored to cast blame on the Board of Education; I am on the contrary willing to allow (for I should be sorry to think otherwise concerning so many whom I believe to be good men), that they were only acting from conscientious motives, and with a genuine desire to promote what they believed to be pure religious instruction; but I claim from them like consideration. I, as well as they, acknowledge and feel the importance of religious instruction; we only differ as to the means of securing it. They say the Scriptures shall be read daily in the schools where the parents think it to be a necessary part of Education, (for this is the effect of the resolution proposed in the House of Assembly, and meagre enough it is), I say, simply permit them to be read by the children of those parents who desire it as heretofore under the regulations of the Board of Education; and I believe that under the latter system, (which is that now in force), the religious element will prevail to a greater extent in the schools than under the former, and that without doing injustice to the religious views of any party. I think it would be unwise in the present state of aroused feeling in the country to attempt legislation on the subject, for it would certainly be viewed as an attempt at compulsion, put it in what form you please; and I hold that the present position taken by the Board of Education should satisfy all parties except those who really desire to make use of compulsion. I think it would not be a difficult matter to show that the wording of the resolution submitted in the other House would have rendered it, in a majority of cases, inoperative, and defeated its avowed object; but I will reserve any further remarks on this subject until the House takes up the consideration of the Report of their own Committee. I view this question totally irrespective of political questions. When discussing it, politics should be forgotten; for the subject of religious

education is of too grave importance to be merged with the comparatively insignificant questions which frequently array one party against another.

Hon. COLONEL SWABEY would add, that there had existed a desire that the Bible should not only be read but commented on. His reason for saying so, was the assertion that they should adopt Dr. Stowe's system, of which the reading and commenting on the Scriptures formed a part. That might do in a school exclusively Protestant; but although Dr. Stowe's system, properly so called, was in force in Dublin, and the several other places referred to by the Hon. Attorney General, it was impossible to carry out that particular part of it. It would be ridiculous to attempt to do so in Ireland; yet the mechanical department, that is the form and routine of secular education, which was justly entitled to be styled the system, had been adopted, and had worked satisfactorily, as was evidenced by the high authorities cited by the Hon. Attorney General. It was nothing but an awful fallacy to say that the compulsory reading of the Scriptures was part of the system.

The Bill was then committed and agreed to, without amendment.

The Post Office Bill was read a second time.

The Secret Bill of Sales Bill was read a third time and passed.

HOUSE OF ASSEMBLY.

FRIDAY, March 20.

AFTERNOON SITTING.

SOUTH WEST RIVER BRIDGE, NEW LONDON.

Mr. Laird presented to the House the report of the committee on this subject, which was adopted, and is as follows:—

"Your committee to whom were referred last session the petition of divers inhabitants of New London and adjacent settlements, praying a grant, in aid of individual subscriptions, to erect a Bridge over the South West River, New London, and which committee, by order of the House of Assembly, were directed to enquire into and report on the same this session—have to submit as follows:—

"That your committee examined both the places recommended by the petitioners as proper sites to build a bridge across said river, and found the upper one, called McLeod's Ferry, to be the most suitable, if a bridge could be built there; but your committee consider that as a very large amount would be required for the work, they cannot recommend it to be proceeded with at present; and in order to afford the travelling public the convenience they require, your committee recommend that a small sum be granted to assist in keeping an additional Ferry at the place commonly known as Coles's Ferry, in accordance with the prayer of a petition presented to the House this Session."

EDUCATION BILL.

On motion of the Hon. Col. Secretary, the House resolved itself into a committee of the whole on the Bill to continue and amend the Free Education law, Mr. Perry in the chair.

GEORGETOWN SCHOOLS.

Mr. MACDONALD said he had presented a petition, referred to that committee, from the school Trustees and other inhabitants of Georgetown, setting forth that the Teacher of the first or lowest class in Georgetown receives only £55 per annum, and the Teacher of the second or highest £70, and praying that they may be placed on the same footing, as Teachers of the same classes in Charlottetown. He thought it was but reasonable, when they possessed the same qualifications, that they should receive the same amount of salary as the Teachers in Charlottetown. It had been said that the inhabitants of Georgetown paid but little school tax; but he had been looking over the account for 1856, by which he saw that the whole amount received for schools and Teachers in

Georgetown for that period was £80 and the amount of tax paid was £100; while in Charlottetown for the same period the amount paid to the Teachers, including those of the Academy and Normal School, was £970, and the tax paid for the same time was only about £300, showing that the inhabitants of Charlottetown received £670 for education more than they paid for school tax. He thought, then, that there could be no objection to putting the schools of Georgetown on the same footing as those of Charlottetown. He then moved the following amendment to the Act:—

“From and after the passing of this Act, the Teacher for the time being of the District School in Georgetown, shall if of the second or highest class and qualified as required by the fifth section of the said herein recited Act of fifteenth Victoria, chapter thirteen, receive and be paid the sum of eighty pounds per annum, and if of the first or lowest class and qualified as required by the said 5th section of the said recited Act, such Teacher shall receive and be paid the sum of seventy pounds per annum in lieu of the salary heretofore by law paid to such Teacher.”

Hon. COL. SECRETARY said, that question had been so well discussed when the salaries of Teachers were fixed on the first introduction of the Free Education Act, that he thought it useless to go over the discussion again; but he had been informed that when the salaries of Teachers in other parts of the island had been raised, that of the Teacher for Georgetown had not been increased. He had no objections to raise it in the same proportion as the salaries of other Teachers throughout the country had been increased, which he thought the fairest way to do it.

Mr. MACINTOSH did not see why the Teachers of the same class should not be placed on the same footing in Georgetown as in Charlottetown. Regarding the expense, they knew that in all new countries it was not so easy to live in a small town as in one increased in wealth. He considered that it was not fair at all that there should be a difference between the salaries of Teachers in Georgetown and those in Charlottetown; he would support the motion that they be placed on the same footing, which indeed ought to have been the case from the first introduction of the act.

Hon. COL. TREASURER said, as regarded Georgetown, it would be well to give its Teacher a larger salary; but there were towns in Prince County nearly as large as Georgetown, as St. Eleanor's, Summerside, and Townsends' Corner; and if those places had not been allowed an increase to the salaries of their Teachers, neither should Georgetown. It was well known that a Teacher might live more cheaply in Georgetown than in Charlottetown; and if he wished to obtain a piece of land he could purchase it for much less in the former town. He was well aware the members for Georgetown had succeeded very well in obtaining large grants for that City, as it might be called; but as the inhabitants of that town were so wealthy they might very well subscribe a little additional to keep a small school in Georgetown.

Mr. T. HEATH HAVILAND said, according to the argument of the Hon. Col. Treasury, that wealth was to be a test whether Teachers should be paid out of the public purse or not, if he would carry out his theory, the Teachers of Charlottetown should not receive a single farthing from the public purse. If in Charlottetown they had so much wealth, why should they not subscribe for the salaries of their Teachers also? He thought the argument was the other way; small towns should receive more in proportion to their wealth than large ones. Markets were not so regular in Georgetown as in Charlottetown, and prices were in many cases higher. At all events it was not equitable that Teachers equally well qualified should not be paid so much as in Charlottetown. If taxation was regarded as a claim, Georgetown had a direct claim, because it had been clearly proved by statistics, which were stubborn things, that Georgetown contributed more towards the public schools, in proportion to what it received, than Charlottetown did. He did not appeal to the House for the increase, as an act of charity, but he claimed it as a right, that the schools in the two places be placed upon the same footing.

Hon. COL. TREASURER, in reference to the taxes collected for schools at Georgetown, thought that the sum

expended in collecting the taxes amounted to within £5 of the whole sum paid for Teachers there. It was also known that taxes were collected in country districts, and he considered Georgetown a country district and nothing more; but much of the taxes collected there were on account of the harbor being open several months longer in the year than most other places. Even admitting that Georgetown paid highly towards the Education Act, yet other districts also paid much towards it, and so might claim additional grants for education. He, however, did not blame the members for Georgetown for asking an increase to the Teachers' salary; but he would blame the other members if they would not ask for an increase too, which he would like to see if the revenue would allow it.

Mr. MACDONALD wondered very much that when the hon. member was so anxious for the increase of the salaries of Teachers in his district, that he did not include them when he moved that the salaries of Teachers in Charlottetown should be increased. The inhabitants of Georgetown had contributed a very large amount towards the Free Education Act, and had also paid a large sum into the Treasury from the sale of crown lands in that town, which, according to the Royal instructions, should have been expended in the place where it was collected, instead of going into the general revenue of the island; but the money had been paid into the general revenues, and Georgetown had not obtained its proper share of it.

Hon. Mr. MOONEY said they need not be arguing so long about it. Georgetown was the second town in the island; moreover it was coming to do a great business, for they heard that the rafters of the Court House had been broken down. He really thought they ought to grant a little additional sum to Georgetown, merely to sympathise with them, if only for the name of the thing.

Hon. Mr. MONTGOMERY thought if Georgetown had claims for an increase of salary to its Teachers, that Princetown had also such claims. It is well known that the inhabitants of Princetown Royalty had been deprived of those privileges which they formerly enjoyed respecting education, yet they still continued to pay the same taxes. They paid much more taxes than the inhabitants of the District Schools. For those reasons, he thought if there was an increase made to the salaries of Teachers in Georgetown, there should also be an increase in Princetown. Further, he thought that neither Prince County nor Kings' received a fair share of public money for their Teachers. There was a large proportion given to Charlottetown, and it was necessary that such should be the case; but he thought there should be a little more given to the other two Counties, at least that there should be one good school in each of those Counties.

Hon. Mr. WIGHTMAN said, they were all aware that the large sum appropriated to Education was absorbing the revenue. But he referred to the remark made by the Hon. Col. Treasurer, who said there were three towns in Prince County nearly as large as Georgetown; they might be towns in name, but not in reality. He did not see why they should make that difference which then existed between the salaries of Teachers in Charlottetown and Georgetown. The expense for the maintenance of the Teacher was as great in the one as in the other; therefore he thought the inhabitants of Georgetown were entitled to the privilege of having their Teachers placed on the same footing as Teachers in Charlottetown. Look at the large sum drawn from Georgetown; did it not go into Charlottetown, and was not a large amount of the revenue applied to the various public buildings in Charlottetown? They were paying enough for those buildings; but when the members from Georgetown asked for a small addition to the salaries of the Teachers of that town, the members living in Charlottetown raised opposition to their request.

Mr. COOPER thought if Teachers in Georgetown had the same qualifications as those in Charlottetown, they ought to receive the same amount of salary. Application had been made to him by inhabitants of Souris for his support in obtaining an extra grant to the Teacher there; but he had discouraged them, yet with the understanding that he would support such a grant if the salary of the Teachers of Georgetown should be increased. Souris was increasing more than Georgetown both in population and trade; and a greater number of children attended school than at Georgetown.

Hon. Mr. LORD thought hon. members were commencing at the wrong end of the subject; they ought to show, in the first place, where the money was to come from, before they proposed an increase of salaries to Teachers. They had already appropriated a large sum, about £13,000, for Education, which was certainly a sufficient expenditure for it. Besides, they knew very well what was the state of the revenue, and that they were exceeding it, and spending more money than they had at command. If hon. members would show how that sum was to be raised, he would gladly grant the proposed increase, and also raise the salaries of all Teachers throughout the Island. It was a just cause of complaint that the salaries of Teachers were too low. In meeting Teachers in the country, the first question asked by them was, do you think we can live on £50 a year and pay our own boarding? But in present circumstances, he thought it better to allow the salaries of Teachers to remain as they were. Let the inhabitants of Georgetown lay a little additional tax on their land, if they wished to increase the salaries of their Teachers. Any Teacher had just as good a right to come forward and ask for an addition to his salary as the Teachers of Georgetown. If, however, their salaries had not been raised, when those of other Teachers were increased, they might be augmented now; but the increase not to exceed the amount added to the other Teachers salaries then.

Hon. COL. SECRETARY said the salary of the Teacher of Georgetown was at present £70, and if Latin was taught, there was 10s. additional for each scholar so instructed; if amounting to twenty, that would be a salary of £80, which was very well for Georgetown. It was no use to say that Teachers could not live as cheaply in Georgetown as in Charlottetown. He saw that the amended Education Act allowed £5 additional to the country schools; but Georgetown not being amongst these, was excluded from that increase [read an extract from the Act.] He thought if the Act were amended so as to give £5 additional to the Teachers in Georgetown, it would do very well.

Mr. MACINTOSH was as far from being satisfied in the matter as at the beginning of the discussion. It made no difference what duties any Teacher discharged; if a Teacher taught the same branches in Georgetown as in Charlottetown, why was he not entitled to the same amount of salary? He was at the same expense for his boarding as one in Charlottetown. If a district in the country had sufficient ambition to employ a second class Teacher, he ought to receive the same amount of salary as was paid to one of the same class in Charlottetown. He did not at all see the justice of the present system, that one class in a community should be better paid than the same class in another community.

Hon. Mr. WIGHTMAN said they only asked to have their Teachers placed on the same scale of salary as those in Charlottetown. The first class Teacher in Georgetown received only £55, while those of the same class in Charlottetown received £75. Georgetown was the second capital in the Island, and entitled to be placed on the same footing in reference to the salaries of its Teachers as Charlottetown; and not only that, but there was more drawn from Georgetown for the maintenance of Teachers than from any other part of the Island, whilst there was only one Teacher in it receiving a salary from the revenue of the Colony; and therefore a little addition ought to be made to that salary.

Mr. LAIRD thought they ought to go half way, and grant an increase of £10 or £15 to the salaries in question.

A few additional remarks were offered on the subject, and Mr. Macdonald's amendment was lost, only four voting in favor of it.

It was then agreed that £5 be added to the salaries of the Teachers of Georgetown.

[This decision was subsequently reversed].

BIBLE QUESTION.

The petitions referred to this committee relating to the introduction of the Holy Scriptures into the public schools, were then taken up in order to be considered.

Hon. Mr. WIGHTMAN.—Mr. Chairman, one of those petitions, especially the one I now hold in my hand, was given to me to lay before this House, which I did, and expected

it would be taken up when the Free Education Act came before the House for consideration. It contains the signatures of a great number of persons, about 850, who together with those who have signed another petition of a similar nature which I presented, are the principal part of my constituents. There has been much excitement in the country with regard to this question. The country was led to believe, when the Education Act was renewed again, that the reading of the Scriptures in the public schools was to be prohibited, which of course we, as Protestants in this country, would not feel inclined to submit to. For my own part, I desire to see the Scriptures used in all public schools, especially Protestant ones; and if it is the desire of Catholics that their version of the Scriptures be also used, I have no objection to it. The Board of Education passed a resolution some time ago, which, had it been extensively published in the country, would no doubt have prevented so many petitions coming before the House; for it almost meets the views of my constituents. It goes so far as to say that it is not the intention of the Board to prohibit the reading of the Bible, but says they will permit it where desired. This resolution, Mr. Chairman, so far as it goes, appears to me to go fully as far as the Education Act formerly did; but how far it may be necessary to embody such a resolution as this in the Act, I am not aware. I presume as it is from the Board of Education, it may answer the same purpose; for it appears from this petition, which I presume was prepared in Charlottetown, that the petitioners only wish that the Scriptures be read in schools by parents and guardians who desire it. Now, it does not appear that it is the intention of the House of Assembly to make any alteration whatever in the Education Act; therefore, we have not that reason to complain, which it was expected we would have. The Act merely leaves the question as it was; therefore we have no reason to ask for any change in it. But as I said before, some of my constituents insisted on me that the Bible should be introduced into all our schools, whether Protestant or Catholic; yet as far as I myself am concerned, I have no disposition to distract the community by any compulsory measure. I, however, say if there is a Teacher willing to attend to the reading of the Scriptures, and if it is the wish of the parents to have them used in school, they should be used. Generally in my part of the country, where there are Catholics and Protestants, the New Testament is used in the schools, without any objection being made to it, so far as I know, by the Catholics, who appear to be as desirous to have the Scriptures read in school as the Protestants. I shall not enter more fully into the subject until I hear further remarks on the subject under discussion.

Hon. Mr. PALMER.—I was in hopes when the hon. member rose to speak on this question, that we would have enunciated by him the views of the Government as to what action they intend to take on this matter relating to the petitions. Probably they may have something in view which will meet the wishes of all parties on the subject; and I shall, as far as I am concerned, keep any observations that I have to make on the subject till I hear what the views of the Government are on the subject, in answer to those petitions that have come in.

Hon. COL. SECRETARY.—I do not know what the hon. and learned member for Charlottetown means by saying; he hoped the Government would be prepared to introduce something to meet the views of all parties on this subject? I can only say, the Government have not had a petition presented to them either from one party or another on the subject, yet they have seen some reports of speeches made at the Protestant convention; therefore I do not see why the Government should be prepared to meet the views of all parties. I have not received a petition from any party relating to this question. I contend that to continue the Act as it is, will give general satisfaction. The petitions say if it is the intention of the House to alter the Act &c. But what has been said by a number of persons who have raised an agitation, has affected the people, so that it appears to be the dread of the petitioners that the House of Assembly are going to introduce a clause into the Act to exclude the Scriptures from the schools. That is the sum and substance of the prayer of all the petitions. Now, it is not the intention of the House of Assembly nor of the Govern-

ment to exclude the Bible from the schools, but to leave the question to the parents and Trustees; and I believe that is the most equitable way it can be arranged, as I do not think it is advisable to legislate on the matter. The returns that have been sent in from the schools show that the Scriptures are not used in a very large number of them. No less than 4000 children receive instruction in schools where the Bible may be read; and many of those schools in which it is not read are purely Protestant schools. In one of those schools with 68 children in attendance, and not one Catholic, and that school receiving support from the Glebe land fund too by the order of the Bishop of the Church of England, the Scriptures are not read, and no prayer used in it. There is a prayer actually ordered by the Board of Education, and even in this Protestant school, they do not make use of it. In another school where there are 44 Protestant children, and only 2 Catholic ones, no Scriptures are read. In another school where there are 42 Protestant children, and not one Catholic, there are no scriptures read. [The hon. member read several other extracts from the returns which he held in his hand showing that in some schools where the majority of children were Catholic, the Scriptures were read &c., and then continued]. Now, it appears to me it is much better to leave the matter as it is; the people can please themselves with reference to religious instruction in school; but to take any legislative action in reference to this matter, would not be advisable. I think the Education Act was working to the satisfaction of all parties until this agitation got up a few months ago. All that is complained of now by those who have petitioned on the subject is, that no change should be made in the Act, and they are perfectly satisfied that it should remain as it was; and when that is the case, I think it much better to let the Act continue as it was, and leave the management of the schools in reference to the books to be read to the Board of Education. I have made some calculations in reference to the number of schools in which the Scriptures are read; and there are 92 schools where they are read, and 146 where they are not read, the greater portion of the latter being Protestant schools, where they may have the Bible to-morrow, if they choose. I dare say this agitation will cause the Scriptures to be read in all the Protestant schools. The petitions have been got up by a company of gentlemen who, in their zeal for the Scriptures, think, I dare say, it would be for the benefit of all if the Scriptures were read in school, not perhaps looking so far into the matter as the members of this House, but looking to their own congregations. I hope hon. members will see that the best way to allay the existing excitement is, to allow the reading of the Scriptures in school to remain as it was.

Hon. T. H. HAVILAND.—The chief cause of alarm has arisen, I believe, from what the Board of Education did in the exclusion of the Scriptures from the Normal School; and the District schools are also subject to their supervision. In the Normal School, the Scriptures were excluded by the Board of Education; yet I believe an order has been made since that they may be used in that Institution. A Board which makes an order to-day may rescind it to-morrow. They have also authority in all the District schools to do the same, if they please; but my opinion is that they should not have it in their power to do so much;—that where the Scriptures are required to be read or taught, the Trustees of those schools should be allowed that privilege, without reference to the Board of Education. I now move a clause in amendment to the Act, as follows:—

“Whereas the fifty-first section of the said recited Act requires that all Books to be used in the several schools throughout the Island be prescribed, amongst other things, by the School Visitor and Board of Education, under the penalty of every school being deprived of the Government allowance authorized by the said Act, unless the Books so prescribed be adopted by such school. And whereas it is deemed meet and expedient that the Holy Scriptures should not be excluded from any of the public schools of this Island, and that the said Board of Education or School Visitor should not be authorized to make or prescribe any Rule or Regulation by which the said Holy Scriptures shall or may be excluded from the said schools. Be it therefore enacted, that the Holy Scriptures shall be permitted

to be read daily, and shall and may be read daily, in the Central Academy, the Normal School, and in all other the public schools of this Island deriving Government aid, wherein the parents or guardians of the children who may be in attendance in said schools respectively, shall consider the holy scriptures to be a necessary part of daily instruction for their children in such schools, anything in the said Act, or any other Act of the Legislature now in force, to the contrary notwithstanding.”

That will meet the views of all parties, and infringe on the liberties of none.

Hon. COL. TREASURER.—The clause introduced by the hon. member will not meet my views, nor the views of my constituents; but if it did meet their views, I would not agree to have the Scriptures excluded from the schools, nor would I agree to have a clause of that kind introduced. I am not opposed to the reading of the Scriptures in any of the schools in the Island, but I am opposed to anything compulsory in the matter. Hon. members in Charlottetown are not acquainted with the state of the District schools throughout the Island. I speak of my own district, and when I do so, I speak of others too throughout the Island; and I think about one half of the children in my district are Roman Catholics. It has been said by a great many, that Catholics are opposed to the reading of the Scriptures in school, and that their Clergy are opposed to it. This I totally deny. I happened to be educated in France, and was about two years in a Jesuit College; yet I was not called upon to follow out the religious views of those who attend that College. I own it is a rule that books taken there be examined, in order to prevent the introduction of books without being inspected by the President of the College. I delivered up my books, which were returned to me in a few weeks, and I was told that he had no objections to my reading those books. While I was obliged to attend the chapel connected with the College, I had my own books to read; so that I do not believe that the Catholic Clergy are opposed to the reading of the Scriptures in schools, yet they have their own. If the compulsory use of the Scriptures in schools be made the law of the land, I have no doubt that Catholic children will withdraw from them, and thus nearly one half of the people of the Island will be deprived of the privilege of having their children educated. This is one of the effects that would result from making the reading of the Scriptures compulsory in all the schools in the Island. I know that a great deal of agitation has been created on this subject; but if we are to believe the reports of published speeches, as having been delivered by certain parties, I think the christian religion has not been the one which they have selected for themselves. For my own part, I shall not support the amendment that has been submitted by the hon. member, (Hon. T. H. Haviland).

Hon. T. H. HAVILAND.—I rise to explain. His statement that the clause which I have submitted will render the reading of the scriptures compulsory, is altogether wrong. It is no such thing as compulsory. It is if the parents or guardians of the children desire that the Scriptures shall be used. There is nothing compulsory in the matter whatever.

Hon. COL. SECRETARY.—I would like to ask the hon. member what is to be done in those schools where one half of the children are Catholics and the other half Protestants. What are they to do in a stormy day? are they to be turned out in the storm? They may as well read the Scriptures themselves as remain in the school while they are being read by others. Though Catholics are not opposed to the use of the Scriptures, yet they think they are not fit to be put into the hands of children, and that children are not capable of understanding them. They think it is better to keep them in the hands of the clergy than give them to every Tom, Dick, and Harry. We know that Teachers throughout the Island are of every denomination. Still, I would like to know what is to become of Catholic children in a stormy day, if attending a school in which the scriptures are used. They must either be deprived of instruction a portion of the day, or be turned out of doors, because, forsooth, they do not

think proper to join in the reading of the Scriptures. If the Scriptures are forced into those schools where the children in attendance are partly Protestant and partly Catholic, then if there are only two Protestant children in attendance, the Scriptures must be read in the school. But, are the rest of the children attending such a school to sit and hear the Scriptures read, if they disapprove of it? They may as well read them themselves. If the children attending a school were wholly Protestant, I do not think any one would oppose the reading of the Scriptures in it. It appears to be dreaded that the Board of Education may to-morrow rescind the resolution which they have now come to. That resolution is plain, stating that the Scriptures may be freely used in those schools where the parents or Trustees desire it. I believe that resolution will be the cause of introducing some ill feeling, if the majority, of the people are of one or other of the denominations in question; for should the majority be Protestants, the Scriptures may be read in the school, and perhaps the Catholics may withdraw from it. I am glad, and I feel proud, that I am a little more liberal than to force religious instruction on any portion of children attending school, or to drive them out of school in stormy weather, or leave the school altogether. Now, I contend it is sufficient for the Legislature to legislate for the secular education of the youth of the Colony. There must be a little control over the schools left in the hands of the Board of Education. I speak my mind freely on this question, because I think it is right that it be put fairly before the country; and my opinion is that where the Legislature undertake to give education, they must confine it to secular instruction; and empower the Board of Education to settle disputes that may arise; because I contend if the Scriptures be read in mixed schools, quarrels will arise requiring the interference of the Board. Where religious instruction is imparted, it should be at the closing of the school, and the other portion of the day should be devoted to secular instruction. It is freely granted that there may be a religious lesson; and the Trustees have in their power to provide for that, when they engage their Teacher, but not to the detriment of the Roman Catholic portion of the community. That is the way in which the subject is managed in the Normal School. The Board of Education made no arrangement about it; but the Teacher himself wrote to the Board, stating that he would, on the last day of the week, impart religious instruction to the children of those who desire it, those children to remain, for that purpose at the close of the other duties of the day. That is the way they accomplish it; we must yield a little in this mixed community. The Catholics, I believe, wish religious instruction as much as any, but they will not have the religious instruction of Protestants crammed down their throats. When we make an Act on the subject, we must provide that no compulsion be used towards any party, which I think is the proper mode of settling the matter; but I think if we were to introduce a clause of this kind into the Act, it would distract the schools throughout the country. After all the agitation—and God knows there has been a great deal—the Catholics have not at least shown any strong feeling on the subject. Up to this time, Catholics and Protestants living together, have never used a hard word towards each other, but in attending school, go in and out as if they all belonged to one denomination, but perhaps on the Sabbath go different ways; and there has been no animosity at all. But there has been an attempt now made to raise religious feeling throughout the community. There has been religious feeling excited in other Provinces, but I would call upon them to keep it at home; and they have called upon Protestants to protect Protestant rights. They have troubles

enough of their own, without endeavouring to introduce them here too. But Catholics and Protestants have lived long enough here, and have such friendly feelings among them, that they are not going to be disturbed for the sake of a little political popularity. [The hon. member here read a part of the conclusion of the proposed amendment.] That is the clause which is denied to be compulsory, yet, by the reading of it, it is decisive, at least for the Central Academy and Normal School. The hon. member for Princetown, (Hon. Mr. Haviland) has stated that this agitation has arisen from the Bible being excluded from the Normal School. It is true that the School Visitor, the Superintendent of that School took upon himself to say that the Scriptures should be read and expounded, but the Board of Education had at that time made no regulations at all respecting it. At their first meeting after that, they agreed what books should be used in it, and that they should be the same as those used in other Schools throughout the Island. Of course, they did not say the Bible should be a class book, and if not putting it in was excluding it, that might be done. But who was present at that meeting held on the 30th October? We find two gentlemen who seem to be very prominent now in the agitation against the exclusion of the Scriptures from the Schools—we find them present, and, sir, we find there was no division—that they all agreed to the rules of the Normal School that were laid before them. The Roman Catholic Bishop wrote his letter on the 7th November, more than a month after the Normal School was opened; and we heard nothing about the exclusion of the Bible from the School at that time. It was the Bishop's letter that seems to have raised them up to having the Bible in the schools. Why did they not come forward to the Executive Government and state they had been defeated in adopting proper regulations for the Normal School? But it was two months before we heard a word about it. Well, Sir, the Bishop's letter unfortunately was written under the apprehension that the Scriptures were to be read in the Normal School, and that, of course, they would be lectured upon the same as a parson from the pulpit, and, therefore, that it could not be for the benefit of the Teachers attending there to be taught a different system of teaching, if religious instruction was to be communicated in that way. He then wrote a letter asking if such were the facts of the case, and when he understood that the system of instruction was not to be carried out as Mr. Stark had stated, he was satisfied. I am sure, from his Lordship's letter, addressed to me, that he was afraid that the system of Education established in the Island would be disturbed; but when he learned that there was no intention to change the existing system, he was satisfied to let the subject drop. But there was a determination not to let it drop, and it has created a great excitement. I think, however, it is better to allay it. It is not only since the Free Education Act came into operation—when the subject was not interfered with—that the question of the reading of the Scriptures in the Schools was agitated. Some twelve or thirteen years ago, a resolution was proposed to make the reading of the Scriptures compulsory in our Schools, but it was not carried. If, then, with an experience of twelve or thirteen years, we find the present system answers well, we should not be moved by a little excitement. People will soon find that the Scriptures are not to be excluded from the Schools, and then they will be satisfied. But in a mixed population there must be a great deal of giving and taking, and we who are Protestants, ought not to say, because we are the majority, we will make the reading of the Scriptures compulsory in school. I think we ought rather to restrain ourselves in that respect, because we may come to be in the

minority in a few days. I do not say that hon. members who support the amendment intend to enforce the reading of the Scriptures in school, but if the proposed clause be introduced, and if the Board of Education have to arbitrate in the matter, agitation may be raised which may be difficult to allay. There has been much said on this question which I might be expected to explain, but I do not wish to go into the matter at all; I wish to treat it calmly and coolly.

Mr. YEO had received no petitions from any place, relating to the subject under discussion, and understood that the Board of Education had come to a resolution that the Bible should be read in Schools wherever the parents of the children in attendance desired it. He had been in the Island a sufficient time to be acquainted with the matter, and in the part of the country where he resided about two-thirds of the people were Roman Catholics, yet he had never heard of any complaints on this question: the children took whatever books they pleased to school. There need be no difficulty respecting the reading of the Scriptures in mixed Schools; for if forty children were in attendance, twenty might read separately. If Protestant children took their New Testament to school, that would not be a cause of offence to the Catholic children. Allusion had been made to the Bishop's letter, but from his familiar acquaintance with that gentleman, he did not think he would be disposed to cause any disputes relating to the use of the Scriptures in school. It was to be regretted that excitement had been raised on the subject, but he did not see any harm in the amendment proposed by Hon. T. H. Haviland. Let children take whatever books they pleased to school, yet let not Catholic children be compelled to read the Scriptures; for if so compelled, the schools would be broken up in some places where there were disputes. Some of the Roman Catholic clergy wished very much that there was a division made to every denomination of their own part of the education money, and he wished that could be done, as, if practicable, it would be the best plan. He thought the best system would be to allow the schools to be conducted as heretofore, and that children be permitted to take such books to school as they pleased, and to read the Scriptures where their parents desired it.

Mr. LAIRD had not much to say on the subject under discussion, but he did not see why some hon. members should be so much afraid of the amendment proposed by Hon. T. H. Haviland, for he saw it was much the same as the resolution adopted by the Board of Education on the subject. He did not know what was the reason that the Board came to that resolution at the close of their term of office. He had read a good many of the petitions, and the prayer of them was that the reading of the Scriptures might be permitted in school where desired. The amendment proposed might be strongly expressed in some places, still there was nothing compulsory in it. His hon. colleague (Hon. Col. Secretary) need not be so much alarmed at the proposed amendment, for it differed little from the resolution of the Board, which was now the law of the land, and he supposed that hon. gentleman had given it his sanction. All that was required then, was that the resolution of the Board be embodied in the Act, that the Scriptures be permitted to be read in school when desired. That, too, was the opinion of the majority of the people in his neighbourhood. Some of the Acadian French had called upon him desiring information on the subject, and he had explained to them that nothing compulsory was intended, which appeared to satisfy them. Some of the Irish Catholics had also spoken to him on the same subject, to whom he had given a similar explanation, and they had nothing to say against it. Nothing more was

required in the law than mere permission to read the Scriptures in school by those children whose parents or guardians desired it, and no compulsion at all. He would support the amendment proposed by Hon. T. H. Haviland, which, he thought, would give general satisfaction. Respecting the Board of Education, they were only servants of servants, they were dependent upon the Government and the Government were dependent upon the House of Assembly, which could dismiss them at pleasure. Since then, it was the members of the House of Assembly who had to say what was to be done in the matter, and that the resolution of the Board might also soon be repealed, he thought it was very proper that such an amendment as the one proposed should be inserted in the Education Law.

Mr. CLARK thought if the hon. member had read the amending clause, he would have seen a wide difference between it and the resolution of the Board of Education. That resolution permitted that the Scriptures might be read in the schools where the trustees and parents agreed to it; but the amendment proposed by Hon. T. H. Haviland went to say that they shall be read daily by those children whose parents or guardians desire it. Now, if the parents or guardians of children attending any school considered it necessary that they should read the Scriptures, and supposing the Teacher of that school were a Roman Catholic, that reading of the Scriptures would either drive him from the school, and the same would occur with a Protestant teacher, if obliged to teach the Douay version, or compel him, in either case, to teach what he did not believe; and there were many Catholic teachers in the Island. But the resolution of the Board was quite different; it said the reading of the Scriptures would be permitted where the parents desired it, and parties might have that understanding when a teacher was engaged. He could by no means support the proposed amendment to make the reading of the Scriptures in school compulsory, because it was against his principles to force religion into the schools where the parents did not wish it. They knew that the system of education in the Island was intended to impart secular education, and it was never contemplated to communicate religious instruction at all. He believed that no good whatever would arise out of the present agitation of the question, but that much harm would result from it; and he believed that where there was nothing about the reading of the Scriptures in schools before, there would be disputes and divisions now. He would vote against the amendment, and leave it entirely to the Board of Education to say what books should be used in the public schools, and he would never consent to the compulsory use of the Scriptures in them.

Hon. the SPEAKER.—Though I shall not occupy the time of the Committee on this question, yet to test the sincerity and liberality of the mover and supporters of the clause before the Committee, that is, to make a clause whatever it may be that may be considered as little obnoxious as it possibly can be made, I shall move that after the word "that," in the thirteenth line, the following be inserted: "both the Protestant and Douay versions of;" and that after the word "consider," in the eighteenth line, the words "that both the Protestant and Douay versions of," be inserted. I shall move that amendment, in the first place, at the same time I do not wish to deceive the supporters of Hon. T. H. Haviland's amendment; because if my amendment be not carried, I intend then, after endeavoring to make the clause as perfect as I can, to vote against the whole of the amendment, as I consider that my alteration of the Act is wholly unnecessary.

Hon. T. H. HAVILAND.—I shall second it.

Hon. COL. TREASURER thought as some people believed the Koran and the Mormon Bible to be a Bible, if the House were going to introduce so many versions of the Scriptures into the schools, as was proposed, they had better stick them in too. He was decidedly opposed to the amendments, and would vote against them.

Mr. T. HEATH HAVILAND (amidst some confusion) said, the Hon. Col. Treasurer attempted to throw ridicule upon the subject by saying, if they introduced both versions of the Scriptures into the schools, they should have the Koran and Mormon Bible too. He considered it was throwing ridicule upon it to mention the word "Koran" upon that question, especially when it was a momentous and deep question, which was to be solved by them. But he thought the hon. member would have spoken in a different manner; for there was a greater difference between the Koran and the Scriptures than between the versions of the Catholics and Protestants. He considered Prince Edward Island to be a Christian country, and that in the great essentials of Christianity, all the inhabitants of it were agreed. [Dropping this point he continued.] This is a question, Mr. Chairman, that I consider every individual here should give his opinion upon before voting. The Hon. Col. Secretary says, that a great agitation has been got up out of doors to fan religious prejudice for political purposes; but if such has been the case, I am ignorant of it. I shall not give my vote for political purposes, but solely for religious purposes. I am of opinion, and long have been, that secular education without religious instruction, does more harm than good; but at the same time, I would be very sorry to attempt to force the Bible or any other book into the hands of any individual of a different opinion from myself. All I want is equal religious rights, and as equal political rights. I would not tyrannise over Catholics; yet, I want to say this afternoon, that if we are in the majority, we ought to have such books used in school as we think proper. I wish to have my children taught what I please to dictate; and I consider that the education of my children will do them more harm than good, unless it is religious. I wish to have a clause in the Act providing for such instruction. Why, it is very strange, that the Government are not willing to have in the Act what the Board of Education agreed to; for it is now the law of the land. I fully agree with what the hon. member, Mr. Laird said, that we are here to say what should be done. We are the people's representatives, and let us take the responsibility; and now as we have the Act before us, let us put into it, that the children may read in school whatever books their parents wish them to read; but let none be used at the dictation of the Board of Education; for it is clear if they make a rule to day, they may undo it to-morrow. Then, too, this Act may continue five or six years longer before we can repeal it.

Hon. Mr. LORD.—I do not rise to support either the clause proposed or the amendment to it, nor do I intend to do so. When I look at the Education Act for the past three years, and see the harmony of its working, I cannot for a moment think of altering—either of adding to, or taking from, the old School Act. I am not bound up by my constituents, nor by those in the part of the country in which I was born; and I believe they are not so easily excited as some others on this subject. If the question is debated in the House of Assembly, and hon. members can show me the necessity for altering the Act, I do not refuse to alter it; but I am of the same opinion this evening as I formerly was, that I shall not support the compulsory reading of the Scriptures in the school; and in doing so, I believe I shall please both Catholics and Protestants. They want none of this agitation. I recollect some years ago there was nothing

but wars, and rumors of wars; but I am happy to say that such things are now done away with, and Responsible Government has done it. The question at the hustings now is, not what is your religious belief, but what are your political principles. Why stir up all this agitation? I was astonished when I arrived at Halifax, and took up an Island newspaper, to see such a discussion got up in Prince Edward Island. All going on swimmingly—all becoming religious in a moment! I am not one of those who think much of sudden converts. I was astonished when I heard the School Visitor's report respecting the reading of the Scriptures in schools, that they were read in so few Protestant schools. Time indeed for reform; but why interfere with the subject now, when the system has wrought so well before? I shall oppose both the clause submitted by Hon. T. H. Haviland, and the amendment to it.

Hon. Mr. MONTGOMERY.—The concluding remarks made by the last speaker, and by some others on the same subject, I shall perhaps be able to answer. You are aware that this order has been made by the Board of Education at a very late date. Many of the teachers were under the impression that the Scriptures were not to be read in school, which I know to be the case in the district in which I live. I asked the teacher why he did not use the Scriptures in school; and he was under the impression that he was not permitted to do so. This may account for the fact that many of the district schools in the country have not had the Scriptures in them. The Board of Education have now issued their order, and have there permitted that those children should be allowed to read the Scriptures in school whose parents or guardians desire it. Now, the clause proposed only follows out the views of the Board of Education; and that clause does not go to compel any person to read a version of the Scriptures which he does not wish to read; but it allows the Catholics to read their own versions, and the Protestants to do the same. I do not, then, see how any person can object to the clause before the Committee. To say it is a compulsory measure it is no such thing; it only says that the reading of the Scriptures shall be practised where desired.

Hon. COL. SECRETARY.—Who then is to be the judge what version is to be read. I know that the Speaker does not wish his amendment to be carried. Well, taking it for granted that his amendment is carried, what is the result? In a school where one-half of the children are Catholics and the other half Protestants, both versions must be read, which could never be carried out. With reference to what Hon. Mr. Montgomery said, that this resolution of the Board of Education is a new one, it is no such thing. The Visitor of Schools appears to understand, that the Scriptures may be used in school, when he says, the people take it for granted that the Scriptures are not forbidden. He goes on to say, "In my first inspection visit in 1853-4, I inquired in each school whether the Bible was used as a class-book, and received an affirmative answer in 63 schools out of 172 district schools then in existence." Now, what is the conclusion of this gentleman, who was brought out here, as many wish to make it appear, to give religious instruction? It is, that the books are so excellent, that they have taken the Bible from the schools. He says:—"Since then, the excellent series of school books has been introduced, and the proportion of those schools where the Bible is to be found has considerably diminished. The general impression in the country is, that the Free Education Act does not admit the Bible;" and then immediately, he says:—"While those who do use it, reason thus: that since the Bible is not expressly forbidden, it is tacitly permitted." I dare say when

this question was agitated, they found out some of the schools not using the Scriptures, and that some of the teachers who do not like to hear the Scriptures read, made the excuse that the Bible was not on the list of books to be used in school. The Board of Education then thought it much better just to state what was their opinion as to the manner in which the schools should be conducted in reference to the reading of the Scriptures. The hon. member for Georgetown (Mr. T. H. Haviland) has stated, that he thinks secular education, without religious instruction with it, does more harm than good. Then, where has the hon. member been, since he was in the House of Assembly when the Education Act was passed? and if he thought such education did more harm than good, why did he not then offer to introduce a resolution in amendment of the Act? I believe the hon. mover of the amendment was one of the Trustees of the Central Academy at the time the Bible question was agitated formerly, and threatened to resign, because there was an attempt made to introduce the Bible into that institution. The hon. member for Georgetown (Mr. T. H. Haviland) says, we are now to be the judges what books are to be used in school, and that children should there use whatever books their parents think proper. Well, sir, what a hodge-podge it would be with the matter; every boy bringing his catechism, &c., to school. I, as a member of the Church of England, would as soon prefer having my children taught in the Church of England catechism as in the Bible. I think, therefore, that the principal argument of the hon. member on this point cannot be carried out, though he may now see the necessity of having religious combined with secular education. Though much has been said on education since I had a seat in the House with him, yet there has not been much on religious instruction; but I think it would be a blessing in this country if people obtained a secular education for their children without a religious one. I contend, however, that there is religious education to a great extent in this country; the schools are opened and closed with prayer, and some catechisms and other religious books are used in them; thus religious instruction to a great extent is carried out. I contend, further, that the Education Act has worked very well so far; and it is much better to let well enough alone. I shall vote against the Hon. the Speaker's amendment, and shall give my reason for doing so; which is, as I said before, that I would not like that a teacher be bound to teach both versions of the Scriptures, if the parents did not wish it.

Mr. T. H. HAVILAND.—In reply to a few observations made by the Hon. Col. Secretary, who wishes to know how it is that I was not an advocate for the use of the Bible in school when the Act formerly passed, I answer, it was that I was never aware till this winter that the Bible was intended to be excluded from school. I always thought that the Bible was there, and my reason for acting in the matter now, is in consequence of the Roman Catholic Bishop's letter; because he there stated that he was opposed to having the Bible in school for any party, and that he would be satisfied with nothing but a godless system of education. That is the reason why I wish now to have the Bible in school. I wish equal privileges in religion, and equal privileges in political matters.

Hon. COL. SECRETARY.—I presume he understood that the Bible was not permitted by Act of Parliament. But the hon. member has put it in this light, that he wishes the same freedom in religion as in politics. Well, Sir, I contend that the amendment proposed does not allow that. If you pass that amendment, you drive a portion of the children from school.

Mr. COOPER said the Education Bill had been passed before he came into the House of Assembly, and he had heard no objections to it till lately. A party now wished to introduce

changes into the Act, and a party wished it to remain as it was. With regard to religion, he believed there was not much religious impression made in school; the first impressions on religion were made upon the child at its mother's knees. Some of the ablest men had mentioned having such impressions made on them, which had never been effaced. He would not support any of the amendments proposed.

Hon. Mr. PALMER.—As I understand the amendment offered by the hon. member for Princetown (Hon. T. H. Haviland), it admits the Scriptures to be read in all the schools in this Island deriving public aid, wherein the parents or guardians of children there, wish, seek, or ask for it. Now, that is plain, sir, and unequivocal, and the amendment proposed by the hon. Speaker, adding both versions, by no means defeats it in my mind; but I will accord with that amendment, and to both I will give my support. From the observations made by the Hon. Col. Secretary, who has taken the lead in the opposition to this amendment, I distinctly understood him to say that he goes for the total exclusion of the Scriptures from the schools, [No, No! by Hon. Col. Secretary] that no version would be there read at any time. Very well, he has advanced opinions to that effect. I understood him to say, it was impossible to introduce a version of the Scriptures with the wish of one party, without giving offence to the other party, and that it was the duty of the state to give attention to secular education and not to religious education. Still, if the hon. member has changed his opinions from anything he heard from this side of the House, I am so much the more proud of those with whom I associate. Well, sir, I think the present state of the law calls for an amendment such as that you now hold in your hand, Mr. Chairman. I am one of those who think that it is the duty of the representatives of the people to attend not only to the secular instruction, but also to the religious instruction of the people. I quite agree with the hon. member for Georgetown (Mr. T. Heath Haviland) that education to be useful and safe to the people, should be based upon the christian religion. For proof of this position, we need only look at the state of Great Britain at the present day. Look at her statesmen, philosophers, and philanthropists, searching out the cause of crime &c. What are the conclusions at which the generality of those persons have arrived, who are devoting their time and attention to the subject? It is, that there is a defect in the religious education of the youth of the kingdom. That is what they attribute it to; and they are watching the best means of curing that evil. Now, sir, I think that as a Legislature we should not trust that very important and sacred duty merely to the parents of the youth who are sent to school; for tho' there may be a very laudable and proper desire in the minds of parents to bring up their children to the practice of the religion to which they belong, yet it may be wholly out of the power of many of those parents to attend to their religious instruction. We know there are many who have not the means of sending their children to private schools, nor have such opportunities of imparting religious instruction as those who, from their education, and from the time at their command, can devote as many hours of the day and week as they please to the religious instruction of their children. But this is the case with too few. Look at the poor man who does not know the letters of the Bible. What means has that poor man to give religious instruction to his children? Look again at the vast body of men whose time is employed at hard labor during the whole day, and who cannot sit down to impart religious instruction to their children. From what source are they to expect that their religious education is to be derived? They expect it from that institution where their children are sent to have a good education, and for which the tax—money is dragged out of their pockets to pay. If we are more advanced in education, than formerly, we are still as far behind in education and intelligence as any of Her Majesty's Colonies at least. It would be deplorable to exclude from our common schools religious instruction to the vast body of the children of the Island. But that instruction is what those persons are desiring whose petitions are here to-day. I say it would be unjustifiable in us if we were to turn a deaf ear to their request and say, you shall get religious instruction where you may, and pay

for it whether or not. No, sir, that is a very improper view to take of the case. Now, the objection that is urged against such a law is, its going into operation so very unfairly; but there is very little weight in that. The petitioners may sound their requests in the ears of those who are not disposed to give them due consideration; yet I conceive religious instruction, or the use of the Bible in school, might be given without offence or trouble to either party. I am very sensible that a large body of persons, the Roman Catholics, have an objection to placing the inspired volume in the hands of laymen; and I find no fault with them for that. They hold it as a sacred principle that it shall not be expounded by any but those admitted to be qualified for that purpose. But that is not the opinion of all christians. Many hold quite a different opinion; they conceive that any person who is capable of reading the Scriptures, may do so, and judge for himself, without the aid of a clergyman. Now, sir, I do not see any necessity that a large body of scholars should be turned out in the days alluded to; stormy days do not last all the year round, and if they did there is no occasion for adopting such a course. I think in the first place, that where the large majority of the scholars are of the Catholic denomination, I may say it would be very unlikely that the parents of half a dozen Protestant children would press upon the others the necessity of remaining there and hearing the Scriptures read. But to take even an extreme view, I can see no objections to one class being set apart in one part of a school for a scripture lesson, while the others are going on with their task. Now, I think it is drawing too nice a distinction to suppose that while that class is reading a lesson in one part of the school, that the other class should be at all affected in their religious principles at hearing lessons on a subject they were told they need not attend to. No, sir, they are supposed to have religious teachers, if not at school, at least at their Chapels, and so are not entirely without their religious instruction. I can suppose a Catholic Teacher presiding over a Catholic School, which is the case in many parts of the Island,—and I am proud that there are some very excellent Catholic teachers in the Island; and in such circumstances we may expect harmony to prevail; because I can very readily imagine that where a Catholic Teacher presides over the school, the Protestant parents would rather put up with it, and would make efforts otherwise to have their children taught in the Bible, than to disturb the harmony of a valuable and popular school. If, however, they thought proper to entrust it to the Teacher, to give a few lessons from the Scriptures in school, I would leave all to the good sense of the people under the circumstances. There is something in the people, when they meet to discuss these matters, that lead them to yield to one another's convenience; and I am sure we ought to have that reliance on the good sense of the people that they would not raise up a difference between two parties in school where the majority largely predominates hence we might allow a clause such as you have before you to go into operation, and which does not at all force religious instruction upon the people as the Hon. Col. Secretary says it does. With respect to the manner in which the act operates upon the Normal School, I think there is great reason for the Normal School being named now. We cannot have forgotten the solicitude exhibited in the time of Sir Alexander Bannerman to introduce the Normal system into this Colony. We know that Governor entered into a correspondence with Mr. Stow, the originator of this celebrated and wide spread system, in order to assist him in having it established in this Island; and I think if the correspondence that took place between Governor Bannerman and Mr. Stow were produced—and which perhaps is followed up by the present Governor—we would there see that it was uniformly the wish of the Government and their very great desire to have that system established in the Colony. And upon what is that system based? The most uninformed person knows that it is entirely based upon scriptural education; and that is the reason why it is so much approved of in many countries, and in Scotland where it originated. The people of the Island are told that this system shall be introduced in the Island; they import a gentleman from the very city—the hot-bed of the system, and set him forth in this Island; he is inaugurated in

a very formal and celebrated manner, and by a great soiree that was given here, and made a very celebrated—an important day in the annals of Prince Edward Island, as must be in the minds of hon. members. The people were congratulated on the benefits that they were about to receive by that system, and that it was set agoing at last. Individuals who were so zealous on the education of the Colony, were congratulating one another that the happy day had arrived on which that system was to be put in operation. I can conceive the walls of the building echoing with the applause of persons praising the system, and looking upon it as one of the happiest days of their lives. Well, sir, the system was commenced,—the Bible was introduced in the School,—the School was opened with prayer,—afterwards the Government take a new view of things, and they conceive that it must not be Stow's system at all now—that the Bible must be excluded from the School. I think under this new state of affairs, it must be regulated by statute,—that it must not be dependent on the breath of the Government of this Colony or the Board of Education either, but on something more than a mere arbitrary rule of that Board. Thus, I think there is a necessity for introducing the words "Normal School" in the clause now before you. Many observations have been made by hon. members, and no less by the Hon. Col. Secretary throwing out accusations against certain parties to whom he attributes a desire of raising unnecessary complaints and religious feelings, and making political capital of them; and that those parties have been invited also to the discussions of the other Provinces. Now, I do not know that he is warranted in making an assertion of that kind [Hon. Col. Secretary,—I did not say that; I said no such thing. What I said was that in the other Province, they had called upon &c.] Very well, sir, it is not by the entreaties of members on this side of the House that is done; and certainly I have very little authority for saying that there have not been such invitations; for no person perhaps has had less communication with them and know their intentions less than I do. But I am prepared to stand up and defend those rights I profess to claim; yet I am not desirous of waking up sectarian differences between the people of this community, but I only stand here to defend that large body of this Colony who have petitioned that their rights may be protected; and I think we would leave our duty undone, if we gave a denial to that very tolerant measure which is now asked in the resolution before the Committee.

Hon. COL. SECRETARY.—I am sorry to trouble you, Mr. Chairman, but the hon. and learned member endeavoured to make an impression, which was not intended for your ears, but for those of the constituents of P. E. Island, namely—that the Colonial Secretary was opposed to the Scriptures being used in the schools altogether. Now, I made no such statement; I was in favour of the Scriptures being used in the schools but not to be compulsory. I stated the reasons that they should not be used in some schools. He says it should be compulsory. I shall shew that his reasons show it must be compulsory. I said the Bible should not be used in schools in many parts of the Island, without leaving it in the hands of the Board of Education to settle disputes; because if in the school, it is better to leave it in their hands, and it is better to insert nothing in the Act which would convey such an impression as that it will be compulsory. Alluding to the Normal School, he says the Scriptures were there. He does not know enough about this Normal. Not one of his party were at the opening of it, though invited. No, Sir, they would not give their countenance to that School. He says the Scriptures were there, and excluded; and hence the necessity of putting it in this clause of the Act. What is the use of putting it there if not compulsory? But the argument of the hon. member was, that because they had excluded the Bible from the Normal School, it was necessary to have that school mentioned in this clause. If that was not the intention of it, I do not understand what reasoning is. The hon. member also laid a great deal of stress on this, that

the new educational system was to be on Mr. Stow's system. Well, so it is to be on his system, but not on his religious system; by that is understood that the Bible was not to be a class-book in the system. That is the system of teaching that is intended to be adopted; and the hon. member is quite astray when he says it was perfectly understood it was to be a religious system of education. When Mr. Stark was sent out to this Colony, he quite understood that the Scriptures would not be introduced into the schools, as he states in his answer to the Bishop's letter, that he found only sixty-three public schools where the Scriptures were read, showing very well that Mr. Stark knew quite well that the Scriptures were not to be introduced into the public schools of the Colony. The hon. member proceeds further to say, that this gentleman, the Teacher of the Normal School, was got out from Mr. Stow's school for the express purpose of imparting religious instruction. No such thing, Sir; and there is the question. There has never been any intention either to prohibit the reading of the Bible, or that its use was to be enforced in any of the schools of the Island. The hon. and learned member may take up Mr. Stark's case now, but when the consideration of that gentleman's salary was before the House last session, he and his party opposed the grant for his salary. They have been pleased to say, in their last number of the *Protector*, that he has been harshly treated. In that number there is an article on politics, though they disclaimed any intention of interfering in politics, comparing him with Mr. Condon, of Halifax, and making it appear that he has suffered harsh treatment. Every hon. member knows what a debate we had last session on the salary of the School Visitor, and the minority, to a man, voted against the amount named; and the Royal Agricultural Society wished to have that portion of his salary derived from their funds withdrawn; but the Government felt that they were under an engagement to give him that sum for the term for which he was engaged. The Government then, at the end of the year, informed Mr. Stark, that after the next quarter, he could not expect more than the law allowed; and what is it construed into now? Why, that the Government have done it to drive him from the Colony! I am surprised that such gentlemen, called "sanctified," should say such things. But it came to the ears of the Government that he had not visited some schools for sixteen months, and they would not pay him till the Board of Education made inquiries and gave him a certificate, in accordance with the Act. Now, the law required him to visit the schools twice in the year; and when it turned out that he had not been in some of the schools for sixteen months, the Government thought perhaps he might have had some reason for that neglect, which they desired to know before paying him; but now, because they had to comply with the request of the Royal Agricultural Society and with this House, for some hon. members would vote against the grant, who voted for it last year—I think, therefore, there is no reason to say such things as those in the article alluded to. What is the state of affairs now? We find Mr. Stark's work unfinished. He has been engaged visiting the schools during the year, and we find fifty schools not visited at all; and I think it is high time there were some inquiries made into the matter. The Government relieved him of his duties only five or six days before the time that he gave in his report last year. He was in town on Saturday, and as he would not travel on Sunday, only three or four days of his time remained, so that he could not visit all the schools unvisited; but it is a very poor excuse that the schools should not be visited, because the Government had relieved him of his duties. Now, too, it is said he is dismissed; but the Government thought it better to relieve him at once, when

he tendered his resignation; yet there was no desire on the part of the Government to treat him harshly, for it would be a poor Government that would require to take means to get rid of a gentleman in that way. Again, the hon. member for Charlottetown has said, that religious instruction is now the scheme of education approved by parties in all countries. But what is the conclusion of Lord Palmerston? That public religious education cannot be carried out. Then the hon. member goes on with a great deal of feeling for the poor man's children. What! is he to pay and cannot have his children taught the Bible? In the case of a person that cannot read, of course he is a liberal minded man, and will, perhaps, get a person to read for him; and if we teach his children, he would be able to get a little instruction from the children at home. But remember in this case there is not a word about clergymen there. He (Hon. Mr. Palmer) forgot that there are Sunday Schools in this Island. But he goes on a little further and then says, the Catholic children are not to be turned out in the snow; but if they wanted religious instruction, they could go to Chapel on a Sunday; but does not seem to think that the Protestant children could do the same. Now, it is the duty of the clergyman, in my opinion, to assist a little in religious instruction, as it cannot be given in school without raising strong feelings; and if the proposed amendment is carried out, I am satisfied it will cause a great deal of disturbance; but if left to the good sense of the people, this House may rest satisfied that they would make arrangements to suit themselves. Well, that is what he (the mover of the amendment) wanted to do; he did not want to have it forced by law, but left to the good sense of the people, which he is willing to do, even if he should carry that amendment. Well, sir, let us leave it to them altogether. I am not opposed to the Bible in school; I have made a motion on a former occasion, to have it there; but I am opposed to introduce it in a manner that would give offence to the country. But he must get something to say, that Coles is opposed to Bible instruction in the schools of the Island; but, sir, I do not dread the hon. member's statements at all. As to his allusion to the great show at the opening of the Normal School, it is hardly worth noticing. The country are well satisfied with it; and hon. members who have visited it are very well satisfied with it, and think the money laid out for it the best expended money in the country.

Hon. Mr. MOONEY had not intended to speak on the subject under discussion; but when he saw so much sophistry and so much quibbling on the part of some hon. members in the opposition, he thought he would say something too. In all his legislative career, he had never heard such language before. The hon. member (Hon. Mr. Palmer) with his party had been advocates for the passing of a law enforcing the total abstinence principle, "touch not, taste not, handle not; but they had failed on that dodge; and tho' poor Arbuckle had talked the teeth out of his head, yet they had failed. After their defeat in the House, he had scarcely time to get his hat before they were off to try what sort of a taste the spirits had. Such sophistry and duplicity on the part of those hon. gentlemen made him almost fell ashamed that he was a man. To think that they would submit to use such low, grovelling expressions, and to raise such things and set man against man, was absurd. Where was that in the Bible? The hon. member Mr. Palmer, rose up as tall as any man; but he, Hon. Mr. Mooney, bet a pound that he would bring a little girl, only sixteen years of age, who had never attended school, and she would surpass that hon. gentleman with all his Blackstone knowledge, and the hon. member for Georgetown, Mr. T. Heath Haviland, in the knowledge of the Bible, and would repeat by rote more than either of them. What a mass of hypocrisy! God forgive him! He would never resort to the word of God to carry out a political purpose. Had it not been for the Protestants of this

country, he would never have been on the floor of that House; and were the demand made just, he would be right in supporting the application of the Protestants. He himself had come from the land of strife, and he had lived amongst Protestants, and with a man belonging to an Orange Lodge, and he had never disputed with him—never had as much as an angry word with that man. He (Hon. Mr. Mooney) left Ireland when he was twenty-four years of age, and he had never received a hurt there, except that in kicking a ball he had hurt one of his toes; and there never was a word of dispute about the Bible, when colporteurs were sent to convert them. What would come out of the present agitation? Nothing but raising bad feelings in the community, and it would do no good to the country. Protestants were the majority of his constituents; why did they not apply to him on the subject? Were he not able to occupy his place in the House, and represent his constituents when the majority of them were Protestants, he was prepared to resign his seat in the House. He would not go and sow the seeds of discord and strife in the Island, which he believed was the purpose for which certain parties had raised agitation, striving to set man against man, and excite an animosity between Catholics and Protestants. Where in the Holy Scriptures would be found precepts for such conduct? There they would find the precept: "Love God above all things, and your neighbour as yourself." That was the way of getting to the place where they all desired to go. He was a Roman Catholic, and he wished to allow every man to believe what he thought proper, and to go to whatever place of religious worship he pleased. He had never heard his priests say, to hate Protestants; and he had been instructed to hate no man, but to be kind and civil to all men. That was the doctrine which was instilled into the minds of Catholics at the present moment.

Hon. Mr. PALMER said, if no hon. member said anything more to the point than the hon. member, they might as well listen to the barking of dogs. What did he mean when he jumped up there to speak to the question? did he not think it his duty to make some little use of the reason his Maker had given him? What in the earth had all that balderdash to do with the question before the committee—accusing some parties of being hypocrites, and of endeavoring to raise up dissension? Who was the individual—for heaven's sake—that all those accusations came from? Who was the man? when we take a survey of him—and his intellectual capacity? What had all that buffoonery and nonsense to do with the question before the committee relating to the petitions concerning the schools? No man had candor or honesty but him! All for the benefit of the people too; nothing for himself! a man who never took the peoples' money for any office! That hon. member had better look to himself, and see if he had not arguments coming from his own pocket more than from his mouth whilst he was declaiming against others for being actuated by selfish motives. It would be folly to descend to answer such remarks.

Hon. COL. TREASURER said, he rose merely on a point of order. The hon. member Hon. Mr. Palmer had accused Hon. Mr. Mooney of buffoonery and not speaking to the question; but he had not retorted in worse language than that used by Hon. Mr. Mooney in his observations.

Hon. Mr. PALMER replied that he had retorted, and had a right to retort. Would any hon. member sit there and be assailed with such accusations as those made by the hon. member, Mr. Mooney?

Hon. Mr. MOONEY would show that the hon. member, Mr. Palmer, was always opposed to consistency. In the year 1852 when the Education Bill was introduced, he proposed an amendment for reducing the tax on real estate in Charlottetown for the education of the Charlottetownians. Was it not a wonder that he did not then propose something to the present question?

Mr. MACIN POSH said, from all he had been listening to since the discussion commenced, he had not heard a single argument against the Education Bill as not working well since it had been passed into a law; and he thought everything tending to create bad feelings would be suppressed. He believed the Education Bill of all Bills ever passed by the House, had given general satisfaction; it was found to work well, and it should be left alone. He did not intend to say much on the subject under discussion, but he was opposed to

introducing anything which was not in the Act. If any one had been compelled to abandon the use of the Scriptures in school, then there might be some reason to change the Act: but the proposed amendment would provide that the reading of the Scriptures must be attended to. When every one was at perfect liberty to use the Scriptures in school, in the name of common sense, let it be done. He was determined to oppose every amendment to the Act, except the one relating to the schools of Georgetown.

Hon. Mr. WHELAN.—Mr. Chairman, I shall vote for the amendment proposed by the Hon. the Speaker, and will then vote against the whole clause so sought to be amended. But I must crave your attention to state briefly, and, I trust, in a spirit of moderation worthy of the question, the reasons which induce me to adopt the course I have indicated. After all the agitation and misapprehension which have been caused by the discussion of the Bible question out of doors, I indulged the hope that correcter views would prevail in this House than some of those I have heard expressed during the debate. I do not see how any hon. member can doubt the fact, that the whole of the agitation now existing is the result of a serious and most unaccountable misunderstanding.

A considerable effort has been made to remove it, but there are some parties in the community who appear to be bent upon sowing discord—who will not, if they can help it, suffer the public to be rightly informed on the question at issue, but who go on from day to day labouring to involve the settlement of that question in difficulty, by mystifying all the facts connected with it. Whether this extraordinary conduct proceeds from an inherent love of discord, or from a desire to serve a political purpose, I am not prepared to say, nor do I care; for in spite of all the efforts of the designing, I do believe that the people of this Island are too liberal and enlightened in their views to become parties, for any length of time, to a religious crusade, and that the present excitement will shortly subside, leaving no trace of its operation but that which may be found in the disgrace that will inevitably attach to those who have fomented it. I did not, I confess, expect to find their machinations encouraged in this House; but the debate has taken such a turn as to justify, in a great measure, the course pursued by the parties to whom I allude, and may possibly lead strangers to the Colony to suppose that attempts have been made by the head of one religious denomination to deprive all the others of their religious liberty. To meet this most fallacious view of the case, I hold a resolution in my hand, which I shall presently offer; and as it must be admitted to contain nothing but the facts, its proposal will obviate the necessity of reviewing at any length some of the arguments and statements urged by gentlemen who have preceded me. Permit me, however, first to ask what is the particular circumstance which has given rise to the agitation that has been created in regard to the introduction of the Bible, as a class-book, in our public schools? I shall be referred, I presume, for an answer to this question, to the letter addressed by his Lordship the Bishop of Charlottetown, at the close of the last year, to the Secretary of the Board of Education. And what is the purport or spirit of that letter? This question I shall presently answer myself. Throughout the whole of the discussion which that letter has provoked, not one of those who have assailed his Lordship has had the fairness to put an honest and legitimate construction on the expression of his views. But, on the contrary, we have been every day met with the cry, that it was the design of the Bishop to suppress the reading of the Bible in our public schools. Now, his Lordship's letter very clearly shews that he had no such design. That letter was written in consequence of some injudicious remarks having been made

and published by the Visitor of Schools, at the inauguration of our Normal School—that officer having assumed authority on the occasion referred to, to propound rules for the regulation of the Normal School,—one of which was, that the reading and exposition of Bible truths should form part of the daily exercises. This announcement by a public functionary at the head of our educational establishment, as Inspector of Schools and a member of the Board of Education, was of so general a character, that his Lordship was easily led into the error, that if the Inspector could prescribe rules for one school there was nothing to prevent his doing the same thing for them all. And could the Bishop entertain any doubt as to the kind of religious instruction to be imparted in those schools? He well knew that the Catholic version of the Bible would not be the one introduced, and well knowing that nearly half the children attending our public schools belong to the Church over which he exercises spiritual authority, it was not too much for his Lordship to apprehend, that a system of proselytism would be attempted; and influenced by such an apprehension, it was clearly his duty to interfere. This duty he discharged in the most unobtrusive manner,—he stated, in his letter to the Board of Education, the grounds of his apprehension—he pointed out the evil consequences of infusing the religious element into our mixed schools; and, in that spirit of Christian forbearance and toleration for which his Lordship is so highly distinguished, deprecated the adoption of a system of instruction which would so certainly disturb the harmony that now happily subsists between the different religious denominations. Under these impressions, he asked the Board of Education to reconsider the subject, and he suggested that it would be far better to adopt the *godless* system—such as is pursued in the National School of Ireland—(using the word *godless* in the sense in which it is generally used in reference to those schools)—than a system which would necessarily deprive nearly one-half the rising generation of the benefits of a free education. Such was the purport of the Bishop's letter, and I cannot see how any reasonable man could find fault with it—taking into consideration the shadowy lights in which it was written. It is true that his Lordship committed an error in supposing that the Bible—meaning, of course, the Protestant version—was to be forced as a class-book into our public schools; but this error was caused, as I have already shewn, by the extra-official assumptions of an individual who has since been disingenuous enough to take improper advantage of his Lordship's error. But the Bishop having discovered that his apprehensions were unfounded, did he not acknowledge his error in the most unreserved and unequivocal manner, by addressing a note to the Hon. Colonial Secretary, in which he stated, that having received full explanations from the Colonial Secretary, there was no disposition on the part of the Government to prescribe *new* regulations for the management of our mixed schools, he was perfectly satisfied? Why, then, should an attempt be made to mislead the public into the belief, that the Catholic Bishop has sought to invade the conscientious rights of his Protestant fellow subjects? We all know that the public meeting held at the Temperance Hall on the 13th February last, under the direction of certain Protestant clergymen, was called for the purpose of arousing public opinion against the Catholic Bishop and the Church in this Colony of which he is the head ecclesiastic. At that meeting his letter was referred to, and censured in the strongest terms by some of the speakers, but not one of them had the candour to admit that that letter was virtually cancelled by the one subsequently addressed to Mr. Coles. A great deal of nonsense was uttered at that meeting about the demoralizing tendencies of "Popery," (as the religion of

one-half of our population was insultingly described), and much vehement denunciation was expended on the despotism alleged to prevail in Catholic countries; but what this had to do with our social, religious or political condition, in this country, the reverend orators did not condescend to enlighten their hearers. There was one circumstance connected with this meeting which I cannot easily forget, and that was the presence of several individuals, whose character for probity and uprightness does not stand remarkably high in this community. Their zeal on behalf of the Bible, and their enthusiasm in defence of the Protestant religion, were such as to lead many persons to hope that they had "turned over a new leaf," and would become better members of society than their previous conduct proved them to be. I am willing to give credit for sincerity to most of the Protestant ministers who have placed themselves at the head of the present movement, and who were mainly instrumental in getting up the meeting to which I have referred. I think they are acting under the impulse of an honest, though very injudicious zeal; but I think that any person of common sense and understanding, cannot, in his heart, acknowledge that most of those laymen, who are rendering themselves conspicuous in the present agitation, are influenced by any other motives and prejudices than those which are wholly foreign to religion. The simulated zeal for the Bible, observable in the conduct of such persons, is the greatest obstacle that can be presented to the circulation of the Scriptures, and cannot fail to cover with suspicion, and bring into disrepute, all others who associate with them.

Now, Sir, let us suppose that we should give effect to the wishes of the petitioners, and make the Bible a compulsory class-book in our mixed schools, what advantages would we confer on society in Prince Edward Island? Does any one suppose that sounder morality and more true religion would be the result of such legislation? If any one does, I do not envy his credulity. Countries which have tried the religious element in their public schools have not been more fortunate in cultivating public virtue and morality than those countries that wisely leave the inculcation of religion to those places which are specially set apart for its ministrations, and to the domestic hearth. We have had a system of public instruction in this Colony for many years, and for the last five or six years the freest and most liberal system known to any of the British Provinces. I certainly think we are not behind our fellow subjects abroad on the score of religion; and why should we now seek to disturb the public harmony, and impair the efficiency of our educational system, by setting Catholics and Protestants against each other on matters of religious faith? To illustrate the impracticability of making the Bible a class book in mixed schools, let us suppose an individual case. Here, in a particular settlement, one half the children in attendance at the public school are Catholics—the other half are Protestants,—the teacher is a Protestant—the majority of the trustees are Protestants,—we may readily conclude that when there is a rule to have the Bible read and expounded by the Teacher, the Protestant version will be the one selected—(it is absurd to suppose that the two versions of the Bible, Protestant and Catholic, will be used in the one school under the direction of the one school-master),—well, one half the children are compelled to read or to listen to a Book which they are taught to believe is an entirely incorrect version of the Holy Scriptures. Does this compulsory attention encourage a veneration for the Bible—either on the part of those who believe in the version read, or on those who do not believe? What feelings are implanted in the guileless hearts of those who are sent to drink at the strengthening and refreshing fountain of know-

ledge, and find little but gall and bitterness in the draught? Why, Sir, we should find in every County and Township of the Island a horde of juvenile dogmatists, ready to annoy and persecute, and worry their schoolmates, about matters which have, for centuries, been a source of contention and bloodshed with children of a larger growth. Reverse the picture—let the school be a mixed one still, as is the case in a majority of districts in this Island, but suppose we find the schoolmaster to be a Catholic, and a majority of the Trustees Catholics, of course they would have the Douay Bible for their Scriptural class book; and there would be just about as much benefit resulting from its use as in the case of the Protestant Bible. [Mr. Whelan then expatiated at considerable length on the impolicy of legislating on such a question as the one under consideration. He contended that it would be far more conducive to the peace and happiness of society to allow the Education Act to remain silent, as heretofore, on the subject of religion. He considered that if the Legislature recognised the use of any particular Bible, that large class of the population—be they either Catholic or Protestant—who conscientiously believed that particular version to be an incorrect one, would only be encouraged to cherish the worst feelings towards that particular denomination whose Bible happened to be put in use against their will; and thus would the whole community be disturbed by sectarian animosity, and religious persecution. Mr. Whelan said he had great respect for the school teachers of this country. As a class he did not think they were inferior to those of any other Colony in America for general intelligence, and for efficiency and zeal in the discharge of the important duties allotted to them; but he was compelled to say that there were very many of them who, from their youth, inexperience, and want of proper intellectual training, were wholly unfit for the office of religious instructor. He wished to be understood as not disparaging the acquirements of a majority of the schoolmasters of this Island, as schoolmasters, but he considered it was not only improper and worse than useless to connect religious with secular training, but that it was beyond the power of schoolmasters generally to attend to both. To expound the Bible well and faithfully was held to be one of the most difficult intellectual pursuits,—the ablest, most learned and most sagacious minds that ever shed their light upon the world, had, in all ages, been devoted to the elucidation of its sacred mysteries; and many of them, after a life time spent in that pursuit, might compare their labours to those of the great philosopher who contrasted his toils in the world of science to the efforts of a child picking pebbles on the sea shore. Shall we then, he said, entrust to the raw youth of eighteen or twenty years of age the performance of a task which has puzzled the wisest intellects? Even the hon. member for Princetown, with the resolution before him which he had that evening submitted, would be slow to believe that there were many parents in this Island disposed to commit the religious training of their children to a large proportion of our country schoolmasters. After several other observations from the hon. member—he having spoken for upwards of an hour—he proceeded to read the resolution which he held in his hand. He said he would not move it then, but lay it on the table for the present. It was not his intention to move it as an amendment to the Bill, but as a record of the views which he entertained, in company with many of his political friends, to be placed upon the Journals of the House—as a faithful statement of the permissive principle with respect to the reading of the Bible in our public schools, as the law then stood—and as a suitable answer to the Petitions before the House. The resolution was then read, and is as follows:—

“Whereas, in consequence of several petitions having been presented to this House, and duly considered, praying that the Holy Scriptures may be authorised by law as a class book in the mixed public schools of this Colony, it appears to the satisfaction of this House, that, according to existing arrangements for the management of our district schools, adopted under the sanction of the Board of Education—no prohibition is made to the free use of the Scriptures, without reference to denominational distinctions; and it is further and very clearly apparent, by various returns from the public schools in this Colony, now before this House, that the Scriptures have been and are used in many of such schools, without prejudice, where the School Trustees and parents of children desire or have desired them to be read. And whereas it has hitherto been found to afford great satisfaction to persons of all denominations, Protestants and Catholics, to leave the use of the Holy Scriptures entirely optional with School Trustees and parents, who are best qualified to determine whether or not the Bible should be used as a class-book in our mixed schools.

“Resolved, therefore, that it is inexpedient to disturb the present arrangements for the regulation of our mixed schools, with regard to the Books that are used therein, by enacting such a clause in the Education Act as would give a religious aspect or colouring to our educational system, and prescribing such new rules in reference to the introduction of the Bible as a class-book, as might, though perhaps not intended, be enforced to the prejudice of a large proportion of our population, and, which, in the opinion of this House, would produce no good result, but, on the contrary, would keep alive religious excitement and animosity; and not only destroy the harmony which has heretofore existed between all classes of Christians, but would, in a great measure, deprive the people, or a very large portion of them, of the benefits of a free education.”

The Hon. the Speaker's amendment was then put and carried on the following division:—

Yeas:—Hons. the Speaker, T. H. Haviland, Palmer, Longworth, Montgomery, Wightman, Whelan and Mooney, Messrs. Macdonald, Yeo, Macintosh, T. Heath Haviland and Laird—13.

Nays:—Hons. Col. Secretary, Col. Treasurer and Lord, Messrs. Munro, Muirhead, Clark, Cooper—7.

R. LAIRD, Rep.

Hon. the SPEAKER.—The resolution moved by the Hon. member (Mr. Whelan) is out of order, as nothing can be reported from the committee but the Bill and its amendments. When the Speaker is in the chair the hon. member can move his resolution.

Hon. Mr. WHELAN.—I do not wish to engraft it upon the Act; but to submit it merely as an exposition of my principles on the question.

Hon. the SPEAKER continued, I have given way heretofore; but will now say a few words. It would, perhaps, be a work of supereogation for me to enter into the arguments introduced in support of the views I hold on the question now under consideration, or reiterate the sentiments already expressed with so much power, and supported by so many able arguments. I will, therefore, only say that I believe there will a great deal of mischief arise if any material alteration be made in the present Act. (The hon. Speaker then illustrated his argument by showing that if the Catechism of any creed was by law made a school-book it would not for a moment be tolerated, and if a Protestant teacher was compelled to teach a Catholic Catechism, or a Catholic teacher compelled to teach a Protestant Catechism, not by the parents and guardians of his scholars, but by law, it would be an endless source of contention and discontent.) The resolution introduced by Hon. T. H. Haviland, says the Bible shall be read in all the public schools. Now, if this amendment cannot be carried out without opposition, strife and ill-feeling between man and his fellow; without embittering

a religious hatred heretofore barely existing; without engendering a feeling the sure precursor of fanaticism,—if, indeed, it cannot be carried out at all—what is the use to legislate for the purpose of creating disorder and discontent? The amendment is unfair in so far as it professes to be merely an exposition of the intentions of the Act, while carries beneath this guise a coercive spirit. Whether it was intentional or not in the framer of that resolution to give it such a character, is of little importance; it is enough for us to know that if it be adopted it will be the means of working much harm, and it becomes our imperative duty to resist every measure having for its tendency an interference with the religious belief of any and all religious denominations.

Hon. COL. SECRETARY.—If the amendment proposed by hon. member (Mr. Whelan) was prefixed to the other, by way of preamble, it would be at least an explanatory clause. In 1845, the House went into a committee of the whole to report on several petitions of a similar nature to those lately presented to this House. The result was a report to the following effect:—

“Thursday, March 27, 1845.

“Whereas, to quote the words of the several Petitions now under consideration, relative to the introduction of the Bible, as a class book, into the Central Academy, and other schools throughout the Island receiving grants of public money, ‘to promote the glory of God, and the knowledge of the Lord Jesus Christ, by the early instruction of youth in the principles of the word of God,’ the House of Assembly considers a duty incumbent on every parent and pastor, and is essential to the well-being and social happiness of mankind:

“And whereas this 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—it being based upon 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:

“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 observe the names of some hon. members, who now support the introduction by law of the Scriptures into the common schools, who then voted for the report of the committee, which I have just read, which, if carried, would have excluded the Scriptures from not only the Central Academy, but all the schools in the Island. I was opposed to the preamble on the ground that it would exclude the Scriptures altogether from the schools; but as the resolution admitted their use where no objections were made by the parents or trustees, I fully agreed with it, and moved that all before the word “resolved” be struck out, which was carried by a majority of one,—10 voting in the affirmative, and 9 in the negative. The hon. member (Mr. Palmer) also moved an amendment to the report to the effect that it was “expedient to repeal so much of the Act of the 10th George 4, cap. 9, as prohibits the use of the holy Scriptures, without note or comment, in the Central Academy, by children whose parents or guardians shall not object to the same.” I voted for this amendment, because I considered it a just enactment; but it was lost on a division of 6 to 13. I think the resolution by Mr. Whelan carries out the one to which I have alluded; and as an experience of twelve years has shown the propriety of such a measure, I can see now no reasonable objection to it. There is one point however, which it will be difficult to settle satisfactorily, that is—in a school where one half the children are Roman Catholics, and the

other half Protestants, the two versions of the scriptures will have to be taught, which will create confusion. The schoolmaster is asked to read one version by the parents of one portion of his scholars, and the other version by the parents of the other, and what will it lead to? Confusion.

Hon. Mr. PALMER.—The act is nothing more than a specious shape of law as it stands. The real question is whether such regulations shall be introduced by the parents or Trustees of any school, or by the Board of Education.

The question on the amendment introduced by Hon. T. H. Haviland, was then put, and it was rejected on the following division:—

Yeas.—Hons. T. H. Haviland, Mr. Palmer, Mr. Montgomery, Mr. Longworth, Mr. Wightman, Messrs. T. Heath Haviland, Laird and Yeo—8.

Nays.—Hons. Col. Secretary, Col. Treasurer Mr. Whelan, Mr. Mooney, Mr. Lord, the Speaker, Messrs. Clark, Munro, McDonald, Muirhead, McIntosh and Cooper—12.

GALIC TEACHER.

Mr. LAIRD said, before the House proceed further, he would like to submit a petition praying that provision be made for a teacher to teach the Gaelic language.

Hon. Mr. WHELAN suggested the propriety of amending the Act in so far as to enable teachers to draw their salaries quarterly, instead of half-yearly, as heretofore. It was a matter, he thought of as much importance to school-masters, as it was to officials receiving £300 a year. It would be no additional expense to the Government, and might do away with expedient often resorted to of getting warrants “shaved,” which entailed considerable loss on the “shavee.”

Hon. COL. TREASURER thought if such an amendment were made, it would give schoolmasters an opportunity of leaving their places before the term they agreed to serve expired; and it would not be sound policy to place too much power in their hands.

Mr. CLARK agreed with the hon. member who had just spoken. He thought school-masters got more than would support them in the country, and could well afford to wait for six months for their salary.

Hon. the SPEAKER said if a teacher received his salary for six months, he could live upon it for the six months following.

Hon. COL. SECRETARY said the objection used to such an arrangement, by the Hon. Col. Treasurer, was a good one, and if the system of quarterly payments was introduced, he was certain many teachers, who might become discontented would leave, upon the receipt of their quarter's salary, thereby causing great inconvenience to the people.

The petition presented by Mr. Laird was then read, when the following discussion upon it ensued.

Hon. Mr. LORD thought it would be no harm to have a teacher in the Gaelic language to be paid by the Government, provided it was called for.

Hon. COL. SECRETARY said that it would be as reasonable also to add others to teach Irish. But if such a thing were really called for the Board of Education had full power to license such a teacher without making it necessary for this House to enact a law to that effect. He said there were very few Scotchmen but could speak English, and, no doubt, preferred that language to Gaelic. It was different, however, with the Acadian French, many of whom could not speak a word of English, and that was the reason a clause authorizing teachers to instruct in the French language, was in the act.

Hon. Mr. MOONEY said he did object to the teaching of the Gaelic language, if it did not interfere with English education.

Mr. MUNROE.—The hon. member (Col. Secretary) labors under a mistake, when he says there were very few Scotchmen but can speak English. There are a great many who can not speak a word of English, and in view of this fact, I think the Government ought to pay for their instruction in the Gaelic tongue.

Mr. MACINTOSH was not in favor of the proposed measure, and thought that instead of taking advantage of an English education, it might lead many young persons to an unprofitable study, which could be of no great benefit to them

when compared with a good education in the English language. There was no fear but what they would learn the Gaelic language at home, as well as at school, and better.

Mr. MUNROE.—There is no fear but they would learn it at home, but they might forget it after a time, if they were not practised in it.

Hon. COL. TREASURER.—No teacher is prevented from teaching in Gaelic by the act, if it be desirable.

Mr. LAIRD.—If it be not objectionable to have such a teacher, let the law allow it. That is all they require. A clause to that effect can do no harm.

Hon. the SPEAKER would oppose any motion to that effect, because, although he was partial to the Gaelic as a language, he thought it was not necessary to have it taught now-a-days. It was fast becoming obsolete, and was, in fact a dead language; and in the course of a few years we would hear the sound of it no more. On the contrary, the French language, was one that was every day brought into requisition, especially if a man were going to travel; for there is hardly a country in the world in which it is not spoken. The Gaelic on the contrary, however, he was sorry to say, was not so universal, and therefore less likely to be of any service to the coming generations.

The clause, as it stood originally, was then agreed to, and the blank, for the continuance of the Act was filled up with the words "six" (years).

The House resumed. The chairman reported the Bill agreed to with certain amendments, which report was received.

Hon. T. H. HAVILAND—Before the question be put on the amendments which have been rejected in committee; I move the Bill be referred back to a committee of the whole House. Which motion being seconded, was put and negatived on the following division:

Yeas—Hons. T. H. Haviland, Mr. Palmer, Mr. Longworth, Mr. Montgomery, Mr. Wightman, Messrs. T. H. Haviland, Yeo and Laird—8.

Nays—Hons. Col. Secretary, Col. Treasurer, Mr. Lord, Whelan, Mooney, Messrs. McDonald, Munro, Perry, Clark, Muirhead and McIntosh—11.

GEORGETOWN SCHOOL.

Mr. McDONALD then submitted the amendment to embody into the Bill a clause for an addition to the salary of the present master of the Georgetown Grammar School, and moved it be referred back to a Committee of the Whole.

The House divided on the amendment.

Yeas—Messrs. McDonald, Munro, T. H. Haviland, Laird, Yeo, Hons. Messrs. T. H. Haviland, Palmer, Longworth, Montgomery and Wightman—10.

Nays—Hons. Col. Secretary, Col. Treasurer, Mr. Whelan, Mr. Lord, Mr. Mooney, Messrs. Clark, Muirhead, Perry and Macintosh—9.

The House then went into Committee of the whole, Mr. Perry in the chair.

On the resolution being read—

Hon. the SPEAKER.—It may seem strange that I oppose this amendment, being from King's County; but as I am a country member, and fully aware of the privations to which country schoolmasters are subjected in comparison to teachers in town, and knowing the difficulties under which both country teachers and their pupils labor, I would not feel justified in advocating a claim of this kind, without bringing in a similar one in behalf of every schoolmaster in the Island, which I am not prepared to do. (The Hon. the Speaker then adverted to the cheapness of living in Georgetown, which having been frequently adverted to before, the reporter omits.)

Hon. Mr. MONTGOMERY.—I would support such a law as the hon. member (the Speaker) hinted about—that is, to increase the salaries of all the teachers. I have always advocated that more should be paid teachers for their services than they now receive. The reason I will vote for the amendment now under consideration, is, because it will procure the people of Georgetown, the services of a more competent teacher.

Mr. YEO opposed the motion with much warmth, saying it was not right to single out Georgetown as the only place in the Island where the teacher of a school should be placed on an

equality in regard to salary, with the master of the Academy in Charlottetown. (The hon. member also urged that as provisions, rent, &c., were so much cheaper in Georgetown than Charlottetown, it should be an additional reason for not increasing the salary of the teacher at that place.)

Hon. Mr. MOONEY thought it was not in justice to give so great an increase of salary to the teacher in Georgetown, when he had an easy berth when compared to some country teachers. He would support an amendment to the amount of £5.

Hon. Mr. WHELAN.—I regret I was not in the House when this matter was first brought up, and I might have voted differently from what I have just done. For my part, I should always feel a pleasure in rewarding schoolmasters for their labor, handsomely; but I was not prepared for this movement, and had not sufficient time to make up my mind on the matter. I move the Chairman report progress, and ask leave to sit again.

Mr. CLARK.—The idea of the hon. member (Mr. Montgomery) is a good one—to increase the salary of all teachers throughout the Island. I would go for such a measure, if the present state of the revenue warranted it. But I would not advocate the present measure on the same grounds he does. But if I were in favor of the present motion, I would also be in favor of a similar additional grant for Princetown, since, by the new Election Act, Lot 18 has been joined to the Town and Royalty. If, as the Hon. the Speaker says, we increase the salary for the Georgetown schoolmasters, we must, in justice, increase the salaries of the other teachers throughout the Island, also. I will therefore oppose the motion.

Mr. T. H. HAVILAND.—If the hon. member (Mr. Whelan) was in his place in the early part of the afternoon, he would have an opportunity of hearing the merits of the case more fully, for we had a long discussion upon it. The hon. member (Mr. Clark) opposes the grant, because, as he expresses it, other villages, and especially those of Princetown and St. Eleanor's, could with equal justice claim a similar right. I would like to ask that hon. member, if he wishes to compare those towns with Georgetown. I suppose the next thing he will be doing, is to compare Georgetown with that beautiful district he represents. But he should remember that Georgetown has a population of 800. He cannot see why the masters of Georgetown should get larger salaries than those of the places he has named. Of course not. I am surprised to see hon. members from King's County oppose such a grant, merely on the ground that schoolmasters of other parts of the Island could with equal justice claim a little increase of salary. But I would remind them that other districts have not asked for a like increase, and must, therefore, be content with what they receive.

[Some personal recrimination took place between Hon. Mr. Whelan and Mr. T. H. Haviland, which the reporter did not note down.]

Hon. Mr. WHELAN.—The hon. member (Mr. Haviland) says, he is surprised to see members for King's County oppose this grant. I am a member for King's County, and have the interests of my constituents at heart as well as the hon. and learned member for Georgetown; but am I to go against the dictates of my own judgments, and give my support to a measure I do not approve of, merely because I am a member for King's County? While I say this, in self-defence, I do not wish it to be understood that I will oppose the present grant; but when it is thrust upon us at so late an hour—without giving sufficient time to weigh the justice of the claim—it is but natural I should oppose it until I know the merits of the case. But there is no immediate necessity for further action upon it. Let us adjourn for the present, and when the matter can be reconsidered, I do not know but I shall be found among the list of its supporters.

Hon. COL. TREASURER.—I think it comes with excessively bad grace from the hon. and learned member for Georgetown, to speak so lightly of the people of Prince County. I would tell that hon. member, that there are districts in Prince County as flourishing, to say the very least, as the one he represents. The hon. member affects to sneer at the people represented by my hon. friend, Mr. Clark; but I would tell that hon. and learned member, that he is slightly "astray in his reckoning." The population of Lot 18 is 1,800; compare that with Georgetown, with a population of only 800, and see

to what cause can be ascribed the errors of that hon. member. It is all very well for the hon. member (Mr. McDonald) to come at this late hour to gain his object, with the aid of the minority; but he has hardly acted a prudent part in forcing upon us the adoption of a measure we can see no justice in. However, I would be willing to go so far as to vote for an additional £5, to be added to the teacher's salary. Still I think it would be better to report progress for the present.

Hon. the SPEAKER.—I think we should not report progress; but conclude the present action upon the Bill. I would ask the hon. member (Mr. McDonald) if the Georgetownians subscribe in any way for the support of their teachers, to make up the deficiency of the salaries they receive from Government?

Mr. McDONALD.—Yes; there have been subscribed £20 to one of the teachers last year, and I believe this one received the same amount.

Hon. COL. SECRETARY.—I think the Hon. member merely wants to show his constituents that he can make this House vote what he pleases. I would suggest that it would be better for the hon. member to withdraw his motion, and his claim shall be fully considered, without he wishes to defeat the bill under consideration.

Mr. McDONALD.—I have no idea of the kind. All I ask for is to place the teachers of Georgetown, on an equal footing with those of Charlottetown. We find that teachers in Charlottetown get £85 per annum, while the teachers of Georgetown get only £60. We ask for an increase of £20, to make the salary £80, which is after all not quite so much as the teachers get in Charlottetown, nor is the increase asked for so unjust, when it is considered that in Georgetown they have to teach Latin. As to the cheapness of living in Georgetown when compared with Charlottetown, as adverted to by hon. members, the difference, if there be any, is not so great as they imagine.

Hon. Mr. WHELAN.—Still I think the measure is unnecessary, and forced upon us at an unbecoming stage of the proceedings.

Hon. Col. TREASURER.—One word, Mr. Chairman, before closing. If the House of Assembly will vote supplies, after this fashion, they will relieve the Government of the responsibility they ought to be under to the people.

The House then divided on Mr. McDonald's amendment:

Yeas—Messrs. McDonald, T. H. Haviland, Munro, Laird, Hons. Messrs. T. H. Haviland, Palmer, Longworth, Montgomery, Wightman and McIntosh.—10.

Nays—Hons. Col. Secretary, Col. Treasurer, Lord, Whelan, Mooney, Messrs. Clark, Muirhead, Speaker and Yeo.—9.

The House resumed. The Chairman reported the bill agreed to with an amendment. The Bill was then read a second time and ordered it to be engrossed.

Then the House adjourned.

T. KIRWAN, Rep.

SATURDAY, March 21.

PETITIONS PRESENTED.

The order of the House limiting the time for the reception of petitions having been suspended, several were presented, viz:—

By Hon. Col. Treasurer, from Daniel McAlldoff, Cascumpes, praying additional remuneration for rebuilding a bridge; Also from inhabitants of Kildare, praying aid for a road; both referred to the members for the district; A petition of inhabitants of Tignish, praying for the establishment of a light-house committee; Also, from Thomas Robson, Sackville, New Brunswick, relating to a Fog Bell; laid on the table.

By Hon. Col. Secretary, from Henry Bessamer, Civil Engineer, London, praying for the passing of an Act to secure to him the benefit of his recent discovery of improvements in the manufacture of malleable or bar iron and steel; laid on the table.

PETITIONS DISPOSED OF.

The petition of the office-bearers of the Prince County Central Agricultural Society was taken up.

Several hon. members expressed their opinions in reference to the claims and prayer of the petitions, generally strong, by disapproving of the course pursued by the former Society, and being opposed to granting anything to the present Society, till

the office-bearers of it made satisfactory arrangements with the Royal Agricultural Society, in relation to its claim against them. A few statements respecting the proceedings and management of the former Society, in addition to those noticed when the petition was presented, were also made; but as the hon. member (Mr. Yeo) who presented the petition, was absent, the further consideration of the petition was postponed.

The petition of the Princetown Mechanic's Institute relating to a Lock-up, was taken up and referred to a special committee consisting of Hons. Montgomery, Col. Treasurer and Col. Secretary.

The petition of James Macneill, Cavendish, praying remuneration for his care and support of John Ashworth, was then taken up.

Mr. LAIRD knew the circumstances of the individual alluded to in the petition, and that he had no relations to contribute towards his support. He thought a larger amount would be required than that granted to paupers, which would not afford sufficient relief; and moved that the petition be referred to Supply.

Hon. COL. SECRETARY thought if the individual in question had been an inhabitant of a respectable neighbourhood, the inhabitants of it should do a little towards his support, and that a small sum appropriated by the Pauper Committee, would be sufficient. The country generally where such persons resided ought to feel an interest in them; and there were many such persons about the city, who were entirely supported by the beneficence of its inhabitants.

Several other hon. members concurring in these views, the petition was referred to the members for the district.

The application of the Wesleyan Deacons Society, was then taken up, and referred to Supply.

The petition of John Macleod, New London, was next taken up.

Hon. COL. SECRETARY since he presented the petition to the House, had seen one of the Commissioners of Small Debts, who adjudicated in the case of the petitioner, and he had informed him of some of the circumstances connected therewith, which he detailed. The other circumstances alluded to in the petition were connected with the snow storm and the practice of the Supreme Court in such cases as that of the petitioner. He thought if the petition were favorably entertained, a door would be opened for many similar applications being made to the House.

Hon. Mr. MONTGOMERY expressed himself to the same effect as he did when the petition was presented, detailing a few additional circumstances in relation to the case of the petitioner, and thinking the best way to dispose of the petition, was to refer it to a special committee.

Hon. Mr. PALMER did not know anything respecting the particular case before the House. The practice of the Court was, that crown and civil cases requiring juries, took the precedence, and when these were disposed of, or not ready to be brought forward, then appeal cases were heard. In these circumstances many having appeal cases did not attend the Court at an early stage of its proceedings, and thus sometimes their cases were dismissed, if brought forward in their absence. Such appeared to be the case of the petitioner, and it was not a singular one. The practice of the Court might, however, be changed, so that a particular time might be allotted to hearing appeal cases. As the present case had not been heard by the Court, an address of the House might be presented to His Excellency desiring that he would recommend the Court to hear the case.

Hon. COL. SECRETARY was quite opposed to addressing His Excellency for such a purpose. It would establish a dangerous precedent were the House to interfere with the Judges of the Court.

Mr. LAIRD thought they were very much in the dark in the case under consideration, as there were so many conflicting statements respecting the case of the petitioner, which was a hard one, and something should be done in respect to it. Though a Bill were brought in to alter the practice of the Court, yet that would not afford relief in the present case. It might be a bad precedent; but he thought they ought perhaps to grant the petitioner a small sum.

Several other remarks were made on the subject; and some other hon. members expressed themselves on the question under discussion, all admitting that the case of the petitioner was a hard one.

Two motions having been made, one that the prayer of the petition be rejected, the other in amendment that the petition be referred to supply, the House divided on the motion of amendment as follows.

Yeas—Hons. T. H. Haviland, Longworth and Montgomery, Messrs. Douse, Laird, T. Heath Haviland, and Clark—7.

Nays—Hons. Col. Secretary, Col. Treasurer, Lord and Palmer, Messrs. Macdonald, Munro, Perry, MacIntosh, Muirhead and Hon. Mr. Mooney—10.

Hon. Mr. Longworth then submitted a resolution to the effect that an address be presented to His Excellency the Lieut. Governor, recommending His Excellency to bring the said case before the notice of the Supreme Court with the view of the Court granting a hearing of the case on its merits.

The resolution was negatived; and so the prayer of the petition was rejected.

Adjourned till the afternoon.

R. LAIRD, Rep.

AFTERNOON SITTING.

PETITIONS, &c., PRESENTED.

Hon. Col. Secretary presented to the House a copy of the correspondence between the Road Correspondent and Mr. Peter Macgregor, Commissioner of Highways for the fifth District of Prince County, in reference to the Bridge over the South West River, Township No. 16. Laid on the table.

Mr. Muirhead presented a petition of Simon Knowlan, setting forth that in consequence of a mistake made by the Receiver of Land Tax, in the year 1854, in giving him a receipt for payment of Assessment on Lot 16 instead of Lot 19, his farm of 50 acres had been sold without his knowledge, whereby he has been obliged to pay £16 10s. expenses in order to redeem the said land; and praying that the amount of expenses so paid may be refunded to him. It appeared, however, in the discussion that followed, which was participated in by nearly all the hon. members, that it was not the fault of the Receiver, but of the messenger Mr. Knowlan employed; and on a motion being made to refer it to Supply, the House divided, when it appeared that only 5 voted for the motion, and 8 against it. It was consequently lost.

PRIVATE PETITIONS.

The House then went into the consideration of private petitions.

The petition of inhabitants of Summerside, St. Eleanor's and others, in reference to telegraphic communication, was taken up and again read, when it was resolved to be inexpedient to grant the prayer of the petition, as the proper place to send it was to the Company, and it was not considered right to interfere in their affairs.

The petition of Edward Lane and others, Trustees of Dunstaffnage School, was taken up—praying to be reimbursed for expenses incurred in defending a lawsuit brought against them for alleged trespass, arising out of a disputed claim respecting the extent of ground comprised in the site of the said school—when Hon. Mr. Mooney took occasion to say it was needless to enter into a detail of the merits of the case which were, last session pretty fully discussed, and moved it be referred to Supply.

Hon. Col. Treasurer moved as an amendment, that the petition be rejected.

[The petition was opposed by Hons. Messrs. Montgomery, Haviland and Lord, Messrs. Haviland, Clark and McIntosh, and supported by Hon. Col. Secretary. From the discussion it appeared that the site of the school in question was given by Mr. Stewart, but when Sir Donald Campbell visited the place, the school was named, in compliment to him, Dunstaffnage, which did not please Mr. Stewart, who thereupon commenced a series of annoyances, and dug a cellar before the door of the schoolhouse, which the trustees filled in, &c.; for which act they were sued and damages recovered against them. It was the opinion of some of the hon. members who opposed the

petition, that if Mr. Stewart did not act as he should have done, it did not justify the trustees in committing any overt act.]

The petition was finally rejected on a vote of 10 to 5.

The petition of inhabitants of Mount Stewart and vicinity, was again read, praying for a grant towards the running of a steamboat between that place and Charlottetown, as the proprietor of the steamboat which ran between the above places last season threatened to discontinue running on account of the speculation not paying him. A short discussion ensued, in the course of which it was suggested, as the best method for the proprietor of the steamboat to adopt, and as an argument against granting the prayer of the petition, that a higher charge be made for transporting persons, stock and produce, between the places above named. The House divided on the motion to refer the petition to Supply, when it was manifest that an equal division existed—9 voting in the affirmative, and 9 in the negative. The motion was, however, negatived on the casting vote of the Speaker.

The petition of Hon. T. H. Haviland and others, Office-bearers of the Charlottetown Horticultural Society, praying a grant in aid of its funds, was again read, whereupon a sharp and animated discussion ensued, in the course of which much witty repartee was indulged in by Hons. Messrs. Palmer, Mooney and Mr. Douse, when Hon. Mr. Mooney moved an amendment, that the prayer of the petition be rejected, which was lost on a division of 7 to 10; and the petition was referred to the Committee on Supply.

The petition of Daniel Scott, farmer, North River, Lot 32, was again read, praying the House to interpose to avert the penalty of £236, being for 118 days, at 40s. per day, which elapsed from the time the contractor agreed to have the work of repairing the wharf at Minchin's Point completed. The petition goes on to state that last year Mr. Daniel Scott, contracted for the repairing of said wharf, undertaking to furnish eight new blocks, with other repairs to the same, for the sum £498. The time of taking the contract being the winter season, the petitioner was unable to ascertain the amount of labor required to clear away the old rubbish, ballast, &c., which far exceeded his expectations. On placing the timber near the wharf for use, says the petition, the fastenings were cut by some malicious person unknown, and the timber went adrift, which put the petitioner to considerable extra trouble and expense. Again, after collecting and securing the chief part with iron chains, booms, &c., a heavy gale from the north-west swept it all away, about one-third of which was never recovered, and which the contractor had to replace by again entering the forest in the summer season. The petitioner also states, that during the time the work was in progress, on the 3d of July, 1856, he had instructions from the Superintendent of Public Works to lay down stringers to connect the blocks for the accommodation of the public, and from September, vessels commenced loading thereat, which greatly retarded the work. The petitioner further states that there had been extra work performed to the amount of £264, which was allowed by arbitration. It appears, by a document appended to the petition, signed by the Road Correspondent, that Mr. Scott is indebted to the Government to the amount of £72 4 9½.

A short discussion ensued on the petition, in the course of which it appeared, from statements made by Hons. Col. Secretary and Mr. Wightman, that the petitioner had not paid proper attention to the work he had contracted for, and the misfortunes he complained of were brought on through his own want of attention; that his delays caused much inconvenience to the travelling public; that the services of Mr. Doirant had, after a time, to be procured, and that in an arbitration held on the work, the petitioner had been allowed for work done by Doirant as well as himself; and that the work was not after all, finished in accordance with the terms of the contract, notwithstanding the fact that the arbitrators allowed him £264 for extra work done, and the Government forgave him the penalty of £72 4 9½, for not having completed the work in time. The prayer of the petition was therefore rejected.

The petition of inhabitants of Wood Islands and vicinity, praying that the nearest Small Debt Court might be removed to a more convenient locality, or an additional Court established, was again read, and after a short discussion, was, on motion

of Hon. Mr. Montgomery, rejected, on the ground that the remedy was elsewhere.

The petition of James J. Rice, Printer, praying to be compensated for the insertion in the *Morning Advertiser*, of certain advertisements ordered by the House to be published in all the newspapers printed in Charlottetown, payment for which was disallowed by the contingent committee last session, was again read, and, after some discussion, referred to Supply, on the casting vote of the Speaker.

The petition of James Howatt, of Crapaud, setting forth that having imported a mill-shaft from New Brunswick, and paying duty on the same, the said shaft proved defective, upon which he was obliged to send it back and import a better one, for which he was also compelled to pay duty, and praying that the said duty be returned to him, was again read. Referred to Supply.

The Petition of inhabitants of Cascumpec, Kildare and Tignish, praying for the repeal of the anchorage duty, as far as relates to fishing vessels entering that port, (Cascumpec,) was again read, and on motion of the Hon. Col. Secretary, was rejected, it being deemed inexpedient to grant the prayer of the petitioners.

The petition of inhabitants of the Northern and Western portions of this Island, praying for the establishment at Cascumpec of a Court House, office of Probate of Wills, and other Law offices, was again read, and referred to the committee appointed to report on the petition of Thomas McNutt and others, of the Princetown Mechanics' Institute.

The petition of William Chappell, of Bay Verte, for a grant in aid of the Bay Verte sailing packet, was again read and referred to Supply, the Hon. Col. Secretary remarking that the petition ought to come through the proper channel. The Government, of course, could not be held responsible for any undue expenditure of the public money, if the House continued to receive such applications without their authority, and thus taking the responsibility from off their shoulders.

Hon. Mr. Longworth presented a petition of the City Council of Charlottetown, setting forth that during the past year, they have expended on levelling, raising, grading and paving the streets of the City a sum of £700; and in grading and stoning the roads within the Common, a sum of £276, and praying a grant in aid of the improvements contemplated on the roads within the said Common; and further praying a grant towards the repair of both the public wharfs of the City. Laid on the table.

The House then resolved itself into a Committee of the whole, to consider further of a Supply. Hon. Col. Treasurer in the Chair. After some time spent therein, the House resumed, the Chairman reported that the Committee had come to several resolutions, which he was directed to submit to the House, whenever it should be pleased to receive the same. It was ordered that the report of the committee be received on Monday, and that it have leave to sit again.

Then the House adjourned.

MONDAY, March 23.

Hon. Col. Secretary presented to the House a communication from the Post Master General of this Island, to his Excellency the Lieut. Governor, regarding the duties of his department, and the inadequacy of the salaries of himself and his Assistant. Referred to Committee on Post Offices.

Hon. Mr. Montgomery, from the committee to whom was referred the petition of Thomas MacNutt and others, shareholders of the Princetown Royalty Mechanics Institute as also the petition of inhabitants of the northern and western portions of this Island, praying for the establishment at Cascumpec of a Court House, to examine the same and report thereon, presented to the House the report of the said committee; which report was read again at the clerk's table, and is as follows:—

“Your Committee to whom was referred the Petition of the Shareholders of the Princetown Royalty Mechanics' Institute, praying that a Lock-up House may be built or obtained at the above place, the Shareholders of the Institute offering a room in the building for the purpose, provided the Government expend a small sum in preparing a part of the building offered—recommend the prayer of the Petition to be acceded to.

“Your Committee to whom also was referred the Petition of certain residents of the northern and western portions of the Island, praying for the erection of a Court House, establishment of a Surrogate's Office and Courts of Law at Cascumpec, cannot recommend the prayer of the said Petition; but as a means of preventing riots or of punishing disturbers of the peace, they recommend the erection of a small building as a Lock up House at Cascumpec, provided a site be obtained:—all which is respectfully submitted.”

The report, after some unimportant discussion in the course of which it appeared that one of the committee disagreed to the report, it was laid on the table.

The Hon. Col. Treasurer, from the committee of the whole House, reported according to order, three resolutions of the said committee which resolutions were again read at the Clerk's table, and agreed to, without alteration or amendment. (and which have already been printed in the debates of March 18th).

The House then proceeded to the further consideration of private petitions.

The petition of Thomas Robson, of Sackville, inventor of a fog bell; and the petition of inhabitants of Tignish and others, praying for a grant of money sufficient for the erection of a Light-house at the North Cape, were again severally read, and referred to the Committee on Light-houses, &c.

The petition of Donald McDonald and others, Township 47, praying relief in the matter of the seizure and sale of a quantity of Spirituous liquors imported by them last season was again read, and referred to a Special Committee. Messrs. McIntosh, Cooper and Clark, were appointed the said committee.

Mr. Clark, from the Special Committee appointed to report on all private Bills, presented the following report, which was again read:

“Your Committee appointed to examine and report upon Private Bills, having under their consideration the Bill introduced for the naturalization of Lawrence Warren, submit—that the Bill is of a private nature; but inasmuch as the fees upon Private Bills have not, in similar cases, been exacted by the House of Assembly, your Committee recommend that the said Bill be exempt from such fees.

“WILLIAM E. CLARK
“EDWARD WHELAN.”

On motion of Mr. Clark, the report, after a short discussion, was adopted, and the Bill for the naturalization of Lawrence Warren was read a second time, and committed to a committee of the whole House, Mr. Munro in the chair. After some time spent therein, the House resumed. The Chairman reported the Bill agreed to without amendment. The report was received, and the Bill ordered to be engrossed.

The order limiting the time for the reception of private petitions was suspended, on motion of Hon. Mr. Mooney, who presented a petition of inhabitants of Pisquid River Settlement and its vicinity, praying aid to repair a road, which was received and read, and the same was referred to the members for the district. Adjourned for one hour.

T. KIRWAN, Rep.

AFTERNOON SITTING.

ROAD SCALES.

The House was some time occupied in Committee on these scales, several of which were agreed to.

One of the Road Commissioners for Prince County having expended last year £175 more in his district than had been appropriated to that district last session, several hon. members expressed their strong disapprobation of the system of expending public money before it was granted; because in that case contracts were generally taken at a much higher rate than when for ready money, and consequently the public money was squandered. Some even went so far as to express their opinion that if any Road Commissioner expended money in that manner unauthorized, he ought to be held individually responsible for the amount. Ultimately a resolution expressive of the views of the Committee on the subject, was submitted by the Hon. the Speaker to be annexed to the Road Scales, which was agreed to.

House resumed, and progress reported.

SUPPLY.

House in Committee of Supply, when the appropriation of money for a member of the salaries not fixed by statute, and for other purposes were agreed to.

ROYAL AGRICULTURAL SOCIETY GRANT.

On the reading of the appropriation of a grant of £1000 to this Society.

Mr. PERRY said, he thought in voting a sum to the Society last session, they would not require to vote a sum this session. He could not make up his mind to agree to the amount named.

Mr. MACINTOSH fully agreed with what the hon. member said. He moved that the sum granted to the Society be £600, and considered at the same time that he was not going far enough.

Mr. PERRY seconded the motion.

Hon. COL. SECRETARY said, it was no use now to cripple the energies of the Society in reference to the model farm. The House last year appropriated a sum to induce the Society to enter upon the farm, and now it would not be productive of the advantage expected from it, unless some stock were imported to be placed on it. This year, an entire horse, some mares, some superior sheep, &c. were required for the farm. The proposed sum would only be £600 for the farm, the remaining £400 being for the other operations of the Society, which indeed asked a much larger sum than the one purposed to be granted.

Hon. T. H. HAVILAND quite agreed with what had fallen from the Hon. Col. Secretary. The Society had been encouraged in taking the farm, and now should be assisted in carrying out their plan. There was no better way to expend the public money than in encouraging such institutions.

Hon. Mr. MONTGOMERY said, they had already granted a large sum for the farm in question, and in order to make it useful, it would be necessary to appropriate a further sum to it. As the farm had been established, it would be better to grant it an additional sum at once for the benefit of farmers generally. There was no doubt, if improved stock were raised on the farm, that it would be much better adapted for the Island than imported stock, and would also be cheaper.

Mr. MACINTOSH said, these things might be all very well to talk about; but he thought it a very heavy tax to draw £1,000, for that farm alone. They had given a very fair amount for the farm last year, and now when it was begun, if they had to grant £1,000 to it every year, how many thousands would it amount to, at the risk of losing the whole? The sum granted to the farm ought to be in some degree proportioned to the benefits derived from it. He was not inclined to oppose the project of the farm altogether, but to be somewhat reasonable. Such schemes might be extolled in words and look very well; but he was certain not much profit was derived from them.

Hon. Mr. LONGWORTH did not think £1000 would be required, he did not think it too much; because great results would ensue. Even with a loss of £500 yearly, the farm might perhaps confer advantages worth £1,000. The sum granted to the Society last year, could not be all employed in the purchase of stock; but if the House granted them the sum proposed, he had no doubt they would import such stock as would be a benefit to all the Counties, and an immense advantage to the country generally.

Mr. PERRY would be favorable to the grant, if it would be a benefit to the country at large. Persons residing at Lot 1 derived no advantage from the Society. He was well aware

that if they wanted seeds of any kind, they had to procure them from Charlottetown. Taking into consideration, then, that distant parts of the country derived no advantage from such large grants to the Society, and in view of all the circumstances of the case, he thought the sum of £600 was quite sufficient.

Hon. Mr. WIGHTMAN replied that the Royal Agricultural Society were proposing to establish a depot in a near that part of the country where the hon. member resided. Last year the Society had induced the House to further a new undertaking,—a model farm; but the advantages of it none of them could judge of particularly if they crippled the operations of the Society. Were they going to encourage such an undertaking as the one alluded to, they must take the public money and apply it for that purpose; for it was unreasonable to expect that the anticipated advantages would result from the new scheme of the Society, unless the funds which they required were placed at their disposal. For his own part, he thought the scheme in question, would be a very great advantage to the Island. The importation of stock, though at an enormous expense, was of immense advantage to the Colony. People from other countries admired the stock of the Island, and many were now coming yearly from Nova Scotia, New Brunswick, &c., in order to purchase and take the improved stock of the Island to those Provinces. Such could not be the case, unless stock had been imported to the Island; therefore, the House ought not to be so penurious in granting a sum of money to the Royal Agricultural Society for that purpose. Before the model farm could be fairly set in operation, a large sum would be required to be expended; but the House were lavish in granting sums for other purposes, which would not be of much advantage to the Island. Besides, there was now much improved stock in the Colony, some of which the Society could purchase, and by attention to breeding, have a pure breed of animals preserved; so that after the importation now proposed, three or four years might elapse before there would be any occasion to import stock again. He cheerfully gave his encouragement to the Society; for he thought every person in the Colony, derived a benefit from it; and he hoped the hon. member, Mr. Macintosh, would see the advantage derivable from agreeing to the grant proposed.

Mr. MACINTOSH said, he never denied that the Society had done good; but he would ask, who did it? The House were charged with being lavish in other grants; he wished indeed that the model farm might be an advantage to the Colony, but he was afraid it would be a more dangerous speculation to the House than was expected. If the Society proposed buying up stock in the Island, what were they going to do with the sum named. The grant was so very extravagant that he could by no means agree to it.

Mr. COOPER said, when so many gentlemen saw so many advantages to be derived from the Society, he was surprised that they did not give something out of their own pockets towards its funds, and not desire that they should be all supplied from the public purse. The farm was a very good one; but it was not a benefit to the country at large. They had already seen the proceedings of the Society, and it was a benefit to only a few parties.

Hon. Mr. LORR said, when the Society commenced operations a few years ago, under the present name, many persons did give out of their own pockets towards its funds. He himself derived no advantage from the Society, yet he had yearly given £5 to it, amounting to £25 in five years, which he did freely, and was now glad that he had given it such a sum; for it was a benefit to the country far and near. He was now a member of the Committee of the Society, and was

only surprised that they had asked so little. It was not merely the farm that required to be kept up; seeds and other articles had to be bought, and the Society expected an importation in the spring of such articles as were required. Should they not come, what a disappointment it would be to Colony? When £400 were subtracted from the sum proposed to be granted, only a small sum was left for the purpose of stocking the farm. Some regarded the scheme as a visionary one, but they must recollect that after the importations necessary to stock the farm were made, three or four years must elapse before the advantages anticipated from the scheme could be experienced. He would have much pleasure in supporting the resolution, and thought the grant proposed would be money well expended. Some might think it advisable that a small farm should be taken; but unless the best breed of animals were placed on it, and the farm well cultivated, it would be a failure. He, however, thought the undertaking in question would turn out to be a profitable one for the farmers of the Colony; and he was sure that a pure bred of animals could be raised in the Island for 50 per cent. less than would be required to bring them across the Atlantic.

Hon. Mr. MOONEY would not be opposed to going so far as voting the amount named, if they might get rid of those incessant grants to the Royal Agricultural Society. After what Hon. Mr. Wightman said of people coming from the other Provinces in order to purchase improved stock, he thought possibly parties might soon be sent from England for a similar purpose. He would grant £1,500 or £2,000, for the sake of getting clear of those incessant votes to the Society, and if then they could not swim, let them sink. He was delighted when he learned that they had adopted a new plan; and he really trusted they would raise stock on it, so that a good breed might be obtained at once, and that such large sum would not require to be granted from year to year for the importation of stock.

Hon. COL. SECRETARY was glad to hear that the hon. member was so liberal. The Royal Agricultural Society had sent in a statement of their accounts with reference to the farm; and they now required a large amount for the purpose of providing fencing materials &c. The hon. member from Kings' County, Mr. Cooper, must have forgotten that some years ago when the constitution of the Society was remodelled, there were subscriptions to it from that County. Many members of the committee of the Society took a deep interest in its affairs, and spent much of their time in connection with it, and he was convinced, that every person thought the Society was a benefit to the country by encouraging Agriculture. What signified the small sums they had voted to the Society? [The hon. member then briefly detailed some of the benefits conferred by the Society.]

Mr. LAIRD entertained some doubts as to the model farm being so great a benefit as some hon. members expected. He thought the Society was generally more beneficial to the wealthy farmers than to the poor ones; yet it was some benefit to them too. A change had taken place in the mind of some members of the House respecting the Society; and he thought the reason that his friend, Hon. Mr. Mooney, was now more favorable to it than formerly was, that he had become the possessor of an estate. For his own part, having a small farm, he was opposed to so large a grant as was first named, and would support the amendment proposed. If gentleman farmers thought the model farm would be a profitable speculation, let them borrow a little money from the Bank for the purpose of carrying it on, and not tax poor people in order to keep it up. He would support the grant of a small sum for the importation of some well-bred animals.

Hon. Mr. PALMER had always supported the claims of the Royal Agricultural Society, and thought it one of the best institutions in the Island. He was surprised to hear the reasons given by some hon. members for opposing the grant. It was said that the Society was maintained for the benefit of the few at the expense of the many, or rather that the many did not partake of the advantages of the Society. Such being the views of some hon. members, there was great inconsistency in their reasoning; for the same hon. gentlemen would support other large grants, such as that for education, the tax for which many considered they paid without deriving much benefit in return; yet the Legislature said, education must be provided for, because it was a benefit to the Island in general. The Land Purchase Bill was another scheme which was not a benefit to every individual in the Island; yet hon. members would say, it must be carried out. The principle respecting the Royal Agricultural Society was the same; and that Society he considered to be very beneficial to the Colony; but if some persons in the extreme part of the Island were not benefitted by it, these were extraordinary cases; yet he must say it was their own fault, if they did not derive any advantage from it; for they might have depots established in their own localities. Even should they not have such establishments, yet by coming to Charlottetown, they could purchase from the central depot at greatly reduced rates. Thus, if some parties did not derive any advantages from the Society, it was because they did not know what was for their own good. Dependence could be placed on the Society that the best seed, and most improved implements could be procured at its depot, and many inconveniences would be experienced by farmers, if no such place existed in the Island. He would grant double the amount named in order to give the model farm a fair trial, and if it failed, he would not lament his vote any more than he did that for the establishment of a Seal Fishery in the Island.

Mr. COOPER said, the great advantage derived from the importation of horses had been mentioned; but he believed that the breed of horses which was in the Colony when he arrived in it many years ago, was as good to be used in the Island as any imported since. When horses were required in the neighbouring Colonies, no doubt a good price would be obtained for them, when to be employed in lumbering and railroads. He had been in company with people who were making wearisome journeys from some of the more eastern States of America to California, and the horses which they required for those journeys were procured in Canada. He thought that the horses from that Province would suit the Island well.

Hon. COL. SECRETARY explained, that the Royal Agricultural Society have imported some horses from Canada; but though they suited the Island, yet they did not answer for the market in the other Provinces. The price of the Island breed of horses at the time alluded to by the hon. member was about £25, now a man could not buy a horse fit to be ridden on for less than £40 or £50, and some of the blood horses had brought £70 or £80. Formerly sheep yielded about two pounds of wool yearly, and weighed about eight pounds per quarter, now they frequently yielded fourteen pounds of wool, and weighed from twenty to thirty pounds per quarter. A similar improvement had been made in horned cattle, and the profits of the farmer were greatly increased by having well bred animals, as they required very little extra attention and food. The Society had also imported better implements of husbandry, in fact, they paid particular attention to that department, and whenever they heard of improvements being made, they endeavored to have them introduced into the Island.

Mr. MACINTOSH could not agree with some of the statements just made. He had seen as good horses in the Island before the hon. member was born as ever he saw in it, and had also seen better sheep in King's County long ago than were to be found now; and they had not been imported by the Society, but by enterprising private persons. If the model farm was likely to be a profitable speculation, why was it, since there was money enough to be had, that some individuals did not undertake it, and have the credit and profit themselves? If he had the money at hand and were sure of success, he would undertake it himself.

Mr. CLARK thought the estimate formed by the hon. member who had just resumed his seat, of the improvements effected by the Society, was too low. At the time to which he had alluded there were very few monied men in the Island, who might import a few animals of an improved breed; but now there was a great demand for them, and dependence was placed on such importations being made. He did not regard the Society as a matter of pounds, shillings and pence; for the object contemplated by it were beneficial to the country at large. The House afforded the means of importing improved stock into the Colony, and should they not also supply the funds for raising well-bred animals in the Island where they might become inured to its climate. He knew that losses had been sustained by the Society in importing stock, which if it had been bred on a farm in the Island, the money might have been saved to the Society. He would cheerfully vote for the £1,000.

Mr. Macintosh's motion was then put and lost; and the grant was agreed to by the Committee.

On the reading of the usual appropriations for the several churches in the city—

Mr. MUIRHEAD said, he did not think it was right to give that money to churches in Charlottetown more than to those in the country; but if they should pay those churches in Charlottetown more than those in the country, they should pay every church alike.

Several grants were then agreed to, and the House resumed. Resolutions to be received to-morrow.

Hon. Col. Secretary introduced a Bill for the establishment of a Board of Works; read a first time.

House adjourned.

LEGISLATIVE COUNCIL.

TUESDAY, March 27.

Several petitions, on various subjects, were presented.

The Bill for the naturalization of Lawrence Warren was read a second time, committed and agreed to without amendment.

Hon. Mr. Aldous, from the Committee on Education, read the following report, which was adopted and laid upon the table:—

"Your Committee appointed to take into consideration the petitions on Education, respectfully beg to report that a number of petitions, numerously signed, have been presented to your Honorable House, praying for the introduction of the Bible into the different schools in the Island; and although your Committee entirely concur in the importance of religious instruction, and highly appreciate the truly Christian spirit in which those petitions are dictated, they feel fully assured that any legal enactment on the subject would tend rather to militate against, than promote, the object sought for by the petitioners; more especially as the prayer of the petitioners has been already answered by the Resolu-

tion of the Board of Education herewith annexed, which freely admits the use of the Holy Scriptures into the schools.
(Signed) "JOHN ALDOUS, Chairman.

"That the Board of Education recognize the desirableness of affording, as far as possible, to the scholars in the public schools of this Island, the benefit and advantages of a religious and moral, as well as of a literary, education; but, taking into consideration the extreme difficulty of laying down any general rules for the public schools, respecting the mode of conducting religious reading or instruction, on account of the different religious persuasions prevailing amongst the inhabitants and teachers in the various Districts of the Island, and fearing that any attempt to do so, instead of proving beneficial and producing harmony and good will, would be productive of religious strife and contention, which they consider it to be the duty of all to avoid as much as possible—the Board have always deemed it better to leave the management of the District Schools in this respect to be adjusted by the respective local trustees thereof, and the parents of the children attending the same, and the result has been, as appears from returns before the Board, that in a large number of schools in this Island religious instruction is imparted to the children of those parents, both Protestant and Catholic, who desire it, and who thereby, without offence, the one to the other, and in harmony, enjoy religious freedom.

"The Board think it would be in the highest degree unwise to disturb this happy state of things; for while they have no intention to prohibit the reading of the Bible, but have permitted and will hereafter permit it, where desired by the parents of children, they feel it their duty, as having charge of the general educational interests of all religious sects, to set their faces steadfastly against any compulsory regulations, or any attempt directly or indirectly, to interfere with the peculiar tenets of any description of Christians."

Hon. Attorney General moved that the report of the Committee be considered on Tuesday next, when the Education Bill would be taken up; agreed to.

On motion of Hon. Attorney General, the Bill to protect parties against adverse claims on property in their possession, in which property they have no interest, was re-committed.

Hon. ATTORNEY GENERAL.—The Committee of the House had yesterday reported progress on this Bill, for the purpose of affording an opportunity for the preparation of two clauses to be added to it. He thought, however, that it would be unnecessary to give consideration to more than one of them, as the clauses of the Bill which had already passed, provided quite sufficient relief to Sheriffs in case of adverse claims, and rendered unnecessary the adoption of any other provision on the subject. The question which remained for consideration was, whether the Sheriff in cases where he was charged with the execution of process, and where it should plainly appear that he had done his duty, and had endeavoured faithfully and zealously to execute the writ placed in his hands, and from circumstances which he could not control, was prevented from doing so, should be entitled to have his expenses allowed to him. The Sheriff was a mere ministerial officer, and had no interest in the matters placed in his hands; and if it could be made to appear that he had done his duty, as far as in him lay, and had been necessarily obliged to obtain the assistance of constables, the plaintiff in the case, who had called his services into requisition for his own benefit, was as much entitled to pay for it as the Sheriff. The Sheriff would have to prove that he had used all diligence, and had performed his duty in every respect, before he could make any claim under the clause now before the House.

Hon. COL. SWABEY asked, how the law on that point stood in other countries?

Hon. ATTORNEY GENERAL.—As here at present.

Hon. Mr. CRASWELL.—Would Sheriffs be justified in employing constables without first attempting to execute the writ *per se*?

Hon. ATTORNEY GENERAL.—Yes. Where it was plainly necessary.

Hon. COL. SWABEY.—I consider that relief from oppression or unjust proceedings, ought to be afforded to Sheriffs where they have faithfully endeavoured to discharge their duties; but we should certainly avoid the imposition of unnecessary expense on plaintiffs to suits. If the charge for constables were resisted, the plaintiff could, by the Bill, be brought before the Commissioners of Small Debts by the Sheriff, to determine the question of the necessity of employing constables.

Hon. Mr. DINGWELL.—The clause puts too much power into the hands of the Sheriff—there must be some tribunal to decide the question, as to the necessity of employing the constables.

His Honor the PRESIDENT.—Under the Bill, if it become law, the Sheriff would never endeavour to execute a writ without the assisting presence of the constables.

Hon. ATTORNEY GENERAL.—There are very few cases in which it is not necessary for the Sheriff to take some assistant with him.

Hon. COL. SWABEY was aware that it was customary in the Old Country for the Sheriff to take a bailiff with him to put into possession of the property levied on.

Hon. Mr. BEATON could assure their Honors that no such necessity existed in his part of the country—there no difficulty existed to prevent the Sheriff doing his duty.

Hon. COL. SWABEY suggested the insertion of the words "if necessary."

Hon. Mr. FORGAN.—The plaintiff should decide upon the necessity, as being the party who had the best means of knowing the character of the defendant.

Hon. Mr. CRASWELL.—The Sheriff should shew the desperate character of the defendant, rendering necessary the employment of assistants. He should not be allowed to employ constables without shewing that a necessity existed for their services.

Hon. Mr. DINGWELL.—The Sheriff should be the judge of the necessity; yet there should be some check to save unnecessary expense to the plaintiff.

Hon. Mr. BAGNALL.—I consider the clause gives too much power to Sheriffs. Under it, it might frequently occur that a Sheriff, particularly if a timorous man, would never proceed to execute a writ without assistance.

Hon. ATTORNEY GENERAL.—The insertion of the proposed words would obviate that danger. The Court should be the judges of the necessity, not the Sheriff.

Hon. Col. Swabey's amendment was then adopted, and the Bill with the additional clause was agreed to.

Hon. Col. Swabey laid upon the table an abstract of the proceedings in connection with the Public Lands, embracing the Worrell Estate and Lot 11; and, in doing so, would draw the attention of their Honors to the state of Lot 11, which, since the expiration of the fiscal year, viz: 31st of January last, up to which period the accounts had been made up, so much had been sold that but very little would remain on hand by summer.

MONDAY, March 31.

Hon. Mr. Forgan obtained leave of absence till Wednesday.

The Bill for the naturalization of Lawrence Warren was read a third time and passed.

Hon. COL. SWABEY presented a petition from sundry inhabitants of Charlottetown, complaining of the manner in which the Act regulating the sale of spirituous liquors was carried out. He trusted that such change would be introduced into the License Law as would obviate the evils represented by the petitioners, who complained that the provision of the law regulating tavern licenses had been rendered nugatory by parties licensed to sell liquor in quantities less than a pint, not complying with the terms of the License Law requiring such licensees to provide and keep a certain degree of accommodation for the public. This practice was so undoubtedly injurious to public morality, that he had every confidence that the petition would be favorably received by this as well as the other branch of the Legislature, and some remedy be provided for this growing evil.

Hon. Mr. CRASWELL expressed his willingness to do all in his power to crush the hydra-headed monster, intemperance.

Hon. COL. SWABEY considered the epithet peculiarly appropriate, inasmuch as the hydra was represented as one of the most thirsty of animals. (Laughter.)

Hon. Col. Secretary, from the House of Assembly, brought up a Bill for the appointment of an additional Clerk in the Post Office, and the increase of the salary of the present Assistant.

Mr. Heath Haviland, also brought up the Bill to alter the practice of the Supreme Court; amended.

The amendments were read and adopted.

WEDNESDAY, April 1.

The Education Bill was read a third time and passed.

The Bill relating to the Post Office was committed, and agreed to without amendment.

FRIDAY, April 3.

The Post Office Bill was read a third time and passed.

Hon. Col. Swabey presented a petition from the Head Master of the Central Academy, praying for a grant for the provision of philosophical apparatus.

On the suggestion of His Honor the President, it was decided to visit the Normal School on Monday next.

Hon. Mr. Montgomery brought up from the House of Assembly a Bill for the incorporation of the Free Church in Charlottetown, which was read a first time.

Hon. Col. Secretary brought up a Bill granting aid to the New York, Newfoundland and London Telegraph Company. Also, a Bill relating to Ferries and the Wharf at Minchin's Point.

HOUSE OF ASSEMBLY.

TUESDAY, March 24.

On motion of the Hon. Col. Treasurer, the House went into the fourth order of the day, the receiving of the several resolutions reported from Committee of Supply yesterday, when a number of them were unanimously agreed to.

ROYAL AGRICULTURAL SOCIETY GRANT.

On the grant of £1000 to this Society being read,

Mr. Perry moved that it be reduced to £600.

Mr. COOPER said, the improvement which had been boasted of as having been accomplished by the Society, was not so great as had been stated. He had been in conversation with some men well acquainted with the subject; and it was

admitted that the description of horses in the country now was worse than it was some time ago. There appeared to be a party of men got up, who took away the praise of what was done by private individuals; and if the Society was to be a burden upon the Colony from year to year, he thought it was time the country should declare against it.

Hon. COL. TREASURER was sorry to hear the hon. member Mr. Cooper declaim against the Royal Agricultural Society; and he was sure it had been the means of great improvements. He denied what the hon. member said respecting horses. When he first came to the Island about twenty years ago, scarcely a good horse was to be seen from Charlottetown to the West Cape. If the hon. member would look at the number of horses exported from Green's Shore, he would find that the value of them amounted for one year to about £10,000; and any person observing the horses about Charlottetown, would see a great number of very fine ones. It had been stated that the Society was not a benefit to the country at large; but he knew that a Branch Society which had been established at St. Eleanor's, was a great advantage to that part of the country. The Central Society had sent thoroughbred animals to Casumpec, and other parts of Prince County. He had not had an opportunity of expressing himself on the subject when the vote was first proposed, having been in the chair; but as to the opposition that the hon. member Mr. Perry then made to it, he would say, he did not think the Society had refused to establish depots in any part of the Island.

Hon. Mr. LORD did not think there was any occasion to discuss the subject again; but he could not allow the remark of the hon. member, Mr. Cooper, to pass, that if the Society was to be a burden on the Colony, the country should declare against it. Now, no petitions had been presented to the House against the grant, though it had been given from year to year. People generally derived great advantage from the Society by means of the importation of improved agricultural implements, and machinery, imported by the Society, so that mechanics had models for imitation. It was absurd to say that horses were not now so good as formerly.

Mr. MACINTOSH in reply to some of the remarks made by the Hon. Col. Treasurer, was not going to maintain that the Society did no good, but he was not for giving it credit for all the improvements that had been made. The hon. member who spoke last, had alluded to the advantages that the country derived from the Society by means of the importation of improved agricultural implements; but it should be remembered that such importations were effected only by means of the public money. He never opposed anything that was reasonable for the Society, but he would oppose what was unreasonable; because if the House appropriated so large a sum to the Society, they would not have the means of encouraging other enterprises. There was a disposition on the part of the Society not to give the people credit for importing any improved stock or implements, but to take all the credit to themselves; yet such importations were made in other parts of the Island independent of the Society. He knew that it would be money thrown away in a great measure; yet some were inclined to take the responsibility of it. He had not seen those private gentlemen who had the means of assisting the Society, afford it that encouragement which they appeared so anxious the House should grant.

Mr. MACDONALD had not been present when the subject was discussed yesterday. He admitted that the Society had been a great benefit to the country; but he agreed with some hon. members, that the advantages derived from it were not in proportion to the large amount of public money which it received. He would vote for the smaller sum proposed by

the hon. member for Prince County (Mr. Perry). They saw that money was squandered by some of the branch Societies in Prince County, as was manifest from the statements made the other day. The expenditure for last year had been very large, and he did not see why they should not practice retrenchment in the grant to the Society as well as to other objects.

Mr. T. HEATH HAVILAND had not been in the House when the question was debated last night; but he must vote directly the reverse of his hon. colleague (Mr. Macdonald). He was of opinion that the grant was the best expended money that the House appropriated, and that they had better retrench in anything else than in the grant for the encouragement of agriculture, especially if they considered that agriculture was the foundation of the happiness and wealth of the whole country. It was contrary to the spirit of the age to desire to restrict the operations of Agricultural Societies. On the continent of Europe and in the United States, people were taking the subject of agriculture still more into consideration, and boards were investigating and recommending the best modes of tilling the soil. In fact, it was as much the duty of the state to look after agriculture as education. In the message of the President of the United States for the last year, there was a long article on the subject. It was a narrow minded view of the subject to take, that the Society was only a benefit to persons about Charlottetown, because it came back to their pockets. As to the statements of the hon. member from King's County, Mr. Macintosh, that improved implements were imported by the people as well as by the Society, they would find on inquiring into the matter, that such implements were imported by the Society in the first place, and then after they had been tested, other similar importations were made by the people. Respecting the statement that the breed of horses was worse now than it was formerly, it was contrary to common sense; for nothing in the shape of a horse could now be purchased for less than £35 or £40. The proportion of the grant that would be applied to the model farm would be money saved; for he considered it would be much better for the Island to breed pure bred stock than to import it from time to time, incurring the risk and expense of bringing it across the Atlantic. The Society would also be able to sell Island bred animals much cheaper than those imported; and they would also stand the climate much better than others.

Mr. DINGWELL had not been present when the question was before discussed; but certainly the grant appeared to be very large. The people in many parts of the Island did not receive benefit from the Society in proportion to the money granted to it. He believed it had done good, but he really did not think it had done that good to the extent anticipated; and undoubtedly its benefits were chiefly confined to the people about Charlottetown. He would certainly wish that there should be a liberal grant in behalf of the Society, and moved in amendment that it be £800.

Hon. COL. SECRETARY again detailed some of the advantages conferred by the Society, as the hon. member who spoke last had not been present when the question was discussed. The grant proposed would be only for the present year, and the Society would perhaps require a very small sum next year.

Mr. DOUSE said, whenever this question was brought forward a certain number of gentlemen seemed to him to take a pride in running the Society down. He really was impatient when he saw members of the House declaim against those who sent them there—the farmers of the country; and he was almost ashamed of his seat in the House in consequence of it. Would the hon. member, Mr. Cooper, state that all the improvements in farming were not a greater benefit than Escheat.

He agreed with the Hon. Col. Secretary, that they ought to do something to encourage agriculture. He was astonished at the hon. member, Mr. Cooper, that with all his experience he should be opposed to the present grant. He was satisfied that those gentlemen who had it in their power, would do all that they could to forward the interests of the Society. If as Mr. Dingwell had said there were some parts of the Island that had received no benefit from the Society, he was sure the managers of the Society were anxious to assist them by sending them seeds, &c. He was not a practical farmer, but he took an interest in the Society, hoping that it would be a benefit to his children and to those that came after them. Why, it was almost the only money their constituents received from them; and they were in duty bound to advance their interests in every way they could.

Mr. COOPER trusted there could be no objection to his rising in answer to some of the statements just made. No person could say, whether escheat were gained or not, that people should improve land and then pay rent for those improved lands. Was it fair that those people should be compelled to pay for a clear farm and for stocking it near Charlottetown, for the benefit of a party who lived there? The people of the country ought to open their eyes and see the manner in which the wool was drawn over them.

The House then divided on Mr. Perry's motion as follows: YEA—Messrs. Perry, Cooper, Muirhead, Macintosh, Laird, Dingwell, and Macdonald—7.

NAY—12. So the motion was lost.

Mr. Cooper having seconded the motion made by Mr. Dingwell, that the grant be £800, it was put and negatived on the same division.

On the usual grant to the several churches in the city being read, Mr. Muirhead moved that the grant to the church of England be the same as that given to the Roman Catholic Chapel.

After some explanation respecting the object of the grant, and that it merely paid for the assessment on the pews, a greater number of which were set apart for the use of the government than in other churches, the motion was put and lost, Messrs. Muirhead, Cooper, Macintosh, and Laird, voting for it.

Mr. PERRY said, before the question was put on one of the resolutions, he felt bound to vote against it, unless some explanations were offered regarding the objects to which the grant was to be applied; viz., £200 to the Colonial Building.

Hon. COL. SECRETARY explained the repairs were required on the building, particularly the roof; and he and some other hon. members enlarged on the propriety of having the Building railed in, and other improvements effected in Queen's Square, such as planting ornamental trees.

The following are the resolutions agreed to by the House.

Resolved, that the following Salaries and allowances not provided by Statute be paid for the following services:—

Education, a sum sufficient &c.	
Summer and Winter Mails.	
Inland Mails,	£700
Public Postage,	140
Georgetown and Pictou sailing Packet,	100
Bedeque and Shediac Packet,	100
Private Secretary,	100
Commissioner for issuing Treasury Notes,	40
Two Auditors of Public Accounts,	60
Superintendent of Public Works,	75
Assayers of Weights and Measures,	10
Land Waiters,	300
Medical Attendant, Queen's County Jail,	10
Medical Attendant, Prince County Jail,	4

Medical Attendant, King's County Jail,	4
Keeper of Queen's County Jail,	40
Keeper of Prince County Jail,	30
Keeper of King's County Jail,	30
Expenses of the County Jails,	700
Repairs of Prince County Jail, or as much thereof as may be required,	225
Keeper of the Colonial Building,	60
Messenger to Public Offices,	20
Messenger to Executive Council,	20
Guard at Government House & Signal Station,	200
Market Clerk, Georgetown,	5
Indians,	60
Paupers,	650
Board of Health,	30
Royal Agricultural Society and Farm,	1000
Block House Light and Attendant,	70
Colonial Building,	200
Buoys and Beacons,	140
Matron of Queen's County Jail,	15
Protection of Fisheries,	25
Public Surveys,	100
Public Printing and Stationary,	900
Interest on Debentures,	1000
Interest on Warrants,	600
Incidental and contingent expenses of the Lunatic Asylum,	400
Contingent expenses of the House of Assembly.	
Incidental expenses of the Legislative Council,	
Fuel for the Public Offices and Legislature,	100
Premium for killing Loupoevriers and Bears,	30
Episcopal Church, Charlottetown,	16
Roman Catholic Chapel,	14
Church of Scotland,	7
Free Church of Scotland,	7
Wesleyan Church,	7
Baptist Church,	7
Contingent expenses of the Government,	400
Repairs of Queen's County Jail,	162
Resolved, that the following sums be provided for the several services mentioned:—	
Three High Sheriffs,	£260
Crown Prosecutions and Crown Officer's Fees for miscellaneous services and for Jurors,	350
Crier of the Supreme Court,	20
Coroners Inquests.	
Resolved, that the sum of £250 be provided for the repairs of Government House and for Carpets for the Public Rooms.	
Resolved, that the sum of two hundred pounds be provided for expences incurred under the Road Compensation Act.	
Resolved, that a sum sufficient be provided to complete the Ferry Wharf Prince Street, and the Ferry Wharf at Minchin's Point.	
Resolved, that the sum of three hundred pounds be provided for contingent repairs of Roads, Bridges, and Wharfs, should the same be required, to be equally divided between three Counties.	
Resolved that a sum sufficient be appropriated for Lights and Light Houses; viz:—	
Point Prim, Three Rivers, Richmond Bay, Cascumpec, and Summerside Lights and Light Houses,	£800
Light House and Tower at Fish Island,	100
St. Paul's and Scatterie Islands' Lights,	36
	£936
Telegraphs at Capes Traverse and Tormentine, a sum sufficient to pay the expenses thereof.	

EDUCATION BILL.

Hon. Col. Secretary moved the third reading of this Bill. Mr. DOUSE said, he had not had an opportunity of speaking on the Bill, and he regretted his absence during its progress through the House. He felt anxious on the subject for the sake of those who sent him to the House; and he thought the petitions forwarded to him signed by about 2,000 persons, relating to the use of the Bible in the schools, were entitled to some consideration and respect from him. It appeared to him that the Bill should contain some provision to meet the views of the petitioners. He did not wish to stir up division; but he thought the Bill should contain a kind of permissive clause, somewhat similar to the resolution which the Board of Education had passed on the subject. It appeared to him that were a clause of that nature introduced, it would give general satisfaction to both Catholics and Protestants. It might probably happen that there would be a preponderance of Catholics in the Board of Education, who might rescind the resolution lately agreed to by that body, and thus interrupt the good understanding that now existed between both parties; but he thought were a clause such as he had alluded to, inserted in the Bill, it would prevent divisions. He felt proud that the Board of Education had passed the resolution alluded to; and he wished to have the Bill referred back to committee for the purpose of inserting a clause in it similar to that resolution.

It being contrary to the rules of the House to refer back the Bill at that stage of its progress, it was read a third time and passed.

MUNICIPALITIES' BILL.

Hon. COL SECRETARY, in moving that the House go into committee of the whole on the second reading of this Bill, said he did know that it was necessary for him to go into the principles of the Bill; but it might be well to state that he believed the hon. members who were inclined to support the principles of the Bill, would like to consult their constituents upon it, and were desirous to have it published and lie over for a year. It was an important measure, proposing to give the people of the Colony the control over their own affairs, which had hitherto been exercised by the Executive Government. Perhaps the Bill did not go so far as they might wish; but when the House went into Committee on it, amendments might be made to it. It was proposed by the Bill, to authorize the election of a councillor for each Township, the elections to be held by the Sheriff of each County in the same manner as for member of the House of Assembly, and the Councillor to be a resident of the Township for which he was elected. After the election was over all the councillors would meet at the Court House of the County, and consult together on the business entrusted to them, when a President would be chosen, and a place of meeting agreed upon. It was proposed that the election should take place on the third Monday of January in each year, which was a season of the year very convenient for the inhabitants to meet together and elect their councillors, who would then agree on what they wished to carry out during the year; and as the Legislature would then, or shortly after be in session, the House would have an opportunity of knowing what money would be required and of voting the necessary amount to the municipalities, who would manage their own affairs in the appropriation of it. When the Bill went into operation, the principal works, such as the building of large bridges, would be placed under the control of a Board of Works, and be managed by a chief engineer to be appointed for the whole Island; but all the small bridges, and the roads within the districts, the municipalities would manage themselves. The present Road Commissioners would continue in office until the councillors were elected, who would then prepare their own road scales, thus relieving the members of the House of the necessity of taking up the matter; and he thought it would be advisable to give them the power either to take commutation money or labor on the roads, allowing the people to adopt either of the ways they pleased. Petitions had been presented to the House from some parts of the Island, praying for grants to provide lock-up houses; but under the present Bill the municipalities would provide for them, and have the control over them. The Bill provided that the people might assess themselves to

the amount of five shillings on every hundred acres of land, for their own local affairs, besides a small additional sum on property in towns; and in short it was contemplated that the tax would be imposed in a somewhat fair manner similar to that for the Education Act. The municipalities would also have power to impose fines or penalties for the non-execution of contracts on roads, &c.; and likewise to prevent the running at large of swine in their respective districts. All bye-laws to be submitted to the Governor and Council, that they might be seen not to be opposed to the other laws of the land. There was one provision of the Bill, which perhaps might be considered peculiar, namely, that it went to extend the privilege of voting to females as well as males. All persons within the municipality, both males and females, who paid land tax and school taxes, would be entitled to vote; and he thought it was nothing but right that females should have a voice in the election of those who managed their local affairs. These were the main principles of the Bill; and perhaps when they went through it some amendments would be required. Respecting the collection of taxes, provision was made that when imposed on land, it could not be sold within three years, and then it must be through the Sheriff, and only as much of it sold as would be required to pay the assessment. He moved that the House go into Committee on the Bill, that they might make it as perfect as possible; and if it was the wish of the House, they might pass it, but if not, it might be published and lie over till next session.

Hon. T. H. HAVILAND said he was individually favorable to the Hon. Col. Secretary's measure, as he thought it would just give to the people a true system of Responsible Government; but at the same time, though his views might be the same as those of that hon. member on the question, yet he would wish to know what the views of his constituents were on the subject; and therefore if the Bill were to be printed and lie over, he would be in favor of the measure.

Hon. Mr. MONTGOMERY was not prepared to give his support to a measure of that kind, provided it went into immediate operation; but as it appeared to be the intention of the House to enter partly on it, and publish it for the information of the public, he would not oppose it.

Mr. DOUSE would wish to know, if no provision was to be made for those who were to fill the public offices alluded to.

House in Committee on the Bill. Mr. Macdonald in the chair.

Hon. Mr. MONTGOMERY said, respecting the establishment of municipalities, he certainly thought the electoral districts were too large for each of them to form a municipality. One district extended across the whole Island; and he thought by confining them to electoral districts throughout the Island, they would not work well. He thought four Townships would be quite large enough for a municipality, and that it would work better for the interests of the people than a large one. He did not intend to make any motion, but merely expressed his opinion on the subject.

Hon. Mr. WHELAN did not think there would be any objection to have each electoral district constitute a municipality. In some parts of Prince County, four Townships, where they were thinly inhabited, would not be sufficient to form a municipality. Besides, the councillors would not require to meet more than once a month; and he thought little difficulty would be experienced in travelling once a month to attend to the business connected with the municipalities. The reason why that the Government had been induced to introduce the Bill in that form was, that they thought it would be best to allow each electoral district to constitute a municipality; for each member of the House would from his position be induced to give a very considerable portion of his attention to the interests of the municipality as being his own district; whereas if one municipality extended from one electoral district into another, he would not take that interest in it which he would, if it were comprised in his own district. He did not think they were too large.

Mr. CLARK said, he certainly agreed with Hon. Mr. Montgomery's views, that the electoral districts were too large each to constitute a municipality. He would like that part of the Bill much better if a municipality were confined to two Townships, which would be an advantage in the application of the public money. Parties who would have the management

of the affairs of the municipalities, could not be expected to be acquainted with the districts as well as if they were small. Still he would not make much objection to the Bill at present, as it was to go before the public; and doubtless the principles of it would be discussed more fully afterwards.

Mr. MACINTOSH had not been in when the subject was discussed; but he understood that each electoral district was to be one municipality. From what he had heard, and from his own knowledge of the subject, he believed that would be too large, and that each road district would come nearer the proper size, and not be too large.

Hon. COL. SECRETARY did not think they would answer so well, if made too small. Perhaps hon. members would be better prepared to consider the subject next session; but at present, the Bill as proposed was quite sufficient.

Hon. Mr. WIGHTMAN thought after the increase of representation which had been made in the Island, that each electoral district was quite small enough for a municipality. It appeared to be the intention of the House to allow the Bill to lie over till the coming year, which he thought a prudent course to adopt; as it would give members of the House an opportunity to consult their constituents regarding it, because with a Bill of that nature, they required some consideration as to the manner in which it should be carried out. As to the expense of the municipalities, it would rest with the inhabitants themselves to pay whatever amount they considered would be required.

Hon. the SPEAKER said, as it was the general opinion of the House that the Bill should not become law at present, they need not occupy so much time in discussing its details; yet at the same time he thought it better to go through the Bill before putting expenses upon it; and if there were no objection, it could be printed and lie over till next session. He was opposed to making the municipalities much smaller than was contemplated in the Bill.

Hon. COL. SECRETARY said, the principal reason for confining a municipality to an electoral district was, that each member of the House would take an interest in their own municipality, and be able to appropriate the public money according as it might be required.

After a few other remarks, progress was reported.

Hon. Col. Treasurer, from the committee appointed to examine and report, on petitions of inhabitants of St. Eleanor's and Green Shore relating to the running at large of swine in that place, introduced a Bill to prevent the running at large of swine in certain parts of St. Eleanor's, which was read a first time.

House adjourned for one hour. R. LAIRD, Rep.

AFTERNOON SITTING.

On motion of Mr. McDonald, the House resolved itself into a committee of the whole, to take into further consideration the Bill to provide for the better internal government of this Island, by the establishment of Local or Municipal Authorities therein. Mr. McDonald in the chair.

After the Bill was read, Mr. McIntosh moved a resolution to the effect that the further consideration of the Bill be deferred till next session, and that it be printed in two of the newspapers published in Charlottetown, whereupon a short discussion ensued during which it seemed to be the wish of most of the hon. members present, as the object of publishing the Bill was to make it generally known, to have it printed in all the newspapers published in Charlottetown, which feature having been added, the resolution was agreed to by the committee.

The House resumed; the chairman reported that the committee had come to the following resolution:

Resolved, That the further consideration of the Bill to provide for the better internal government of this Island, by the establishment of local or Municipal Authorities therein, be deferred until the next session, and that the Bill be printed in all the weekly newspapers in Charlottetown, and that three hundred copies thereof be also printed for the use of the Legislature.

Hon. Mr. Wightman, from the Special Committee to whom was referred the message and correspondence transmitted by his Excellency the Lieut. Governor, on the 16th of the present month (March), on the subject of Lighthouses, together with

several petitions presented to the House this session, to examine the same and report thereon, presented the report of the said committee, which report was again read, and committed to a committee of the whole house. Mr. McDonald in the chair.

The first clause of the report which was to the effect, that the committee recommended the conveyance of a mail semi-weekly to Orwell, Pinette, and Belfast, provided the expense do not exceed the sum fifteen pounds, was read and agreed to.

On the second clause of the report being read, which was to the effect that it was inexpedient to grant the prayer of the petition of inhabitants of Crapaud praying for the establishment of a Post Office in that place. [An animated discussion ensued, in the course of which Hons. Messrs. Lord, Longworth, Mooney and Montgomery, warmly advocated the necessity of a Post Office being established in Crapaud, as it was a flourishing settlement, and in close proximity to the back-woods settlements. The report was supported by Hons. Col. Secretary, Speaker and Mr. Wightman and Mr. Dingwell, who argued that there was no necessity for going on from year to year increasing the expenses of the Post Office department, especially in this instance, where they held such an outlay uncalled for on account of the nearness of the Post Office at De Sable.]

Hon. Mr. Mooney moved as an amendment, that Crapaud be included in the report for the opening of new Post Offices, which was agreed to without division.

On the third clause of the report being read, which was to the effect that committee deemed it inexpedient to grant the prayer of the petition of John McDonald post master at Souris, praying for an addition to his present salary, Mr. McIntosh moved an amendment that the prayer of the petition be granted.

Mr. PERRY said, before the question be put, he would remind the house that there was another petition of the same nature presented, from Josiah Grant, of Cascumpec, and he would move an amendment to add it to the report.

Hon. Mr. MONTGOMERY said if the house entertain the prayer of these petitions, it would have others of the same nature, to no end. It was true the amounts asked for was small; but still if there were any number of such petitions they would, if granted, amount to a considerable sum.

The question on Mr. McIntosh's amendment was then put, and lost on a division of 6 to 9.

On the fourth clause of the report being read, which was to the effect that the committee could not recommend a further consideration for the services of Josiah Grant, Post Master at Cascumpec, Mr. Perry moved as an amendment that the prayer of the petition be granted, which was lost, the mover alone voting for his motion.

The fifth clause, which was to the effect that a Post Office be established at or near Egmont Bay Chapel, was read and agreed to.

The sixth clause, recommending the establishment of a Post Office at or near Sturgeon Bridge, Lot 61, providing no additional expense be incurred, was read and agreed to.

The seventh clause, did not recommend the conveyance of a semi-weekly mail to Bedeque, via Tryon, as the additional expense of a courier, would amount to at least 20 shillings per week; to which after a short, but animated discussion, Hon. Mr. Lord, who supported the petition for a semi-weekly mail on the above route, submitted an amendment that the prayer of the petition be granted, which was lost on a division of 4 to 11. The clause as reported was then agreed to.

The House resumed. The chairman reported progress, and asked leave to sit again, which was granted. Then the House adjourned.

WEDNESDAY, March 25, 1857.

On motion of Hon. Col. Treasurer, the Bill intitled, "An Act for the naturalization of Lawrence Warren," as engrossed, was read a third time, and passed. Hon. Col. Secretary was ordered to carry the said Bill to the Council and desire their concurrence.

Mr. DINGWELL moved that the order limiting the time for the reception of private petitions be suspended to enable him to present a petition of Hugh McVarish, Township No. 44, which was granted, and the said petition was received and read, setting

forth that the petitioner did, in the month of January, 1849, lead his House at Big Cape, to the Board of Health, for the benefit of parties infected with small-pox; after which occupation the said House was burnt by some person or persons unknown, and praying for compensation for such loss. [A considerable discussion ensued during which the prayer of the petition was supported Messrs. McIntosh, Cooper, Dingwell and Laird and opposed by Mr. Perry, who moved that the prayer of the petition be rejected, to which Mr. Cooper moved an amendment that the petition do lie on the table, which was carried in the affirmative. The main motion was then put, as amended, and carried.]

Mr. Yeo also presented a petition of inhabitants of Townships Nos. 14 and 16, which was received and read, praying for the establishment of a Post Office in the vicinity of Ellis River Bridge. Referred to the committee on New Post Offices.

Adjourned for one hour.

T. KIRWAN, Rep.

AFTERNOON SITTING.

PETITIONS DISPOSED OF.

The Petition of Henry Bessemer, London, was referred to a special committee consisting of Hons. Col. Secretary, Col. Treasurer, and Mr. Muirhead, to report thereon by Bill or otherwise.

The petition of Peter Anderson, Master Mariner, was after some discussion, referred to Supply.

The petition of the Office bearers of the Prince County Central Agricultural Society was again taken up, when several hon. members expressed their opinions on the subject; but the prevailing opinion appeared to be that the Society could not reasonably expect to obtain any grant from the Legislature in aid of its funds, until the amount due to the Royal Agricultural Society was refunded. The prayer of the petition was therefore rejected.

Hon. Col. Secretary, from the committee to whom was referred the petition of Henry Bessemer, presented to the House a Bill in accordance with the prayer of the petition; which was referred to a special committee to report thereon.

ST. PETER'S HARBOR.

Hon. Mr. Whelan, from the committee appointed last session to inquire into the expediency of improving this Harbor, presented to the House a report of the said committee which was received and read, and is as follows:—

Your Committee appointed last Session to visit the harbor of St. Peter's, and enquire into the expediency of expending a sum of money in deepening the entrance to that harbor, so that vessels of various tonnage might secure at any time a safe anchorage in a spacious harbor, and afford very great facilities to a large portion of the inhabitants of this Island, in extending their commercial transactions—have to report—

That in the month of October last your Committee visited the harbor of St. Peter's, and attended by a considerable number of the most intelligent and experienced inhabitants living in that part of the country, repaired to the entrance of the harbor, and the weather being favorable, were enabled to make full enquiries into the subject, the result of which they respectfully submit.

The bar which stretches across the harbor of St. Peter's, at the entrance to it, in nearly a direct line, shifts and changes its position with violent storms, it being much exposed to the action of the sea. At low tide the depth of water on this bar is about seven feet,—at high tide about ten, shewing a rise of only three feet. To increase the body of water on this bar, so as to afford an easy egress and ingress to vessels at all seasons, would be a work of great importance, not only to the inhabitants of St. Peter's Bay, but to the people of the Colony generally, and to those of King's County particularly, as vessels from other ports would then more frequently resort there than they can at present. The only method for effecting this desirable end, which appears practicable to your Com-

mittee, and which meets with the approbation of experienced persons residing in that part of the country, is to construct a breastwork or embankment on the eastern side of the harbor's mouth. A breastwork that would withstand storms, and secure a sufficient depth of water at all times, would, it is supposed, cost about a thousand pounds. The people who are immediately interested in this undertaking are willing to subscribe liberally towards the cost of it; and your Committee are of opinion that the project is such as to warrant the expenditure of a considerable grant of the public money, in order to test the practicability of removing the impediment which now exists to the entrance of large vessels. The harbor is a magnificent and capacious one, averaging about one mile in breadth, and being nine miles in length, affording in almost every part, excellent anchorage; and if its wide expanse of water could be rendered a secure and easy haven, subservient to the purposes of an extended trade, no portion of the public money could be more profitably applied than that which would be expended on the object in view.

Your Committee have therefore to recommend, that there be granted and placed at the disposal of the Government the sum of four hundred pounds, to be expended on the following conditions:—That the inhabitants residing in the vicinity of St. Peter's Bay shall subscribe the sum of two hundred pounds, and that the Government, before expending any portion of the money, shall cause a survey of the intended work to be made by a competent engineer, part of whose duty it will be, to give an estimate of the probable cost of completing the work; and should that cost be found not to exceed one thousand pounds, or thereabouts, that the work be given out to competition, as soon as convenient after the receipt of the engineer's report—the said work to be under the superintendence of a competent person to be appointed for that purpose.

Hon. Mr. WHELAN said, hon. members might smile at the recommendation contained in the report; but he thought it a very reasonable one. The facts set forth in the report were such as to require no further remarks from him on the subject. The committee had given their careful attention to the matter contained in the report; and he had no hesitation in saying, if the work could be accomplished, that it would be of vast advantage to the people in that part of the country. The report did not contemplate the outlay of a single shilling until a competent person examined the place; and unless the report of such a person were favorable to the work, no money would be expended upon it. There would be no objection, on the part of the House, he presumed, to agree to the motion which he was about to make, which was that the report be adopted and referred to Committee of Supply.

Hon. Mr. MONTGOMERY would like to ask the hon. member, how far the bar extended out; because if the harbor was the same as some others on the north side of the Island, £40,000 would not make a safe harbor at St. Peter's.

Mr. T. HEATH HAVILAND thought it would be altogether premature to refer the report to Supply. No doubt, if possible, the work would be an advantage; but he thought the first thing would be to specify a sum for a survey.

Mr. COOPER said he would be very far wrong in not supporting the report, if he could see a possibility of making a good harbor at St. Peter's; but they knew that the bar was composed of shifting sand, and it was impossible for any engineer to make a safe harbor in such a place. It was as much as to say that the committee doubted the sanity of the House, when they made such a proposal.

Mr. DINGWELL had been one of the committee, and it was right for him to state that it was very unfair that some hon. members had made such assertions respecting the committee as they had listened to. The committee had gone to the mouth of the harbor and obtained all the information they could get on the subject. The bar alluded to was on the inside of the harbor, and not on the outside, as some supposed.

Hon. Mr. WIGHTMAN thought a report so ably drawn up as the one before the House should receive due consideration. He had been one of the committee; and the day on which they visited the place was fine, and they had a number of respectable people with them, some of whom, as fishermen, were well acquainted with the harbor; and thus they enjoyed a good opportunity for making inquiries respecting the proposed undertaking. He had also been in conversation with a person lately, who, he considered, was well acquainted with such matters; and he said that he would throw up an embankment at the place in question for £1,200 to remain for forty years. Vessels could lie in perfect safety in the harbor, provided there was such an embankment; and should it be built, he believed in a very few years the number of American vessels that would frequent the place, would assist to pay for the embankment. It would be a benefit to all vessels frequenting the coast; therefore, he thought the House should be liberal enough to vote £400 towards the object; and the inhabitants of the place would contribute the half of the sum expended.

Messrs. Macintosh and Yeo, Hons. Col. Secretary and Mooney, and Mr. Clark, then made a few remarks on the subject, all agreeing that the proposed undertaking was wholly impracticable; after which Hon. Mr. Whelan's motion was negatived, Hons. Messrs. Whelan and Wightman, Messrs. Dingwell and Munro voting in favor of it.

According to order, the House went into committee on the second reading of the Bill to prevent swine from running at large in certain parts of St. Eleanor's. After some time spent in committee, progress was reported, in order to afford an opportunity for inserting an amendment extending the provisions of the Bill to Summerside as well as St. Eleanor's. House adjourned.

THURSDAY, March 26.

Mr. Dingwell presented a petition from John Leslie, millwright, praying a grant in consideration of his services in surveying a site for Souris Bridge &c.; referred to the members for the district.

On motion of Hon. Mr. Wightman, the House went into committee on the further consideration of the report of the Post Office committee. Hon. Mr. Mooney moved to amend the report by inserting in it, that a Post Office be established at John Macdonald's, Grand Tracadie, which however, was negatived. Several amendments were made to the report, and considerable discussion ensued relating to the increase of the salary of the present Deputy Postmaster General, and to the appointment of an Assistant in the Post Office in Charlottetown. Finally it was agreed that an amendment be made to the report, recommending that both those objects be carried into effect, and progress was reported.

A message was received from the Legislative Council informing the House that they had passed a Bill to alter the practice of the Supreme Court, to which they desired the concurrence of the House. Bill read a first time.

Hon. Col. Secretary laid before the House an extract from Minutes of Council, which having been read was referred to a committee of the whole House to-morrow, and is as follows:—

“COUNCIL CHAMBER, 15th Jan., 1857.

“The Honorable Colonial Secretary laid before the Board the following communication received by Telegraph from Saint John New Brunswick addressed to the Colonial Secretary, viz:—

“The New York, Newfoundland, and London, Telegraph Company being desirous of meeting the wishes of the Inhabitants of Prince Edward Island, are willing to establish for business during the winter months, the otherwise unremunerative offices at Cape Traverse, and Cape Tormentine, provided your Government grant to them the sum of three hundred pounds sterling per annum for fifty years, the Company undertaking to keep the Cable across the Straits of Northumberland in effective working order during that period.”

“His Excellency and the Board having given the subject matter of the foregoing communication due consideration, the Colonial Secretary was directed to state in reply, that the Government will agree to remunerate the operators for any incidental expense that may be incurred, in fitting up the two

offices for this winter, provided they are established forthwith; but as regards the grant required for fifty years, that proposal must be submitted to the Legislature, which shall receive the recommendation of the Government,—and further it is expected, that all communication between the two offices, will be forwarded free of any charge.”

Hon. Col. Secretary also laid before the House an abstract of the sales and returns of Crown Lands, Laid on the table.

Adjourned for one hour.

R. LAIRD, Rep.

AFTERNOON SITTING.

House in committee of the whole, on the further consideration of the Report of the Special Committee, to whom were referred petitions for opening new Post Offices, &c. Mr. McDonald in the chair.

Mr. Yeo submitted a resolution, moving that the sum of seven pounds be paid John McIntosh, Western Mail Carrier, for additional expense and labor in carrying said Mails during the past year.

House resumed. Chairman reported that the report of the committee had been agreed to with certain amendments, which was received by the House, and a committee was appointed to draw up bills in conformity therewith, consisting of Hons. Messrs. Wightman, Lord and Haviland.

Hon. Mr. LORD stated that he was opposed to raising the salaries of the Assistant in the Post Office, and begged to decline the appointment on the committee.

Hon. T. H. HAVILAND agreed in the propriety of the course taken by the Hon. Mr. Lord, and thought it was bad policy to put an hon. member on a committee who was opposed to the objects they were to carry out.

Hon. Mr. LONGWORTH was then appointed on the committee in the place of the Hon. Mr. Lord.

BOARD OF WORKS.

Hon. Col. SECRETARY moved that the House proceed to take into consideration the Bill to provide for the establishment of a Board of Works in this Island, and in doing so he took occasion to remark as follows: The Bill before you now, Mr. Speaker, is one similar in many respects to Acts, having for their object a better system of expending the public money, now in force in many of the neighboring Provinces; and I think it is high time such a system were brought into operation in this Colony. Every public undertaking demands it, and when we come to consider what an advantage it will be to the Colony, not only in insuring the better performance of public contracts, but in expediting and lessening the expense of such works. Our Court Houses are illy constructed and incomplete. Then if there are new buoys to be constructed they will have to pass a rigid inspection before they will be received, whereas under the present system, a Harbor Master may give notice that such and such a quantity of buoys are wanting, and give the making of them out on contract; and ten chances to one if he is not imposed upon by worthless articles. In fact, Bridges, wharves, and every other species of public Work could be done with promptitude, and in a proper manner under the superintendance of a Board of Works. Under the present system such an end cannot be insured, for it is not to be supposed with any show of reason that the Colonial Secretary can be a competent judge of all such matters. We must place a competent engineer at the head of this department, at a stated salary per year. It may be objected to paying the members of the board, but it is only contemplated to pay them if they should be required to go into the country, and then give them so much per day for travelling expenses. If this Bill be passed, after the House rises, the Board of Works, having the consent of Government, will carry out the projects of the Legislature. It is, however, thought by some hon. members that it would be better if the Bill would not go into effect before the Municipality Bill; but I think it may serve to pave the way for the introduction of that Bill. I therefore move the House go into committee of the Whole, with a view to the further consideration of this Bill.

Mr. COOPER.—I certainly do not think a Board of Works is required at present, especially as the whole of the Revenue for the public works is already placed at the disposal

of the members for the various districts. However, it might be better to give it to the country, along with the Municipality Bill, and the people would then have an opportunity of examining its various features, and the changes it is to introduce. But I am of opinion, that, as the Revenue has fallen short of what it was last year, we have no encouragement, at least from that quarter, to create new offices and new salaries. It is true, that the Postmaster General has been provided with an additional assistant, and the salary of the present assistant is increased; but he is worthy of it, and it is nothing but justice to increase the help and salaries of such public officers, when their business is continually on the increase.

Hon. COL. TREASURER.—The object of this reform is to do good to the country—to make experiments with a view to the greater efficiency and durability of public works, and to greater economy in the expenditure of the public money. There is a great deal of money to be expended every year, and it is well known that the strictest economy is not observed in regard to its proper distribution—there is at the present time, a bridge to be built at Cascumpec, another to be built at Rustico, and a building to be erected at the opposite side of the River, and repairs to be done this building, to cost £300. Now, if a Board of Works was in operation, we would not undertake works of any public character, without knowing exactly what they would cost us, and we could then make appropriations with our eyes open. If such a board, I repeat, with a competent person at its head, were in operation, it would not only be a great saving to the country, but it would be the means of preventing much confusion in public undertakings, and command a greater confidence in the efficient management of our affairs.

Mr. PERRY.—I cannot, I must confess, see any necessity for a Board of Works at the present time; it would only be the means of increasing the expenses of the Government, without materially adding to its efficiency. As there are no new wharfs or bridges to construct, in what respect would such a Board be of any service? I must confess, I cannot see in what shape or manner such an institution is called for; but it may be as well to let it go with the Municipality Bill, and be printed, and distributed throughout the country.

Hon. COL. SECRETARY.—It is true, there are no extensive public buildings to be erected now; but still there are other minor works, but of as great importance to the country as if they were twice as extensive. To such works, a board of this kind would be necessary; and under its superintendence they would be well finished. If a Board of Works were in existence at the time this Building was undertaken and completed, it would not be in such a bad state as it is at present. It was found when repairs were being done to the building, that there was no wall built under the steps, but that beneath them was filled up with rubbish. If the then Superintendent was bound to see the work properly done, as he would under the regulations of this Bill, it would be performed in a more efficient manner. The Government House was built in the same careless manner—the pillars were left in an insecure state, the foundation on which they rested being incapable of sustaining their weight. There was only one person then, to oversee and superintend the work, and he was generally an interested party; but now, he would be under a stated salary, and could possibly have no interest in slighting the work. In Nova Scotia, the Superintendent of the Board of Works has a salary which places him above, and keeps him aloof from meddling or having any interest in the affairs of public contractors, and which requires him to devote all his time

to his office. We want such a man here, and until such a system be adopted, the country will be at a great yearly loss.

Hon. Mr. LONGWORTH.—I do not see the justice of reflecting upon the persons who had the superintendence of this building; but the idea that this Act will do away with all the abuses said to have existed, is, I think, unsound. Even under the restrictions of this Act, the Superintendent can have an indirect interest in all public undertakings, and it is impossible to prevent him. As to the Bill itself, I agree with its principle, but whether it shall go into operation immediately or not, is a question I will not pretend to decide. If it is to lay over, how is any defect that may be in it to be corrected; still there may be no absolute necessity to go into the matter now, but leave it over till another session.

Hon. T. H. HAVILAND.—As regards the observations made by the Hon. Col. Secretary, about the Province Building, reflecting upon the Superintendent of that work, I would acquit that gentleman of any lack of duty in the matter. The stone work was contracted for by Messrs. Watts and Bane, and the Carpenter work by Messrs. Wright and Smith, and if they did not fulfil their contracts to the letter, it was not the fault of the Superintendent or Directors, of which latter, I was one myself.

Hon. COL. SECRETARY.—I did not intend to imply censure upon the Directors of the construction of this Building.

Hon. T. H. HAVILAND.—As far as the Bill before the House is concerned, I agree with the Hon. Col. Secretary, that a measure of this kind is called for. It is admitted that there is a waste of the public money under the present system, and Commissioners often spend more money than they ought. Why? Because there is no one to look after them, to see that they are judicious in the expenditure of their share of the public money.

The House then resolved itself into a Committee of the whole, on the Bill to establish a Board of Works. Mr. Muirhead in the chair.

Hon. COL. SECRETARY.—If any suggestions could be made, that might render the Act more complete and comprehensive, I would be thankful for them. No doubt, there may be some hon. members acquainted with many things which it would be well to embody in the Act.

The first clause of the Act was then read, when

Hon. Mr. LORD said—I do not see, Mr. Chairman, how the adoption of this Act would place us, in regard to the efficiency of carrying out public works, any better than we are at present. We have now a Superintendent of Public Works, and I cannot see why any other board should be wanting for the amount of public works, that is to be performed. In my opinion, it will only entail an additional expense upon the country, and leave us with no better system than we had before.

Hon. COL. SECRETARY.—No money will be required to pay the members of the Board, except in case of their being required to travel, or accompany the engineer, and then they are allowed mileage. It is only the officers of the Board who will be on a salary. It might as well be objected that the Education system of the Colony can be carried out by the School Visitor, and dispense altogether with a Board of Education. It is objected that such a board will find nothing to do, but this is a mistake; there are, besides bridges and wharfs, lighthouses and buoys, and public buildings to inspect. And in case of any departmental officer being on the Board, he will receive no pay for his services.

Hon. COL. TREASURER.—Another thing I will bring to your notice, they can at least inspect the works performed and see that they are properly done. Some time ago, there was a sum of money appropriated to build the wall of the jail in St. Eleanor's. When I was Sheriff of Prince County, a few years ago, I had occasion to examine these walls, and found them so poorly done, and badly put together, that a prisoner might easily escape, and that line of wall, alone, cost £25. I had to pay a mason ten shillings a day to rebuild that wall, and if there had been a proper person to inspect the first building of it, it would not have to be reconstructed. The Government House also has cost a great deal of money, and it is far from complete yet, and will cost more before it is properly habitable. In fact, if a proper system of superintendence of the public works was established, the saving in the end would be immense.

Hon. Mr. WIGHTMAN.—Mr. Chairman, a Bill of that nature will not only be a wise enactment, but will confer a positive benefit upon the whole Island. There has been for years back an increasing necessity for a radical change in this department of our civil administration, and to my mind the time has not only arrived for the execution of some such reform, but a change of this nature is forced upon us by every imperative consideration which the public welfare demands from us as representatives of the people. Other considerations should also impel us to such a step. There are numerous petitions coming in to us for roads, bridges and wharfs, which demand a rigid scrutiny as to the justness of their several applications, and hundreds of pounds are appropriated to meet their demands. If, then, we had a Board of Works to conduct such a scrutiny, with a competent person at its head to oversee the performance of those works which might be deemed necessary, it would save an immense deal of trouble and fruitless debate to us, and much money to the country. There may be some difficulty in organizing the board, as one engineer would not be enough, for the duties alone to be performed by such an officer in Charlottetown would be considerable; and there are works of importance in other parts of the Island as well as Charlottetown. Then we may find fault with giving him a large salary, as a competent engineer would not act for less than £300 per annum; but he would be well worth the money, and would save the amount of his salary in a twelvemonth. But, as I said before, one engineer is not competent to fulfil all the duties appertaining to his office, such as the inspection of buoys, light-houses, bridges, and other public works, and it would be far from wise to impose more duty on him than he would be able to perform. If, however, we now enter into the Bill, pass it, and it becomes law, one engineer might be appointed, as his salary would be as much as we can at the present time conveniently meet; and we could afterwards appoint another, when we see an absolute necessity for so doing. As to the Bill itself, I approve of it heartily, and am convinced every one will likewise give it their sanction and approval, because under the present system a great deal of money passes through the Road Correspondent's hands, which is not properly applied; and if this Bill were in operation, I am certain there would in future be no such misapplication of the public money, and therefore no room for complaint.

Mr. MACINTOSH.—I do not intend to oppose this Bill, though I can, I must confess, see but little advantage to be derived from its working. I suppose, by and by we will have one in each County, if we go on at this rate. However, admitting the Bill becomes law, and such a Board as it provides for be constituted, I would wish to know, where are they to find employment for an engineer or superintendent. [Hon. Mr. Wightman.—You forget the wharfs, bridges,

buildings to be constructed, and roads, which demand that we should have a competent engineer to inspect such works.] Why, Sir, the buildings constructed twenty and forty years ago seem to stand as well as they should stand, and will, I have no doubt, stand as long as any to be constructed under the supervision of a Board of Works. If we are to have a Board of Works, then let us first see if it is absolutely required; for we might not have better buildings under its direction—buildings finished better, or that will stand longer than those built under the old superintendence. 'Tis useless to persuade me things will be better done with a Board of Works than before: I don't believe it. Besides, if all other considerations failed, we have as much on our hands as we can do for the present, and, therefore, it would be as well, in my opinion, to let the Bill go along with the Municipal Corporation Act, to the people.

Hon. Mr. PALMER.—Mr. Chairman, when a Board of Works was first spoken of, I was led to believe that it was contemplated to supercede the present system of Statute Labor, that it was to be so framed that some of its members were to act as chief overseers in behalf of each of the Counties, and oversee the proper doing of the roads thereof. But, sir, the present Bill contains nothing of the kind; and, as it was with the understanding that the Bill was to do away with that system, I intend to give it my support, therefore, I do not intend to favour it under its present form. I think for all the principles contained by the Bill, as it now stands, there is no great necessity for a Board of that kind. I concur in the opinion expressed by the hon. member, Mr. Macintosh, that a Board of that kind is not called for, if we take into account the small amount of work for it to oversee. It is true, we have some public buildings to erect, which will require a competent overseer, and if the present system of superintendence be insufficient to fulfil the task, I have no objection to have its efficiency increased by any proper means; but I do object to the voting away of large sums of money, when there is no immediate necessity for so doing. According to my idea of the thing, the Board should be so constituted as to include three principal Commissioners—one for each County—each having a competent knowledge of the duties required of him, and to give ample security for the faithful performance of the duties of his office, so that they would be responsible for the proper execution and stability of all public works. Then the country would have true responsibility on the part of its officers. Statute Labor would be abolished, for I look upon a Bill of this kind as a remedy that will do away with that system. There is a great necessity for the law in that respect. Every day we become more convinced—since more money is lost to the Colony by Statute Labor than by anything else—that if the money appropriated for the road service was expended with more economy, there would be a saving to the country of many pounds. If this Bill is to rest with only the provisions embodied in it, it will be nothing more than we have at present—if this Bill constitute a Board of Works, then we have one already. There is nothing new in the Bill, and I will not give it my support in its present shape, with all the various expenses attendant on it. But if a Bill of the kind were so formed as to abolish Statute Labor, I would support it.

Then the Chairman reported progress, and asked leave to sit again, which was granted, and the House adjourned.

FRIDAY, March 27, 1857.

House in Committee of the whole on the Bill (from the Council) to amend the Practice of the Supreme Court. Hon. Col. Treasurer in the chair.

On the first clause of the Bill being read—

Hon. COL. SECRETARY explained that it provided that the trials by jury are to be heard the first, and also, that no petit jury can be detained more than two days.

The second clause, providing that, if a person be imprisoned on an execution or writ, the signature of a prothonotary to a note for the amount is sufficient and lawful; the former practice requiring the signature of a lawyer to such a document before the prisoner could be liberated, which entailed a considerable loss in time and money to the said prisoner. There was a short discussion on this clause, mainly in effect explaining more fully the advantages of such an Act, when the chairman reported progress, and asked leave to sit again, which was granted.

A Bill was submitted, by the Hon. Col. Secretary, in accordance with an order to that effect, providing for an additional Assistant in the Post Office, and an increase of the salary of the present assistant, upon which the House went into a committee of the whole—Mr. Perry in the chair. After some time spent therein, the chairman reported the Bill agreed to without amendment, which report was received, and the Bill ordered to be engrossed.

[The rule was suspended to go into committee of the whole on the above Bill in the afternoon.]

Mr. CLARK presented a report of the committee on Private Bills on the petition of Henry Bessemer, of London, which was received, and Hon. Col. Secretary presented a Bill to carry out the same, which was read a first time, and the House resolved itself into a committee of the whole to take the said Bill into consideration. Mr. Longworth in the chair.

House resumed. The chairman reported the Bill agreed to, which was received, and the Bill ordered to be engrossed.

The House then resolved itself into a committee of the whole, to take into consideration a communication from the President of the Telegraph Company, embodying certain conditions in relation to the keeping up of telegraphic communication between this Island and the neighboring continent, and asking for a grant of £300 sterling for a period of fifty years. Mr. McDonald took the chair of the committee.

An animated debate ensued, from which it appeared that nearly all hon. members were unwilling to extend a grant to that or any other company for so long a time as fifty years, as it would give them a complete monopoly and prevent other enterprises of a like nature from being undertaken. Some hon. members thought twenty years would be long enough, but the majority were not in favor of extending a grant for a longer period than ten years. The amount was also pretty generally objected to, as being too large; but a sum of £300 currency, it was agreed, would be enough to give at length.

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

Mr. Perry submitted the report of the committee to whom were referred all petitions praying for the opening of new lines of Roads, which was referred to a committee of the whole House this afternoon. Adjourned for one hour.

T. KIRWAN, Rep.

AFTERNOON SITTING.

On motion of Mr. Macdonald, the House went into committee of the whole on the further consideration of the subject relating to the Telegraph Company. After a few remarks from several hon. members, Hon. Col. Secretary moved the following resolution.

“Resolved, that it be recommended to the House to secure by Bill to the Newfoundland and New York Telegraph

Company the sum of three hundred pounds currency, per year for ten years, provided the said Company keep up the communication with the neighboring Provinces, and also keep two offices, one at Cape Tormentine and one at Cape Traverse, during the winter months, and convey all messages connected with the Post Office in Charlottetown, and Telegraph Offices at the Capes, free of charge; and further provided that no higher rate of charge is made for messages than is now charged.”

The resolution was then agreed to by the committee, and the House having resumed, the chairman reported the resolution agreed to, which was adopted by the House, and Hons. Col. Secretary, Lord, and Mr. T. Heath Haviland, were appointed a committee to prepare and bring in a Bill in accordance therewith.

The House was a short time in committee on the Bill relating to the practice of the Supreme Court, after which it was reported agreed to with certain amendments, which were adopted by the House, and the rule of the House, relating to Bills having been suspended, the Bill and amendments were read a third time and passed.

The House then went into a committee of the whole on the report of the special committee on new lines of Roads. Progress reported, and leave granted to sit again.

Hon. Mr. Palmer presented a petition from divers inhabitants of Charlottetown, setting forth the evils resulting from the present mode of granting licenses for the sale of spirituous liquors, particularly from the granting of pint licenses to persons not having a store or tavern, and praying an amendment of the present law in relation to them; referred to a special committee consisting of Hons. Palmer, Col. Treasurer and Mr. T. Heath Haviland, to report thereon by Bill or otherwise. House adjourned. R. LAIRD, Rep.

—————
SATURDAY, March 28, 1857.

As the Speaker was absent there was no House to-day.

—————
MONDAY, March 30, 1857.

The Speaker laid before the House several communications he had received in relation to the late convention entered into between the Governments of England and France, by which the former cedes a large extent of territory on the Island of Newfoundland and Labrador to the latter power, protesting against the treaty, and asking the sympathy of the Legislature of this Colony in behalf of their views. Laid on the table.

The Bill to provide an additional Assistant in the Post Office, and increase the salary of the present assistant was read a third time and passed.

Mr. T. H. Haviland, according to notice, presented a petition from the shareholders in the Gas Light Company of Charlottetown, praying for an alteration in the mode of voting for directors, and introduced a Bill to carry out the objects of the said petition, which was read a first time. Mr. Haviland also presented a petition of the pastor and shareholders of the Free Church of Charlottetown, praying for an Act of Incorporation, and gave in a Bill to carry out the prayer of the petition, which was also read a first time, and both of the above Bills were referred to the committee on Private Bills.

The standing rule was suspended limiting the time for receiving private petitions, and Hon. Mr. Whelan presented a petition of Mrs. Ann Cullen, praying remuneration for certain services performed by her late husband, William Cullen, Esq., as Clerk of the Board of Health, and Clerk of the House of Assembly. Received, read, and laid on the table.

Hon. Mr. Whelan also presented a petition of inhabitants of north side of St. Peter's Bay, setting forth that they have no school, and praying for the establishment of one, the former one having been removed from that locality, and Messrs. Whelan, Dingwell, Montgomery, McDonald, and T. H. Haviland, were appointed a special committee to inquire into the facts of the statements detailed in the above petition, and report on the same next Session.

Mr. Whelan, also, presented another petition of James Douglas, of Bay Fortune, if the statements in which were true, he said, was of the most peculiar and extraordinary nature, involving a case of fraud almost unparalleled in the history of this Island. He did not promise to advocate the prayer of the petition; but if the statements contained in it were true it should have his support. The petition was laid on the table.

A message was received from the Legislative Council, informing the House that the Council had passed the Act for the naturalization of Lawrence Warren.

The House resolved itself into a committee of the whole, on the report of the Special Committee to whom was referred all petitions praying for the opening of new lines of roads. Mr. Muirhead in the chair.

Hon. Mr. Whelan moved to add a paragraph to the report, which was agreed to without division.

House resumed. The chairman reported the report agreed to with certain amendments accepted.

Mr. Perry presented the report of the Special Committee to whom was referred the petitions of teachers who have not complied with the provisions of the Free Education Act.

Hon. Mr. Lord said, he held in his hand petitions from the inhabitants of Crapaud, Tryon, Cape Traverse, &c. in relation to the introduction of the Bible into the public schools. As the Education Act had passed, he would merely intimate that he had received such petitions. The petitioners said, should an alteration be made in the Education Act the Bible should not be excluded from the District Schools, the Normal School, or the Academy.

Mr. Dingwell said he had also received a petition of a similar nature; but as the Education Act had passed, it was now too late to present it.

Adjourned for one hour.

T. KIRWAN, Rep.

AFTERNOON SITTING.

REPORT ON TEACHERS' PETITIONS.

On motion of Mr. Perry, the House went into Committee of the whole on the report of the Special Committee on Teachers' Petitions. After some time spent in Committee, the Chairman adopted the report agreed to, with several amendments. It was then adopted by the House, and is as follows:—

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:—

Letitia Muirhead,	£10 0 0
Archibald C. Bickford,	18 15 0
Thomas O'Brien, for one year, ending 2d September, 1856, and for four months, ending 8th March, 1857,	26 13 4
James Condon, Lot 30,	10 0 0
Dennis Carroll, for one year, ending April, 1857,	20 0 0
Duncan McDonald, for one year, ending March, 1857,	20 0 0

Matthew Reville, for one year, ending 29th July, 1857,	20 0 0
Murdoch McKenzie, for six months, ending 1st July, 1856,	12 0 0
Laughlin McPhee, for nine months, ending March, 1857,	15 0 0
John Campbell, for one month and twenty-six days, previous to his passing the Board of Education, in 1853,	5 0 0
Jane Green, for one year and five months,	18 0 0
Ann McLean, for one year,	15 0 0
Henry Leekey, for one year, when the Trustees shall have certified the same before the nearest magistrate,	20 0 0

Your Committee cannot recommend the prayer of the Petition of Patrick Connick, praying a grant of the sum of three pounds three shillings and nine-pence, for teaching twenty Saturdays, last year, more than he need have done.

Nor can they recommend the Petition of Josiah McLeod, praying for some remuneration for teaching six months at St. Eleanor's, for the year 1855.

Your Committee have had under their consideration two Petitions—one of Francis Buote, of Township No. 2, and the other of Thomas Mansfield—both praying for retiring allowances. Your Committee are not aware of any provision being made for retiring allowances to Teachers, and therefore they cannot recommend the prayer of the said Petitions.

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 Committee of Supply, a sum sufficient be appropriated and paid for the services herein set forth, agreeably to the foregoing recommendations.

FISHERY CONVENTION.

Hon. Mr. WHELAN, before the House adjourned, thought it advisable to direct the attention of the House to the papers laid before them this morning, respecting the concessions of the British Government to France, in Newfoundland. That matter had been brought to their consideration by a delegation sent to Nova Scotia, to awaken public opinion on the subject, in those Colonies. The inhabitants of Newfoundland very justly thought that they ought to feel as deeply interested in the Fisheries as themselves, and that was, no doubt, the case. The delegation had been very kindly received in Nova Scotia, both by the Government and the House of Assembly, and he believed that the action to be taken on the subject in that Province, would be highly favourable to Newfoundland. It then behoved them to follow the example of that Province, or, indeed, not to wait for it, but to manifest their sense of the importance which must attach to the question, by sympathising with the inhabitants of Newfoundland, in the spoliation which was intended to be practised on that Colony. If any Colony should take an interest in the affairs of Newfoundland, it was Prince Edward Island; because it had been for many years carrying on an active trade with that Province, and because a great portion of the fish brought to the Island, was from Labrador. If then, they found that the right which they enjoyed, of taking fish in those places, were to be invaded by the Convention alluded to, he thought they ought to use all the means within their power to prevent such invasion. He held

in his hand a letter on this subject, from the Right Rev. Dr. Mullock, Roman Catholic Bishop of Newfoundland, and there were one or two paragraphs in it, in reference to the Convention, which he would read, and which, he thought, stated the character of the Convention in a clear manner. [He then read one from the letter.] Those were the expressions of the gentleman alluded to, and he trusted he was not misrepresenting the matter. It would ill become the Legislature of Prince Edward Island, to treat with contempt the application made to them by the House of Assembly of Newfoundland. He moved that a Committee of seven members be appointed, to whom the documents in question should be referred, to inquire into the matter, and to report thereon, as its merits might seem to require.

The motion was unanimously agreed to, Hons. Messrs. Whelan, T. H. Haviland, Longworth and Lord, and Messrs. Cooper, Macdonald and Perry, were appointed the said Committee.

POWNAI STREET WHARF.

Hon. Mr. LONGWORTH called the attention of the House to the state of this wharf, which required to be repaired to a greater extent than the City Corporation could well provide for. There was a petition before the House from the Town Council, partly relating to it; and he thought that the petitioners had a claim for at least a part of the sum required to repair the wharf. He moved that so much of the petition as related to wharfs be referred to Committee of Supply.

Mr. MACDONALD said, he must oppose the motion of the hon. member, because if it should be referred to Supply, he would feel himself bound to give nothing for it. The House had already given up to the City a part of the revenue, amounting to several hundred pounds, and last winter a very large sum had been appropriated to build a wharf in the City; but now a petition of the City Council came before the House for a larger grant, after so much had been given up to them, and after the large grant of last session. He thought the petition was one which no country member could support, and he for one would be decidedly opposed to it. One of the grounds on which the claims of the petitioners were founded, was the arrival of the steamer at the wharf. Still, when the wharfs were given up to the City, they knew that the steamer was to be there, and he thought that was not a good reason for the application.

Mr. T. HEATH HAVILAND would oppose the petition going to Supply. He had been under the impression, when the control of the wharfs was given up to the City Council, that they would make provision for repairing them; and he certainly thought if they had applied a portion of the money to wharfs which they had last summer expended on the roads, the wharfs would have been in a better condition now.

Hon. COL. SECRETARY thought the hon. member should not judge of the improvements on the roads before the work was done, as he presumed next year they would see them macadamized. As to the wharf, he must say it was in a very dilapidated condition when it was handed over to the City. Much of it required to be renewed; and repairs were also required on Queen-street wharf. He thought there should be no objections to grant a sum for the first mentioned wharf at least.

Mr. CLARK recollected that last year the City had obtained a sum of money for the wharf in question, on the motion of Hon. Mr. Longworth; and now he (Mr. Clark) would vote against the motion just made, because he believed the more the City Council obtained the more they would throw away. He did not think that, after giving them the control of the affairs of the City, they ought to be allowed to

apply to the House, year after year, for money. Last year £2,000 or £3,000 had been appropriated to the City.

Hon. Mr. PALMER said, if they wished the City to have a fair start, they ought to give them something. They knew that the wharf in question had been going to ruin some years. Whether the money which had been applied to the roads had been imprudently expended or not, he thought complaints on that subject came with a very bad grace from country members, for the country derived, and would derive, more benefit from it than the town. Great improvements had last year been made on the roads near the city, which was a great advantage to the country people; and hon. members from the country should not forget that large grants were yearly made to the country districts; but while that was the case, they said that Charlottetown must provide for itself. Pownal-street wharf was one of those large undertakings by which the country was benefitted, and it would be great injustice to throw the whole expense of it on the City Corporation, just at the commencement of its career.

Mr. COOPER believed the city might keep the wharfs in repair, if provision were made for it by the payment of rates and the establishment of tolls, as the country people were deriving benefit from the improvements made. Still he thought it as well to grant a small sum towards the proposed object, as to have tolls paid by the people.

Mr. MACINTOSH said, notwithstanding all that had been said about macadamized roads &c., he was not inclined to go with the motion. If the grants given to Charlottetown, were compared with those given to the country districts, he was sure they would surpass what a whole county received. He thought when they surrendered the control of the wharfs to the Town Council, they had done enough without being called upon to give anew towards the improvements thought necessary in the city.

Hon. Mr. LONGWORTH said the hon. member must remember that there was a large amount of revenue collected in Charlottetown, and that the wharf in question was more benefit to the country than many others, as boats and carts from the country paid no charge or toll at it, as Mr. Cooper had very justly said. The hon. member, Mr. Clark, had been quite under a mistake as to the grant to the wharf last year; for it was only to get back what had been paid into the treasury.

Hon. Mr. LORD said, if the wharf were to be entirely at the disposal of the town corporation, he would not support the motion; but when it was found that the greatest part of the wharf was occupied by the steamer, and that the wharfage was much less on that account, he thought the country ought very properly to grant a sum at least sufficient to put it in good repair; yet he hoped this would be the last year that such a grant would be required. He thought the Government would provide for the landing of the steamer at the new wharf which was being built, as it was a great hindrance to vessels landing at Pownal Street Wharf. He thought it came with a very bad grace indeed from country members to oppose the grant; for the arrival of the steamer was an advantage to the country; and therefore they ought to allow a small grant to the wharf in question.

Mr. DINGWELL was opposed to the motion, and would advise the Town Council just to make use of the means they had within their own power. He did not think they were entitled to a special grant at all.

The House then divided on the motion as follows:—
Yeas—Hons. Messrs. Palmer, Col. Secretary, T. H. Haviland, Whelan and Lord, Messrs. Cooper, Yeo and Munro—9.

Nays—Hons. Col. Treasurer and Montgomery, Messrs.

Macdonald, T. Heath Haviland, Dingwell, Clark, Laird Macintosh and Muirhead—10.

So the motion was lost.

Hon. Col. Secretary introduced a Bill to regulate Ferries, which was read a first time.

House adjourned.

R. LAIRD, Rep.

TUESDAY, March 31.

AFTERNOON SITTING.

Hon. Col. Secretary presented a Bill, providing that the sum of £200 sterling be paid to the New York, Newfoundland and London Telegraph Company, yearly, for the term of ten years, under certain conditions. Read a first time, and to be read again to-morrow.

The House went into the order of the day: the Bill in relation to Ferries and Minchin's Point Wharf, &c.

Hon. COL. SECRETARY explained that as there was nothing on the Statute Book regulating and fixing the Boundaries of Ferries, as was necessary, in order to prevent confusion and encroachment, and as it present exists in the other Colonies, this Act referred to the Boundaries of Ferries all over the Island, as the Boundaries of all ferries near each other should be properly defined. The other part of the Bill referred to Minchin's Point Wharf, and the contemplated creation of a Ferry House on that side of the River.

[A good deal of discussion ensued, in the course of which it was objected by some hon. members that the regulations of the Act were of such a character, as even to preclude a private individual from taking a friend across a river in his boat, but upon explanation it was shown that the law could only effect those who ferried for hire, and as it was the duty of the government to protect the public contractors the present law did not more than afford them sufficient protection.]

The House then resolved itself into a Committee of the whole, Mr. Montgomery in the Chair.

[After some further discussion, and the adoption of several amendments:]

The House resumed. The Chairman reported the Bill agreed to with certain amendments, which amendments being read at the Clerk's Table, and agreed to, the report of the Committee was received by the House, and the said Bill as amended was ordered to be engrossed.

Mr. Clark, from the Special Committee appointed to report on every private Bill, and to whom was referred the petition praying to incorporate the Minister and Trustees of the Free Church in Charlottetown, presented the House the Report of the said Committee; which Report being again read at the Clerk's Table, was agreed to by the House, and is as follows:—

"Your Committee appointed to examine and report upon private Bills, having under their consideration the Bill to incorporate the Ministers and Trustees of the Free Church Congregation in the City of Charlottetown, submit that the Bill is of a private nature, but inasmuch as the fees upon Bills of a similar nature have not heretofore been exacted,—Your Committee recommend that the said Bill be exempted from such charge."

Mr. Clark, from the same Committee to whom was referred the Bill in further amendment of an Act made and passed in the Sixteenth year of the reign of Her present Majesty, entitled "an Act to incorporate the Charlottetown Gas Light Company," to examine the same, and report thereon, presented to the House the Report of the said Committee; which report being read again at the Clerk's Table, was agreed to by the House, and is as follows:—

"Your Committee, appointed to examine and report upon all private Bills, having under their consideration the Bill in

further amendment of "an Act to incorporate the Charlottetown Gas Light Company," submit that the Bill is of a private nature, and for the pecuniary benefit of the Company applying for it; your Committee therefore recommend that the fees be exacted."

The Bill to Incorporate the Ministers and Trustees of the Free Church of Charlottetown, being read a second time, the House resolved itself into a Committee of the Whole on the said Bill. Mr. T. H. Haviland in the Chair. After some time therein, the House resumed. The Chairman reported the Bill agreed to without amendment, which was adopted, and the said Bill ordered to be engrossed.

Then the House adjourned, until to-morrow.

LEGISLATIVE COUNCIL.

MONDAY, April 5.

When the reporter entered, the House was in Committee on the Telegraph Bill.

His Honor the PRESIDENT was speaking to the subject.

Hon. Mr. DINGWELL wished that the benefits of the telegraphic communication should be extended to Georgetown. He could see no good reason for a grant from the general funds, if the people throughout the country had to come to Charlottetown to avail themselves of the telegraph.

His Honor the PRESIDENT could inform the hon. gentleman that, when the telegraph was in operation at Souris, it did not pay the expenses of working. If his honor, Mr. Dingwell, would guarantee that the working expenses would be paid, he could promise, on behalf of the Company, that they would establish an office at Souris or Georgetown. The amount specified in the Bill as a grant, (£300) was a mere bagatelle. His own opinion would lead him to vote for £400 at least. The cost of the cable connecting Capes Traverse and Termentine, was no less than £3,000. His honor thought that it was probable the telegraph would touch at East Point during the approaching season. Influences had been brought to bear in England, which had induced a change of the connecting station to Cape North in Cape Boston, in place of the East Point in this Island, as originally contemplated; but he still hoped that the Atlantic line would pass directly through our Island, by a submarine cable from Newfoundland to the East Point.

Hon. Mr. DINGWELL had heard nothing to shew the impolicy of extending the line to East Point. The expense would not be a matter of great moment, as the line only required some repairs.

His Honor the PRESIDENT had no objection to supporting Hon. Mr. Dingwell in extending the benefits of telegraphic communication, by voting for a larger sum instead of the amount proposed.

Hon. Mr. DINGWELL was of opinion that the President had overestimated the expense.

His Honor the PRESIDENT would ask his honor to consider the expense of a cable to Cape North.

Hon. Mr. BARNALL explained that his honor, Mr. Dingwell, merely contemplated putting in operation the line from Charlottetown and East Point. It was quite natural for his honor to use his best exertions in favor of that part of the country. He himself would be glad to see a telegraphic communication with New Glasgow.

Hon. Mr. DINGWELL explained, that the line to East Point was already constructed.

Hon. Mr. WALKER said, that the revenue of the line would not pay the salary of an operator.

Hon. Mr. the PRESIDENT stated, that the Government only intended to defray the expenses of the offices recently established at Capes Traverse and Termentine during the winter, viz. passengers and the mails, were crossing the route. There was no doubt that the telegraph might be the means of saving many lives, by transmitting from our shores to other, intelligible of the departure of a company, and thus preventing a vessel from being sent to sea, if a larger was apprehended.

Hon. M. DINGWELL hoped he would not be understood as objecting to the amount, but he was anxious to extend the operations of the Company.

The Bill for the incorporation of the Free Church in Charlottetown was committed, and agreed to without amendment. The Attorney General, by command, laid on the table a despatch from the Colonial Office, accompanied by a copy of a report of the Commissioners of the Customs, on the Island Revenue Act of 1856.

Mr. T. H. HAVILAND brought up from the House of Assembly a Bill for better securing the Liberty of the Subject.

Hon. Attorney General presented a petition of the Charlottetown Gas Company, for altering the present proportion between the number of shares and votes.

His Honor the PRESIDENT sawed the necessity which existed for a change, as he had recently been present at a large meeting of shareholders who were generally anxious to reduce the price of gas; but one individual, representing in his own person and by proxies, a large amount of shares, was enabled to swamp the measure.

His Honor the PRESIDENT, referring to the recent visit of the General to the Normal School, read a minute to the effect, that the members of the House were all extremely gratified at the efficiency of the said school, and the manner in which it was conducted.

Mr. T. H. HAVILAND brought up from the House of Assembly an Act in accordance with the petition of the Charlottetown Gas Company which was read a first time.

Hon. Mr. BENTON obtained leave of absence for the remainder of the week.

TUESDAY, April 7.

The Act for better securing the Liberty of the Subject, was read a second time.

Hon. ATTORNEY GENERAL explained the features of the Bill, which was similar to one in New Brunswick. It would be found beneficial in King's and Prince Counties, as it obviated the necessity of bringing prisoners to Charlottetown by *habeas corpus*, instead of which expensive and inconvenient process, the legality of the incarceration could be tested by affidavits to be transmitted to the Judge.

The Bill in amendment of the Gas Company Act of Incorporation was read a second time.

Hon. ATTORNEY GENERAL stated, that the Bill was in accordance with the prayer of the petition, and had for its object the increase of the number of votes to be given by the larger shareholders.

The Charlottetown Free Church Incorporation Bill was read a third time and passed.

Hon. Mr. Bagnall obtained leave of absence till Friday, on public business.

WEDNESDAY, April 8.

The Bill for better securing the Liberty of the Subject was committed, and progress was reported.

On motion of the Hon. Attorney General, the Bill relating to Ferries was read a second time.

Hon. ATTORNEY GENERAL explained, that one of the objects of the Bill was to define the limits of Ferries. At present there were no definite boundaries to any of the various Ferries in the Island. It was proposed to authorize the Government and Council to prescribe the limits within which the exclusive rights to ferry shall exist. Parties running in opposition to the licensed ferryman would be liable to be fined. Great inconvenience was experienced by the licensee of the ferry between Charlottetown and Minchin's Point. A combination of individuals was formed for the purpose of ferrying gratuitously, and it was openly asserted that they would run the licensee off the ferry. To obviate a recurrence of such conduct, it was his intention, in Committee, to move an amendment preventing parties carrying passengers in opposition to the rights of the ferryman.

The Bill was then committed; and the Hon. Attorney General moved an amendment to the second clause, prohibiting systematic ferrying by unlicensed individuals; and, another, extending the penalties of the Bill relating to landing on, or taking from, Minchin's Point Wharf, of goods, to the landing or taking off passengers.

His Honor the PRESIDENT thought it was absolutely necessary to pass the amendments, without which the Bill would be nugatory. The effect of them would be to prevent parties driving the licensee off the ferry. The original Ferry Bill had the same object; but the system pursued last summer was well known - parties endeavored to run the licensee off the ferry—they were prosecuted, and very heavy costs were incurred by the Government, the Court having decided that the Government had not power to make sufficient regulations. His Honor seconded the amendments, which were agreed to.

Hon. Attorney General presented a petition from members of the Bible Christian Church, praying the repeal of the old Act of Incorporation, and the substitution of a Bill similar to that of the Wesleyan body. The present Act provided but for the incorporation of one body for the whole Island, its members consequently could not be got together. The petition was referred to a Special Committee to report by Bill or otherwise. Committee—Hon. Attorney General, and Messrs. Wright and Forgan.

The Gas Company Bill was committed.

Hon. ATTORNEY GENERAL had presented the petition asking for the passage of the Bill which had for its object the alteration of the present system of voting. The change sought was desired by the shareholders, and they being the parties most interested, he would support it. He believed that the measure had received the unanimous approbation of the Directors of the Company.

His Honor the PRESIDENT considered, that some limit should be put to the number of votes to be given by one individual. In his opinion the maximum number of votes to be given by any one shareholder should be nine, no matter how many shares he might own. Unless some limitation were imposed, one individual might control the whole Company.

Hon. Mr. WALKER would like to see more reasons alleged for the Bill, before voting for it.

His Honor the PRESIDENT would like to know how the resolution of the Directors passed.

Hon. Mr. FORGAN considered it was but just that the power of control should be in proportion to the money invested.

Hon. Mr. WALKER said, it might be that a small shareholder might be among the largest of the consumers, and thus have a greater interest than the capitalists who had invested his means largely in the Company.

Hon. COL. SWABEY approved of the principle, that property should have its legitimate and natural influence. The number of small shareholders was probably greater than that of the others; but those having little at stake are generally less cautious than parties more deeply interested.

His Honor the PRESIDENT would give one additional vote for every fifty shares, instead of every twenty-five shares.

Hon. Mr. CRASWELL would not give too much power to any man. He would second the amendment.

Progress was then reported.

THURSDAY, April 9.

Hon. Attorney General, from the Special Committee on an petition, reported a Bill repealing the old Act, and enacting a new one incorporating the members of the Bible Christian Church.

Hon. Col. Swabey, by command, laid on the table a return of the Public Land.

The following Bills were severally brought up from the House of Assembly:—By the Hon. Col. Treasurer—the Revenue and Appropriation Bill. Hon. Mr. Longworth—the License Bill. Hon. Col. Secretary—the Loan Bill and the Bill patenting Bessemer's invention in the manufacture of iron; which were respectively read a first time.

HOUSE OF ASSEMBLY.

WEDNESDAY, April 1, 1857.

REPORTS OF COMMITTEES, &c.

Hon. Mr. Wightman, from the committee appointed to prepare and report the draft of an address to His Excellency the Lieut. Governor, pursuant to the report—as adopted by the House—of the Special Committee on the petitions praying for the establishment of Post Offices, presented the draft of an address, which being again read, was agreed to, and is as follows:—

To His Excellency Sir Dominick Daly, Knight, 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:

“The House of Assembly having had under consideration several Petitions praying for the establishment of additional Post Offices, and other matters connected with the Post Office department in this Colony, have agreed to a report on the same—an extract of which is hereunto annexed,—the House respectfully request that your Excellency will be pleased to direct that the recommendations contained therein be carried into effect.”

The address was engrossed, and the committee who prepared it, was appointed to wait on his Excellency with the same.

The Bill granting a yearly sum of money to the New York, Newfoundland and London Telegraph Company, having been read a second time, the House went into committee of the whole on the same. Hon. Mr. Wightman in the chair.

[This Bill gives the above Company the exclusive privilege of transmitting messages, by Telegraph, between this Island, and the neighboring Provinces, the United States, and, in the event of a cable being laid across the Atlantic, Europe, for ten years, instead of fifty, as prayed for in their memorial, and grants them £200 sterling instead of £300 sterling, asked for by them, during the continuance of the Act. After a short debate, in which Messrs. McDonald and McIntosh opposed the terms of the grant, saying that five years was a long enough period to give the Telegraph Company that monopoly which the present Bill would entitle them to. Mr. McDonald, was opposed to granting them £300 currency, and made a motion to the effect that it be reduced to £200 currency. The motion, however, being opposed by nearly all the hon. members present Mr. McDonald withdrew it. He then moved, that the period of the continuance of the Act be reduced to five years, which being put, was lost on a division of 4 ayes, to 13 nays.]

The Bill was then agreed to without amendment, read again at the Clerk's table, and ordered to be engrossed.

The report of the Special Committee on the applications from Princetown and Cascumpee for Lock-up Houses or Jails, being taken up and again read by the Clerk, Hon. Mr. Montgomery moved the report be referred to supply.

[A discussion ensued. Messrs. McIntosh, Dingwell and Hons. Messrs. Mooney and Palmer, opposed the motion. And Hons. Messrs. Montgomery, Haviland, Col. Treasurer, Messrs. Clark, Perry and Yeo supported it. The motion was put and lost on a vote of 7 yeas to 13 nays.]

A message was received from the Legislative Council, acquainting the House that their Honors had agreed to the Bill to continue and amend the Free Education Act, without making any amendment thereto. Also, that they had passed

a Bill to prevent fraud by Secret Bills of sale of goods and chattels, to which they desired the concurrence of the House of Assembly.

The latter Bill was then read a first time, and ordered to be read a second time to-morrow.

The House then resolved itself into a committee of the whole on supply. Hon. Col. Treasurer in the chair.

On motion of Mr. Perry the sum of £210 8s. 4d. was granted for the use of Teachers who have not complied with requirements of the Free Education Act.

The Hon. Col. Secretary moved that the sum of £150 be granted, for the erection of a Ferry House, at Southport, Charlottetown.

[The motion was opposed by Hons. Messrs. Lord, and Montgomery and Messrs. Haviland, McIntosh, Cooper, Laird, Perry and Dingwell and supported by Hons. Col. Secretary, Mr. Longworth, Palmer, the Speaker, Wightman, Mooney, and Mr. Munroe. The motion was, however, finally adopted on a vote of 11 ayes, against 9 nays.]

An amendment was offered, providing that £20 be granted for a shed at the above place, which was adopted—ayes, 14; nays 6.

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

Adjourned for one hour.

T. KIRWAN, Rep.

AFTERNOON SITTING.

THE LOAN BILL.

The first order of the day having been read, viz., the second reading of the Bill for raising monies to be applied to the purchase of Lands under Act 16 Vic., cap 18, intitled “An Act for the purchase of lands on behalf of the Government of Prince Edward Island, and to regulate the sale and management thereof, for other purposes therein mentioned.”

Hon. COL. SECRETARY moved that the House go into the order of the day, which having been done, he said, in moving that the House take into consideration the subject before them, he might state that the Government, in accordance with an Address of the House of Assembly last Session to Her Majesty the Queen, felt it their duty to lay the Bill before the House for their approval. The Address last Session was carried by a majority of three in a small House, which was of course considered perhaps not a very large majority; but it was of sufficient importance in a small House to express the opinion of a large majority of the inhabitants of the Island, especially when it was taken into consideration that the Address had been for the benefit of those on township lands and not for the benefit of those in the towns, the members for which had, with one exception, all voted against the Address, not feeling that the interests of their constituents were involved in the matter. The Address contained one or two paragraphs which perhaps he might read; and it was founded on a Despatch of the Secretary of State in answer to a Bill passed by the House in reference to compelling proprietors to give compensation to their tenants, and to another Bill sent home containing provisions for the benefit of the tenantry. The Home Government refused their sanction to those Bills, and the disallowance of Her Majesty's Government to them was communicated by the Secretary of State, Mr. Labouchere, who commenced by saying:—

“Upon entering on the duties which Her Majesty has been pleased to confide to me, I could not avoid giving my most serious attention to the correspondence which has recently taken place with regard to two Acts of the Legislature of Prince Edward Island, to which Her Majesty's

Government were unable to advise Her Majesty to give her assent.

"I have at the same time found it necessary to review the series of transactions, extending over a long period of years, which are marked by the continued efforts of a large portion of the resident inhabitants of the Island, either to abolish altogether, or materially to curtail the rights of the owners of landed property.

"I will not now repeat arguments which have been urged on various occasions by my predecessors; it will be sufficient for me to express my decided opinion, that whatever character may properly attach to the circumstances connected with the original grants, which have been often employed against the maintenance of the rights of the proprietors, they could not, with justice, be used to defeat the rights of the present owners who have acquired their property by inheritance, by family settlements, or for valuable consideration.

"Seeing, therefore, that the rights of the proprietors could not be sacrificed without manifest injustice I feel that it will be my duty steadily to resist by all means in my power measures similar in their character to those which were recently under the consideration of Her Majesty's Government.

"I desire, however, at the same time to assure you, that it was with much regret that Her Majesty's advisers felt themselves constrained to oppose the wishes of the people of Prince Edward Island, expressed through their representatives, and that it is my earnest wish to be spared the necessity of authoritative interference in regard to matters affecting the internal administration of their affairs.

"With regard to the main object which has been frequently proposed by a large portion of the inhabitants, namely, that some means may be provided, by which a tenant holding under a lease may arrive at the position of fee simple proprietor, I am anxious to facilitate such a change, provided that it be effected without injustice to the proprietors.

"There are but two ways in which such a change could be effected. The first is the usual and natural one of purchase and sale between the tenant and the owner; and no reason appears as yet to have been stated why, if the tenants offer to the landowners the full value of the right and interest of the landowner, sales and purchases cannot be effected. It would seem probable that at all events in the cases of non-resident owners, such fair offers would generally be accepted, and as the lands are usually let upon leases of extraordinary length, and at a small annual rent, there can, it would seem, be but few tenants who would not find the means of offering a fair price for buying up the annual rent of their holding.

"The other method would be that the Government of the Island should treat with such of the landowners as might be willing to sell, and that the State thus becoming possessed of the fee simple of such land as might thus be sold, should be enabled to afford greater facilities for converting the tenants into freeholders than the landlords themselves might feel an interest in doing.

"An arrangement of this kind could probably not be made without a loan to a considerable amount, to be raised by the Island Government, the interest thereof to be charged upon the revenues of the Island. But Her Majesty's Government would not be indisposed to take into consideration any plan of this kind which you might submit to them, showing in what way the interest of such loan could locally be provided for, and what arrangements would be proposed as to the manner of disposing of the lands of which the fee simple might so be bought up."

Now, upon the House taking up that Despatch, an Address was prepared to Her Majesty, which went on to state pretty

well the several clauses which he had read, and concluded by saying:—

"As your Majesty's Secretary of State has been pleased to say that your Majesty's Government would not be indisposed to take into consideration any plan for extinguishing by purchase, the rights of proprietors, we beg humbly to suggest, that if your Majesty's Government will give a guarantee for any sufficient loan required, as alluded to by the Secretary of State, the Legislature of the Colony will, in its next Session, make the necessary provision for the payment of its interest; and in offering this suggestion, we are convinced that no loss would be sustained by your Majesty's Government."

There was no need, then, that he should explain the subject, for the question was fully before the House, that Her Majesty's Government by a Despatch had offered to guarantee the loan in question upon the security which the Bill before the House provided, or on similar terms; therefore, he thought the House were now obliged in a great measure to carry out their Address of last session. Since that time, there had been no change in the House by election or otherwise, and if it was the intention of Her Majesty's Government last year to extend the benefits of the Land Purchase Bill to all parts of the Island, he thought there could be no doubt but the present Bill would meet with the views of the House. Many of the inhabitants of the Island had already become freeholders, and it was seen that the tenantry throughout the Island were expressing a wish that the present Bill should be passed. Numbers of petitions had been sent to the House on the subject, and others had been sent requesting that the proprietors would sell their lands to the Government; and he by no means wondered at it, for the proprietors would not sell their land to the people at the same rate as to the Government, and indeed it was not expected that they would sell it so cheaply to the people. They would rather take one-fourth less for their land from the Government than proceed on the present system; though it was a long time before they could be convinced of it, yet he thought they would find out that it would be for their advantage. It was now about ten years since he had introduced a Bill into the Legislature to purchase up the lands of the proprietors; it was also true that the hon. member for King's County Mr. Cooper had found it necessary some time ago to introduce a Bill to enable Her Majesty's Government to purchase up the Township lands in the Island. In the year 1847, the House of Assembly, on a motion of his (Hon. Col. Secretary's) went into a committee of the whole on the state of the Colony, and came to two resolutions on the subject, which were carried unanimously, and were as follows:—

"1. Resolved, that it is the opinion of this committee, that for the present and future welfare of this Island, a purchase of the Township Lands be effected, from all Proprietors who are desirous of selling their Lands, at any price not exceeding Five Shillings Sterling per acre; and that the same be resold in Lots of not more than three hundred acres, where the Land is in a wilderness state, and to persons in actual occupation, in lots according as they have lease or minute; and to squatters in occupation previous hereto, such quantity of Land as they are paying Land Tax for, not exceeding one hundred acres—the prices to be sufficient to cover costs and charges.

"2. Resolved, that a Bill be brought into the House of Assembly, authorizing the Lieutenant Governor and Council to appoint Commissioners to correspond with the proprietors, in order to ascertain if they, or any, will sell, and the terms; and with competent men of business in Great Britain in reference to a loan; and if a quantity of land, to be hereafter specified in committee, can be obtained at or within a price to be also so specified; and a loan, on terms to be likewise so specified, can

be effected—then the agents in Britain, or the Commissioners, to apply to the Colonial Minister for his sanction, and on this being obtained, to conclude the bargain both for loan and purchase.”

The Bill he had alluded to scarcely carried out the resolution just read. He himself had been the chairman of the committee, and in introducing the Bill they thought it the most advisable course to have the power of purchasing the lands in the Island Government, which much resembled the present Bill. The Bill laid over from 1847 to 1852, when it was taken up and passed by the House; and though they had been enabled to purchase a large quantity of land, yet not to the extent that the people desired. The loan which Her Majesty's Government had guaranteed to give, amounting to the sum of £100,000, sterling, would be, he was satisfied, a sum sufficient to purchase all the land out of the hands of the proprietors, or at least to reduce it to a very small quantity. The Bill did not say that they were required to take all that money at once; but it was to enable the Government to carry out the principles of the Land Purchase Bill to a greater extent than it now provided for. If £20,000 or £30,000 were required for the purchase of land, the Bill provided for that, or if the whole amount should be required, it also provided for it. There was, however, one remarkable allusion made in the despatch in reference to the loan in question, which was, that Her Majesty's Government had agreed to give the loan to be applied to the purchase of land on the principles of the Land Purchase Bill, which they said was a just and equitable measure. Of course the proprietors who were offering their lands for sale to the Government, knew what the Government were authorized to give under the Land Purchase Bill, namely, five shillings sterling per acre; therefore, the offer had been made by the proprietors with their eyes open, and in the knowledge that the Crown Law Officers of England had had the Bill before them and had approved of it. The proprietors would therefore not now have the opportunity of interrupting the measure brought before the Home Government; for they had hitherto, by petition or otherwise, opposed every measure that was brought forward to benefit the tenantry. The Free Education Bill and the One-Ninth Bill had been opposed by them, and also several other measures that had been found necessary to be brought forward; and more recently they had resisted the Rent Roll Tax and Tenants Compensation Bill; but he was happy to say that perhaps the resistance shown to those Bills, was the means of obtaining the present loan. The spirited manner in which the House took up the Despatches in reference to those Bills, showed Her Majesty's Government that they were in earnest to settle the disputes between landlords and tenants. He had introduced the Land Purchase Bill some years ago, because he saw it was no use to attempt to do anything for the benefit of this Colony, unless something was done to benefit the tenantry; and though, when he came forward first with the measure, he had been opposed by the hon. member for King's County (Mr. Cooper) on account of his refusal to join in the escheat question, yet he saw it was no use to try it any longer. The present Bill went on to say how the loan was to be effected, subject to the approval of Her Majesty's Government. It was necessary that the Island Government appoint an agent to transact the business, who would also be subject to the approval of the Home Government; but if Her Majesty's Government appointed an agent, they would be responsible for him. That agent of course would negotiate for the loan of money, and if at any time he might have more money than he required, it was to be invested in exchequer bills, so that there might be no loss of interest. The Bill contained several other provisions, among which one providing for a sinking fund of £5 on every £100 borrowed, in order to liquidate the whole in twenty years. The lands would be sold under the Land Purchase Bill at something like cost and charges, so as not to impose too great a burden upon the tenantry, but so as to cover cost and charges. The sinking fund was to be invested in exchequer bills, so that the amount might be paid when required. Those were the principles of the Bill; and in order to obtain the loan the revenue of the Colony was to be guaranteed, should the results not be sufficient to pay for it; but he had no doubts that it would pay for itself. The Worrell Estate perhaps did not pay

so well as might have been expected; but Lot 11 which was purchased last summer was paying better, as there were over 2,000 acres of land to pay the balance of about £500. In reference to the Worrell Estate, there was a balance of about £5,000 against it, to meet which there were about 45,000 acres of land unsold. The hon. member on his left (Hon. Mr. Lord) had said he would give the balance on Lot 11, for the timber that was on the land; and he ventured to say that that hon. gentleman, would also gladly give the balance on the Worrell Estate for the timber on it. The other clauses of the Bill were mere matter of detail and required no consideration.

With these remarks, he moved that the House go into committee on the Bill.

Mr. COOPER believed there was no one more desirous than he was that the question before the House should be settled; but he was afraid that the present Bill would not settle it satisfactorily, and he had some objections to make to it; but he would not oppose its going to Committee. He had formerly prepared a Bill of a similar nature, which he intended to have brought forward when the House went into Committee on the present Bill that it might be considered in connection with it. As he was a person that could not easily retain in his memory the ideas which he might have, and as the subject was of so much importance, he had committed his opinions to paper; but it had been hinted that he would be interrupted in reading them, as it was not allowed to read a speech in the British Parliament. He granted that in a House composed of 600 members, such a course would not be necessary, nor would it be necessary where there were many good speakers, and every subject was well explained before it was put to the vote; but such was not the case with the question before the House. He had thought it necessary to have his opinions written on that question; and he would leave it to the House to say whether he might read what he had written or not. It had been a precedent in the House before his time, that a member of the House might read a speech, provided it contained his own ideas, was his own composition, and written in his own hand-writing. ["Go on; go on."] [The hon. member] proceeded to read as follows:]

When I understand that the Home Government were disposed to guarantee a loan to purchase the Township lands, I expected that the purchase would be made under such regulations that any conscientious person might agree to. But the Bill before us to empower the Government to borrow £100,000 sterling, provides that the money is to be given for land according to the Purchase Act, in the same manner as the public money was given for the Worrell Estate, viz., to purchase forfeited lands without investigating the titles, as the Act requires, which purchase has met with the public disapprobation. But some of us are pledged, that if the loan is accepted, it shall be applied in such a manner as cannot fail to give general satisfaction; and in that case, the Bill will have to undergo considerable alterations to meet the requirements.

It will be recollected, that as often as we have had the land question before us, the Hon. the Col. Secretary, (to justify the Government measures for the purchase of forfeited land) read extracts from a Bill which passed the House of Assembly in the year 1841, to show that it was *me* who first proposed to purchase the land for the settlement of the tenantry, and as I was the author of the first Purchase Bill, I ought to support the Government in the way they intend to purchase the land, and sell it to the people. It is therefore necessary for me to explain the principles of the Bill which I introduced, and the reasons I had for so doing, which will enable hon. members to give their opinion as to whether it would be better to adopt the principles of that Bill, which is for the Ministers to purchase the land for the crown, instead of us borrowing money to purchase forfeited lands without investigating the titles.

The reasons why the Ministers should purchase the lands for

the crown are these. When Governor Fanning and others usurped an ownership over the forfeited lands, instead of reverting them in the crown according to the Royal instructions, the Colonial Minister not only allowed this act of usurpation to pass without inquiry, or objection, but acknowledged the usurpers as the proprietors; and as often as the people complained that they were oppressed by persons holding over the lands contrary to the conditions of the grants, the Ministers gave the landholders more and more indulgence, and finally declared, that it would be unjust to take the land by Escheat. Now, as the Colonial Minister had given indulgence to persons who made no use of the land themselves, but acquired an unlawful authority to impose rents and oppress the inhabitants who wanted land, it appeared to me that it was the duty of the Imperial Government to remedy the evil committed by public servants, and that the best method would be for Ministers to purchase the claims which their predecessors had given;—that was, to purchase and resume the land for the crown, and sell it to the people at a price which they might pay in a few years. Therefore, the objections which Ministers had made to the establishment of a Court of Escheat, were adopted as the preamble to the Bill. Because, if the reasons given by Ministers, were good to show cause why a Court of Escheat, should not be established, the same reasons were equally good to show that as Ministers had given indulgence to defaulting grantees, to hold over forfeited lands against the rights of the inhabitants, and had deprived the Colony of a court wherein to bring such matters to trial, the Imperial Government was in duty bound to recover by purchase or other lawful means, the claims which Ministers had wrongfully given. Therefore, the enactments in that Bill are,—that the crown should purchase and resume the lands, and sell them in tracts fit for settlement and cultivation; and to re-imburse the Government, the tenants were to pay for their farms at the rate of 6s. per acre for the best land, 5s. for second quality, and 4s. for third quality. Therefore the main features of the Bill are these: The Imperial Government might give the landholders whatever price or compensation they were entitled to, but the tenants were to pay the fixed price according to quality; the crown to hold the land as security for whatever money might be advanced, and the tenants to have ten years to pay principal and interest. There was no debt to be incurred on the Colony, nor one party made liable to pay for another. If Ministers had committed themselves by giving unlawful indulgence to defaulters, the Bill gave them an opportunity to recover mistakes at a small cost. Such is the Bill which was prepared by me, and passed by the House of Assembly in the year 1841. It was an easy matter to settle the land question in Canada, where the grantees had a good and well defined title; because no person had an interest in upholding the large grants but the proprietors themselves, and a fair compensation could be fixed by law as an equivalent for their grants; and consequently no unprincipled persons could take advantage to gain a fortune by forestalling the Government. But it is far more difficult to purchase from, or compensate, a class of men for claims which are founded on the delinquency of public servants. The landholders of this Island could not have held possession of the forfeited lands, without the support of Ministers, Governors, Colonial Executive, and a majority in the Legislature; and all of them have, either through ignorance or design, acted in direct opposition to the duty which they owed to their sovereign and their constituents; and now many are ashamed to own that they have been upholding an unprincipled class of men to demand and recover rents for land to which they have no title. Therefore, compensation is required, not only to satisfy cupidity, but to conceal the fraudulent claims, and give it the colour of a just debt. But as the amount of compensation could neither be fixed nor allowed by law, it is intended to be given contrary to law, by deceiving the Imperial Government and the people in general. To be able to see into such crooked transactions, it must be borne in mind, that the Sovereign could not give assent to an Act for the Colonial Government to purchase forfeited lands from persons holding over against the express conditions of the grants; and therefore a provision had to be inserted in the Purchase Act, to save the honor of the crown, viz., that the titles shall be investigated before any purchase is made. Now, I beg the attention of hon. members to this fact, that the

Purchase Act is to bear two constructions,—a construction in England, that the titles shall be investigated, and a construction in this Island, that it is only the transfers, but not the titles which are to be investigated; and therefore, this Act to borrow money, which is to be disposed of under the purchase Act, viz., to buy forfeited lands without investigating the titles, is a swindle of wide extent. We may rest assured, that the British Parliament would not consent, nor the Queen in Council authorize Ministers to indorse our bills for money to be given away for forfeited land, without investigating the titles; therefore, if we were to agree to this Bill to borrow £150,000, we would deceive the British Parliament, the Queen in Council, and our own constituents,—involve the Colony in debt and ourselves in disgrace, to borrow money to be given to defaulters, who ought to be made to refund what they have unlawfully taken, instead of receiving a reward for their dishonesty. Therefore, the clause for the investigation of titles, is the foundation of the Land Purchase Act; and as there were no titles investigated before purchase, the whole of the Acts of the Executive, in the purchase and sale of lands, is without a foundation in law; the debentures given for land, is an embezzlement of the public funds; to purchase forfeited lands, is giving a premium to dishonest persons to usurp and demand rents for the public lands. The Commissioner for the purchase of such lands, has no authority in law to sell or demand money or security for lands which he purchased without investigating the titles. It, therefore, appears to me the Executive have made a dangerous experiment; for I cannot see in what manner they are to enforce obedience to their Acts, which have no foundation in law. It is therefore my opinion, that unless we are to have a Court of Escheat established, the same as in every other Colony, to investigate the title, the next and the only safe course would be for us to adopt the principles of the Purchase Bill of 1841, and leave it to the Imperial Government to give the landholders whatever compensation they please. Where every act of deception is practised, we cannot make a fair or equitable compromise here. The Executive no doubt believe, that they have a party who will support any measures without regard to law or equity; but it is to be hoped hon. members have more respect for themselves than to be made the scape-goat for usurpers and swindlers, to carry away their sins, and allow them at the same time to carry off the public money.

He then said, I intend to move that this Bill (the one which passed in 1841) be committed to the same committee as the other.

Hon. COL. SECRETARY begged leave to correct the hon. member, as not being in order in making such a motion. Some hon. members expressed their opinions on the point, and also the Hon. Speaker, to the effect that the hon. member (Mr. Cooper) was out of order in proposing to have the Bill in question committed to a Committee of the whole House, as it had never passed the Legislative Council, and consequently belonged to that body; but if he wished to bring forward such a Bill, he might copy it and present it to the House.

Mr. COOPER would say a word with regard to the Bill, that the House were accustomed to take up Bills which they had passed, which was the case with the one in question. He could not see that there was anything wrong in his proposal, as the Bill had been handed to him by the Hon. Col. Secretary, and he thought he was quite at liberty to present it to the House.

Hon. Mr. PALMER said, he thought the House was hardly in a position to pronounce upon the expediency of the measure now before the House. He need scarcely remind hon. members that the accounts relating to the purchase and disposal of public lands in this Island, so far as the Colony had already dealt in them, were lying on the table of the House; and he would put it to the House whether it would be more just to the country and to individual members, if those accounts were examined, and an opinion first expressed upon them; because he took it for granted that the country at large had a very great curiosity to know how the present Land Purchase Bill had worked, whether profitably or other-

wise. He should therefore suggest, that before the House pledged itself to extend and carry on that system of purchasing lands and retailing them out again by the Bill now before them, they should first take up and examine the practical operation of the present law of the land, and see how far it might be working to the benefit of the country, and if it would warrant them in speculating to the very great extent that was now proposed by the Bill before the House. If the accounts were satisfactory—if it turned out that the land purchase system had worked advantageously to the country at large they would have sufficient grounds to go upon, and to warrant them in embarking in the same measure to the additional extent which it was now proposed to do by the present Bill. He put it to the good sense of the House, whether they should not first take up the accounts of the Commissioner of Public Lands, and carefully investigate them, and give the result plainly to the country in order to know whether the working of that measure, so far as it had gone, was deemed satisfactory and therefore that they might go on to a greater extent in the present Bill. He thought it was requisite that the house should first come to a decision with reference to those accounts; because hon. members would or would not feel justified in their conduct by the state of those accounts; and it would not do very well for hon. members hereafter to be asked, should the present measure turn out to be an unprofitable and unpopular one, why did you embark in this new undertaking, and pass this new law? Because in such case he thought they would be placed in a very awkward situation. Now, he did not want at that stage of the proceedings to go into the details of the accounts, which would take up some little time, and he did not think it would be a proper matter to discuss while the Speaker was in the chair. They comprised very extensive dealings, and he thought they should be discussed freely, and that hon. members might have an opportunity to give their opinion fully and particularly upon them, which could not be done except in Committee of the Whole House. Therefore, he thought it was proper that they should investigate those accounts, and see whether they were warranted in speculating to the extent proposed by the present Bill. He would refrain from going into those accounts, or making remarks on them, until he saw what the opinion and sense of the House might be; and he thought all the members on both sides of the House, would see the propriety of doing what he proposed, which he had thrown into words since he came in. It was simply this:—

“That it be an order of the day to go into Committee of the whole house on the said Bill on Saturday next, and that a Special Committee be appointed to examine into the accounts and books of the Commissioner of Public Lands with power to attend at his office and to send for persons, papers, and records, and to report thereon at one or several times with all convenient speed.”

He moved that resolution, and would conclude by only saying, that those accounts were not satisfactory to him. He did not profess to be a magician at investigating intricate accounts; but he thought he had a sufficient knowledge of pounds, shillings, and pence, to warrant him in saying that those accounts were not satisfactory.

Hon. COL. SECRETARY rather thought that the hon. member had allowed the time to slip over for having those accounts submitted to a committee. They have been before the House for nearly a fortnight; and the order of the day had been to go into this Bill yesterday week, when there was a call of the House for that purpose. Yesterday, too, when the order of the day was postponed till to-day, there had been no objections made; but when the Bill came before the committee, the hon. member was for discharging it, which

would be to defeat the Bill. He also said, he was not satisfied with those accounts; but the accounts were very minute, containing the names of those who purchased land, the number of acres purchased, the amount per acre, the amount paid, and the balance due; the whole accounts amounting to nearly £14,000. When the sums were given, what then did the hon. member want? Did he wish to have every person who purchased land before him, in order to give an account of his stock? He (Hon. Col. Secretary) did not see what further information the members of the opposition wished, or what they desired to inquire into. Those accounts had nothing at all to do with the present Bill. The hon. member had stated that the Land Purchase Bill had not given satisfaction to individuals; he (Hon. Col. Secretary) supposed that was to the tenantry; but many of them had been greatly benefitted by it, some of them having purchased land under it for 12s. 6d. per acre, which formerly would have cost them £3 per acre. Petitions had also been received from the tenantry desiring an extension of the benefits of the Bill. The assertion that the Bill had not given satisfaction was not founded upon facts; because there was no tenant in the country complaining of the Land Purchase Bill. He was not going to trouble himself very much about the matter; it was now fairly before the people at large, who well knew the motives of the hon. member for obstructing the Bill. Though the accounts proved highly satisfactory, yet the hon. and learned member for Charlottetown would not approve of the present Bill; therefore, why should those persons, who were anxious to have the matter settled, to be hindered by that hon. gentleman? The measure did not require that he (Hon. Col. Secretary) should enter into any explanation in reference to the working of the Worrel Estate, the accounts relating to which were plain and before the House. In reference to what the hon. member for King's County, Mr. Cooper, had said—which he could not call a speech,—but to the statements which he had read, he must make a few remarks whilst he was on his legs. That hon. member had endeavoured to persuade the House, that the purchase of the Worrel Estate had not given general satisfaction; but as he had answered that point in reply to the remarks of the hon. and learned member for Charlottetown he would not now enter into that subject. The hon. member had also been pleased to allude to a Bill which he had prepared, and had stated the reasons why it was introduced to purchase from the Home Government. The people, however, did not require a Bill to purchase from the Home Government. He had further said that the difference between the previous Bill and the present one was, that under the former the Home Government were to purchase the land, and the tenantry were to pay for it afterwards; but he (Hon. Col. Secretary) thought that the tenantry would get far better terms by the present Bill; besides, there was no guarantee that the Home Government would accept the former Bill. The hon. member had also tried to make it appear that the present Bill was a swindle and a cheat; but if so under this Bill, such was also the case under his Bill. The tenantry might now pay more for some description of land; but some of them paid less than was provided for by the Bill alluded to. Mention had also been made of the investigation of titles; but every hon. member in the House, was aware that under the Land Purchase Bill there was to be no investigation of the original grant, but only of the transfers. That was the investigation which took place, and he could tell the hon. member that there was an investigation; and perhaps very few persons took the trouble that the Attorney General had taken in investigating the original grants from the time of the purchase of the Worrel

Estate down to the present time; therefore, he thought the hon. member was not warranted in making his assertion respecting the Government that they were now cheating the people. He was astonished that the hon. member, who he considered had some sense and reason, should make such statements, and endeavor to have them go abroad, that the Government had no authority to sell the lands in question, because, forsooth, they had not made such an investigation as he thought proper. He (Hon. Col. Secretary) would say that such assertions were for nothing else than to deceive the poor deluded tenantry in that portion of the Island which the hon. member represented. He would ask the hon. member, if he had not come out in a pamphlet in favor of the Land Purchase Bill, saying that, in the absence of Escheat, it was the best Bill that could be passed for the benefit of the tenantry. He (Hon. Col. Secretary) had never praised that Bill; he had never written a word in his life in praise of it. But when the hon. member came out in favor of the Bill in the pamphlet, he lauded it to the skies, until he got the people to vote for him, and why then did he come forward now and oppose the Bill, because he chose to put a certain construction on a part of it? He contended that the hon. member had changed his opinions from one day to another, till the people would not know what he was going to do. Had he not approved of the loan in the answer to His Excellency's speech at the opening the session? It was useless for hon. members to attempt to take any notice of the document which he had read, for it was just a hash-up of Escheat, and he supposed if the House went into committee on the Bill, he (Mr. Cooper) would move some clause for escheat, and desire to substitute the Bill to which he had alluded in amendment to the present one. He (Hon. Col. Secretary) thought it would be derogatory to the House to take up the investigation of titles in a loan Bill, which should be done by another Bill, if by a Bill at all.

Mr. COOPER said, he had been called upon to answer for what he had said in praise of the Land Purchase Bill. He had supported it, but on condition that the titles were to be investigated. He had stated when he came into the House on that occasion, that he would be perfectly ready to agree to give compensation to the proprietors, if the titles had been investigated. The case here in relation to the land question, was quite different from what it was in Canada. Here, the proprietors had no claim except by the indulgence given by the officers of the crown. The only way to have the land purchased properly, was to investigate the titles.

Hon. COL. SECRETARY explained that the titles of the land which the Government had purchased, had been investigated as far as any title should be investigated.

Mr. YEO said, he never came into the House for emoluments; and if he voted against the Bill, he would vote against his own interests; but if he should vote for the Bill, he would not be an honest man. Where was the money to come from, to pay for borrowing money to buy land? There were thousands of people who could not pay their rent; how then were they to pay for their land? The Bill might answer the private ends of some persons; but it would be ruinous to the country. He thought if they passed the Bill, they would bring upon themselves the curse of their children and grandchildren. He had experience in such matters, having bought a good deal of land; he had bought it cheaply and sold it cheaply, and had never made anything of it. There had not been better times in the memory of man, than had been the last four or five years; and farmers in other countries had made their fortunes; but here they could not pay their rents. He was sure that no hon. member in the House, who gave the question consideration, could go for

the present Bill; he would defy him to do so, because he had as much experience in the country as most people. He went from one part of the country to another, and thus knew the circumstances of the people as well as most persons. The Hon. Col. Secretary carried on his business in Charlotte-town where people could easily get money for their produce; but in the country, they could not pay their rents. It was then out of the question to think that the proposed scheme would be successful; he knew what the end of it would be—a great tax upon the country. Many had left the country, and others would follow, if taxation were increased. It was said that no petitions had come in against the Bill; but what were they going to do with petitions? If hon. members had made up their minds, there was no use in petitioning. But they knew the minds of the people on the subject, who said what a thing it was! it would never pass the House. If hon. members lived ten years longer, it would be seen to be a ruinous thing to the country.

B. LAIRD, Rep.
Hon. COL. SECRETARY.—If after having so long an experience, as the hon. member (Mr. Yeo) says he has had, and finding so much opposition on the part of the tenantry to pay rents, there is no doubt the Government would purchase his land from him. (Hon. Mr. Palmer—Would he sell it?) I dare say he would. (Mr. Yeo—Yes; for one quarter of the amount I gave for it.) The motion, however, is, I think, untimely.

Mr. COOPER.—I am confident, it would be a source of great satisfaction to the country to have the accounts of the Worrell Estate investigated, and I will vote for the motion.

Hon. COL. SECRETARY.—It can be done when the Report of the Committee on Public Accounts is presented. We can then appoint a Special Committee, if desirable.

The question on Hon. Mr. Palmer's motion was then put, and lost on the following division:—

Ayes—Hons. T. H. Haviland, Palmer, Longworth, Montgomery, Lord, Messrs. Heath Haviland, Cooper, Laird, Yeo and McIntosh—10.

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

Hon. T. H. HAVILAND.—The Bill under consideration professes to have for its object the borrowing of £100,000 sterling, for the purpose of converting leasehold into freehold tenures. During a residence of forty years in this Island, I have had every opportunity of witnessing the hardships which the new settler has to contend with in hewing out of the forest a scanty subsistence for himself, and, in many cases, a young and helpless family. He has at all times possessed my fullest sympathy; and whenever I have been placed in circumstances which enabled me to improve his condition, I have evinced as great a disposition to do so, as any member who holds a seat in this House, not excepting the Champion of Escheat himself. I voted for the grant of £1,000 to the Royal Agricultural Society, and would readily have supported the motion of the hon. member from Queen's County, Mr. Mooney, of increasing the grant to £2,000, if I had thought it would have been carried, not, as was insinuated by the hon. member from King's County, Mr. Cooper, from any motive of personal advantage, as I am not a farmer, but because I deem all such dispositions of the public money as productive of incalculable benefit to the farming interests, and they are inseparable from the general welfare of the Colony. I have always expressed myself favorable to the freehold tenure, and I would like to see every settler in the Island a freeholder, provided so desirable an object could be effected with justice to other parties; but I will never consent to tax the present freeholder, who has acquired his farm

by persevering industry and hard labor, for the exclusive benefit of the leaseholder. I approve of the principle of the Bill now before the House, and if I could be brought to believe that it would prove a self-sustaining measure, it should have my hearty support. But we must judge of the future by past experience, and how does the question stand? Let us look at the late Worrell Estate, and its results under the management and supervision of the Government for the last three years. We have just been refused a Committee to investigate the accounts in the office of the Commissioner of Public Lands; and as I consider the statement now lying on the Clerk's table, without any vouchers in support of its correctness, a mere *ignis fatuus*, cooked up for the purpose of hoodwinking the House, I will take advantage of the only authentic medium which is open to me, viz: the annexed Reports of the Auditors of Public Accounts, to show how far the self-sustaining principle has succeeded with regard to the receipts and expenses of the Worrell Estate. It appears, sir, that late in the year 1854, the Worrell Estate was purchased by the Government, for £2,400, when debentures to the extent of £1,000 were issued in part payment. The expenditure in salaries and other disbursements to 31st Jan., 1855, amounted to £140 16s. 4d.; and receipts, £50 18s. 6d. The expenditure for the year ending January 31st, 1856, was—interest paid on debentures, £570; salaries, &c., £624 11s. 6d.; besides an acknowledged loss of Land Assessment of £247—making in all £1441 11s. 6d. The receipts for the same period being £2171 9s. 7d. The expenditure for the year ending January 31st, 1857, was—interest paid on debentures, £1190; salaries, &c., £596 2s. 3d.; and loss of Land Assessment, £261—making in all the sum of £2047 2s. 3d., exclusive of £2,550 paid in debentures for Lot 11, whilst the receipts for the same period amounted only to £1863 13s. 4½d.—thus making the total receipts, for the sale of Public Lands, to the close of the past financial year, £4,086 1s. 5½d.; and the expenditure and loss of Land Assessment, £3,629 10s. 1d.; and if to this sum be added two years interest upon £6,000, the balance yet remaining due to the vendors of the Worrell Estate, the total annual expenditure will exceed the receipts by £143 8s. 7½d., leaving no provision for the payment of any portion of the purchase money. It is true that there appears in the Auditors' Report of the past year to be £2,208 7s. 5d., due upon deeds in the office of the Commissioner of Public Lands; but this amount, if it should be fully realised during the current year, will hardly meet the necessary expenditure for the same period. Thus suppose the affairs of the Worrell Estate being in that flourishing condition in which the members of the Government would lead the House to believe, it has not yet met its current expenses; and I do not believe that, at any future period, it will yield a moiety of the sum which has been expended in its purchase. Under these circumstances, I would ask, sir, is it probable that the present or any other scheme of a similar character will prove self-sustaining? Do they afford any encouragement to involve the country to the further extent of £150,000, at an annual interest of £7,500, upon an experiment which experience has always taught us must terminate in a serious loss to the Colony? I feel assured that they do not, I cannot therefore support the motion for going into Committee upon the Bill now before the House; on the contrary, I move an amendment, Mr. Speaker, that the Bill be committed this day three months.

Hon. Mr. LORD.—I do not intend to give a silent vote on this question. As to an investigation of the public accounts, I think the country will expect such an investigation, as those who fill offices receive money from the people and

have a right to show that they have properly discharged the duties of their respective offices. With regard to the statement made by the Hon. Mr. Haviland, in which such a bad state of affairs is said to be shown; and which, if true, gives but poor encouragement for entering upon future enterprises of a similar nature. But I hope such a state of things is not the case. (Hon. Mr. Haviland—I pledge my word for its correctness.) I hope it will not turn out so bad as the hon. member thinks it will. In fact, I am confident it will not. I have made up my mind to vote for this measure (the Loan Bill), and in doing so, I am convinced that it is a measure calculated in the highest degree to benefit the whole country; and the more that land agents say against the measure, the more am I confirmed in my belief that it is for the benefit of the people of this Island. It is all very well for these gentlemen to oppose a Bill having for its aim the amelioration of the burthens under which the tenants of this Island are at present weighed down to comparative poverty and hopeless dependence,—it is all very well, I say, for them to oppose such a measure; and yet I am willing to accord to them full credit for all the feeling and anxiety they profess to bear towards the people of this Island, if they can show us, or point out any better and safer way to relieve the tenantry from their present burthens: But, if they will, if they can oppose us successfully, and snatch from our hand the means of doing good; and if, after depriving us of such means, they do not proceed with the same spirit which now actuates us;—if, in fact, they do not do as we now intend, the British Government may, at no very distant day, give its assent to a Bill levying a handsome tax on the incomes they receive for their lands in this Island. They will then be obliged to do indirectly what they now oppose. It is nothing but right that such landed proprietors should bear a tax on their property to compensate the tenant to a small extent, by lessening his taxes. It is a matter of regret to all persons who wish to see the tenant placed in a better position than he now occupies, to contemplate the large amount of money annually sent out of the Island—it is a serious loss, a drain on the country, to have £30,000 a year sent to absentee proprietors. Hon. members who are opposed to this measure may argue as they please, but I am certain that no loan of money, be the results of its application never so far short of what was anticipated, would draw near as much from the Island, as at present goes to the absentee proprietors. I would ask the hon. member for the first District of Queen's County, how much money he sends—(A member—"No; how much he collects.")—how much money he collects upon the estates for which he is agent? I am confident that what he collects in a few years, would pay the principal and interest of the purchase of those estates. In conclusion, Mr. Chairman, I am still of the opinion that if the money be borrowed and judiciously applied to the purchase of lands in this Island now under the thrall of the proprietor and his agent, it will be an incalculable benefit to the country. Is it not, sir, I ask, better for a tenant to sell his last cow to pay for his land than to pay rent to a landlord? Let him make any sacrifice, however great it may be, it will make him a free and independent man, and that is more than he would be if another possessed the land he held, and exacted rent, and distrained and crippled him in all his operations for the advancement of his own and his children's prosperity. I will support this Bill, sir, and while I do so, I will also support a resolution for a Special Committee to look into the public accounts, and see that they are correct.

Mr. MACINTOSH.—If, sir, I thought this measure would benefit the tenantry of this Island I would be among the first

of its supporters; but I must confess I do not think so. But, in the meantime, and before we embark in the scheme of borrowing money, we should know that it will be required,—we should have an offer from the proprietors stating on what terms they would sell their lands; but where we do not see our way before us, do not let us go on blindly. As to the Bill now before us, let us see how it is to be worked, if passed: The freeholder is taxed to make the leaseholder independent like himself; this is not fair. If there is to be any taxation,—and I am convinced this measure cannot be carried out without taxation,—then let the leaseholder be taxed for his own benefit and not the freeholder. Now let us see how the Worrell Estate stands, for we must see how this affair has been managed before we can form any certain conclusion how other affairs of a similar nature will be managed: There are, it is true, figures and statements enough; but made in such way as would puzzle a Philadelphia Lawyer to understand. I never saw anything so blind, as the manner in which these statements leaves us to proceed; but I will never lend myself as a party to any project that is calculated to make things worse than they are.

Hon. COL. SECRETARY.—I rise to order. There is no objection to refer the public accounts to a Special Committee; but this is not the proper time to take them up.

Hon. Mr. LONGWORTH.—It is all very well for the Hon. Col. Secretary to express his willingness to have the Public Accounts investigated; but they have virtually refused such investigation. It is stated that the accounts were before the House and ample opportunity given for examination; but sir, instead of being submitted at the commencement of the session it was one month from the time the House met before they were handed in,—after being pretty well cooked up, I suppose. I say, sir, it is unfair, when a desire is manifested by any portion of the House to investigate the public accounts that they should be refused. I need not say that I am opposed to this Loan Bill. I need not state reasons for my opposition, as the hon. member from Princetown (Mr. Haviland) has shown as clearly as figures can go to affirm that this will be a losing speculation. This ought to be a guiding impulse to make us pursue such a course no longer: that an affair of this kind cannot be made to pay for itself. It is only a species of sinking fund, and if we continue it in an increased proportion the whole will be sunk by and by, and the country ruined. The principle is unsound. It is unfair to tax one part of the people to benefit another,—it is doubly unfair to enter into a speculation when none of the parties will be benefitted and all (for it must come out of the people) and all distressed. I will not, for one, lend my voice,—I will not help to carry out such a measure, with such disastrous consequences stamped upon the very face of it. Although the accounts of Lot 11 may appear favorable, and may lead to the conclusion that other estates can be worked as well in the hands of the Government; still I would warn not to be two hasty in coming to such a conclusion, when it is considered that it has only had a trial of one year. Besides, look at the amount of land tax that is annually lost on this land; and then there is an immense tract of swamp which is of no manner of service in an agricultural or any other point of view, and therefore unsaleable. The fact is, the Government have tried to put the best face on the public accounts, with a view to deceive themselves and the public (Hon. Col. Secretary—I hope the hon. member will not impute motives to the members of the Government.) Still, I must say that I certainly think the measure cannot be justified by equity or fairness, where the first and second instalments on the Public Lands are eaten up by the expenses, and no sophistry can cover or smooth over the defects of this system.

Hon. T. H. HAVILAND.—One reason why I doubt the correctness of the accounts of the Commissioner of Public Lands is, that he makes the balance due on the Worrell Estate and Lot 11 £10,000, while the Auditors of Public Accounts make it only £2,206 7s. 5d. Does not the Commissioner give deeds to all who make instalments?

Hon. COL. SECRETARY.—The hon. member knows as well as I do how this seeming discrepancy took place. The Commissioner of Crown Lands would not make out a deed until a deposit of ten per cent. was made to him. The reason why deeds were not given in all instances where deposits were made, is because they could not be made out at the moment. It is impossible that five hundred deeds could be made out at once. The reason, then, for the difference between the report of the Auditors and that of the Commissioner of Crown Lands is, that the former only had reference to the deeds which were actually made out, while the latter had reference to the deeds not yet made out; but for which a deposit, as a guarantee, had been made. As to these circumstances, which might seem to implicate the Commissioner of Public Lands, it is important that they should not go unexplained. It is necessary to have the deposit paid down by the purchaser, before the deed is made out. If, however, a purchaser deposits a certain sum as a guarantee, and afterwards does not fulfil the terms of his deed, the land will be sold again,—so it will be seen that the Government are safe in the expectation of being paid for every acre of land they dispose of. The Auditors, to fulfil their duty properly, should have gone into the minutiae of all the accounts, and report accordingly; but what have they done? They go into the Commissioner's Office, examine his report, and certify to its correctness, without looking over the books, examining the items therein, and comparing them with the report. I must confess I was surprised when I heard these facts, and condemned their proceedings strongly. Their duty, as Auditors, was plain before them, and why did they not perform it? If, then, the public Auditors acted after this manner, what reason is there to cast the blame on the Commissioner or the Government? The hon. member for Charlottetown (Mr. Longworth) said the Public Accounts did not come in till a late day in the Session. Well, if they were not submitted till the 26th of March, ample time has been given since then to examine them, and if there could be found any thing in them to take hold on, we should very soon hear of it. It was also a matter of great outcry on the part of the minority, that a member of their party had not been appointed on the Committee of Public Accounts. But the majority have learned by experience that if they appointed a member from that side of the House on this committee, we should hear, as it was the case last year, a variety of false and undigested statements made in their organ, the *Islander*. Sir, we have had enough of such false statements to make us wary in leaving the slightest vestige of an opportunity for a repetition of the like. As to the Public Accounts, whether they inquired into them or not, I defy them to say a word, or make a statement to prove any incorrectness on the part of the present Commissioner of Public Lands. The hon. member from Princetown (Mr. Haviland) said the Public Accounts were an *ignis fatuus* an attempt to hoodwink this House, and then labored through a statement tending to show the ruinous consequences to be entailed upon the country by the Public Lands. But in this garbled statement he forgot to say that there were £10,000 due on that estate bearing interest. Of course he did not notice this fact, as it would render his calculation of no effect. The hon. member also stated that if we make the loan under consideration it would entail an interest of £15,000 a year on this country. But as has been often stated we do not intend to draw but a small part of the amount at a time, and as occasion requires. While the hon. member makes such a statement he forgets to mention any good that will be derived from such a measure. In making such a statement as he does, I must confess, the hon. member goes further than I thought he would or in reason could. It is possible that he was actuated by motives of regard for the welfare of the Colony—it is probable he was not. Great stress is laid on the apparent discrepancy between the report of the Auditors and the statement of the Commissioners of Public Lands, and this

I think I have shown before was owing to the fact of the Auditors not examining the Accounts properly. But what is the case with regard to the dealings of the individuals from whom the Worrell Estate was purchased. When the books were handed over to the Commissioner he was told that they had received no payment from persons who purchased their lands; but it was found that one of the parties had received a sum of £50 a few days before. In fact they received various sums of money which do not appear on the books, as the people (purchasers) have proved by producing receipts for money paid. (Hon. Mr. Palmer—how much money has been received of which there is no account?) £300 or upwards. I would now ask, is Government expected to pay over that money again to Pope & Co.? Or can they compel the farmers to pay again for land they have already purchased? Then there were some doubtful settlers on the Estate, whom it was considered would not attend, and it was agreed that the lands of all such persons should be taken back from the Government. Government agreed to pay them £2,000 of the balance of the £6000 upon their taking back a deed of Lot 66, and leaving the balance, until the whole of the deficiency of land was settled as they request payment for St. Peters Bay, roads, Sand Hills, &c. When this arrangement could be made Government were to pay then the £2000 in debentures, on Saturday. They (the Government) were to receive the deeds and title of Lot 66 the same day; but it was found impossible to sign the debentures and have them all prepared before Monday. The deed was, however, signed by the Commissioner, the Lieut. Governor, and three of the parties, viz:—Messrs. Pope, Desbrisay and Fairbanks, and witnessed by the Attorney General and handed over, with the understanding that the debentures were to be delivered to them on Monday; but to the astonishment of the Government on Monday they repudiated their Act, in reference to the signing of the deed on Saturday, under the pretext of the Government not having the power to sell more than 300 acres of land, under the Land Purchase Bill.—therefore the Government refused to pay the £2000 as agreed upon, and so the matter rests, with the exception of the Surveyor General spending nearly two months, with Mr. McLean, examining his survey of the deficiency of land, and which surveys, I am informed, have proved correct. The hon. member from Princetown (Hon. T. H. Haviland) in going over the Public Accounts, did not take up the Accounts of Lot 11. In Lot 11 land has already been sold nearly to the full amount paid for that property, while there remain in the hands of the Government, a considerable amount of land yet undisposed of. The hon. member for Charlottetown (Mr. Longworth) seemed to exult in the circumstance of so much swamp-land being in Lot 11, which he said the Government will find a dead letter on their hands; but I would tell that hon. gentleman that Government did not purchase the swamp lands in Lot 11. The swamp was disposed of by the former proprietor for the Land Tax. There is besides 9000 acres of good land left, which will I have no doubt, command a ready sale. What is there then to frighten the hon. member, or his party? I am aware that it would be a hopeless task to try and convince them that all will yet be well. Never, until the affairs of the Worrell Estate is wound up will they be convinced of their error. But we shall have to wait until that time before we can properly demonstrate to them such a consummation. It is impossible, as the thing at present stands, to come to any decisive conclusion, for we will have to wait until the expiration of the ten years before we can expect a final settlement, from the purchaser of Public Lands. The hon. member Mr. Longworth is not correct in saying that the Government have refused an investigation of the Public Accounts. The Government are willing, nay even anxious to have them investigated; but this is not the proper time. They still lay on the table indisposed of, and when there is a proper opportunity I have not the slightest objection to their being referred to a Special Committee. T. KIRWAN, Rep.

Hon. Mr. MONTGOMERY said, the Hon. Colonial Secretary said that the reason the resolution was voted against was, because it was an amendment to the Bill. He asked the Speaker, in his official capacity, was it moved as an amendment to the Bill? He maintained it was not moved

as an amendment to the Bill; but it was moved in order to put off the consideration of the question, till Saturday, for the benefit of hon. members. They were well aware that not a member of the minority of the House had been allowed to be put on the Committee of Public Accounts; that was refused, and it appeared to him that it was the determination of the opposite side of the House not to allow any of the minority to be on any important Committee. Again, the Hon. Col. Secretary wished it to go forth to the country that the reason for voting against the resolution was, that it was an amendment to the Bill. He would merely ask the Speaker, as the organ of the House, if that was the case; and he thought he had a right to a reply. [Hon. the Speaker—The resolution will speak for itself.] The question had been alluded to by the Hon. Col. Secretary, and he said it was moved as an amendment to do away with the Bill; but he (Hon. Mr. Montgomery) contended that it was nothing of the kind; it was merely moved with the view of postponing the consideration of the Bill till Saturday; but that was denied the minority. The majority knew very well that a motion of that kind could be put then. So much for the resolution. As to the Bill before the House, he did not intend to give it his support. He considered it was a measure that was not for the general benefit of the Colony, and that it would serve to benefit but a few of its inhabitants. He considered also that there was a large majority of the freeholders and tenants in the Island, who would not be benefitted by the Bill. If all the proprietors were to sell their lands, their tenants might derive benefit from the Bill; but he was convinced that such would not be the case. Besides, some lands were not fit for agricultural purposes, and those would not be sold. Therefore, the measure would not give that general satisfaction which the people of the Colony desired.

Hon. Mr. MOONEY had not thought the hon. member would oppose the Bill before he heard him speak on the subject as he had just done, yet he did not appear to be very decided in his hostility to the measure, as he was thinking shortly to offer himself as a candidate for a country district. It was very singular that the other hon. member for Princetown, Hon. T. H. Haviland, who had taken a very active part in the matter, should also be opposed to the measure; for after dropping some crocodile tears, he had moved that the Bill be agreed to that day three months. Well, he ventured to say it was not for him to add to the words of that hon. gentleman; but it was singular that there was so much dread exhibited about the poor tenantry. The present measure was formerly never dreamt of, nor the purchase of the Worrell Estate for the benefit of leaseholders. That purchase had been effected for the benefit of those who were desirous of becoming freeholders, as many had done. He knew one individual who had sold a leasehold farm, and with the price of it had been enabled to purchase six or seven hundred acres of land in the district where the Worrell Estate was situated, because the purchase of that estate, by the Government, had lowered the price of land. He would ask, would that hon. gentleman be quite consistent though he should agree to the measure that day three months? Was it not singular that those accounts had been before the House six or eight days, and yet the members of the opposition were only beginning now to see a loop-hole, and to ask for the appointment of a Committee to investigate them. He ventured to say that though they got a Committee and examined every figure of the account, they would not detect errors in them. But they were keeping it for what he would call in common phrase a nest-egg; and when the House was just going into Committee on the Bill, up springs a new one. Now, it was just a nest-egg. Then if they obtained a Com-

mittee, and found any defect in the accounts, they would asperse the Government for acting against their own acts. The majority of the people were desirous that the present measure should become law; and let those who were desirous of voting against it, do so; and if they were condemned in the eyes of the public, let them bear their condemnation. He was prepared to support the motion for going into Committee.

(To be continued.)

LEGISLATIVE COUNCIL.

SATURDAY, April 11.

Hon COL. SWABEY moved the second reading of the Act to amend the License Law. His honor stated, that the Bill had been supported by petitions, numerously signed, recommending an alteration in the law regulating the licensing of parties to sell liquors in quantities less than a pint. Under the present law, the operation of that portion of it had been found to be very detrimental to public morality. The Act proposed the granting of licenses to parties keeping shops, and certified as such by two Justices. That might be done in the country; but it would not be quite so easy to define what was a shop, in view of the intention of the Act, in Charlottetown, where a party might be styled himself a shopkeeper, if he merely stuck a fig of tobacco or a bit of gingerbread in his window.

Hon. Mr. DINGWELL considered the Bill was necessary. From conversation with different parties, he considered that it was more required in town than in the country. At present in Charlottetown, parties not qualified can compel the Mayor to grant them licenses.

The Bill having been committed, Hon. Col. Swabey in the chair.

His Honor the PRESIDENT observed, that the Bill altered the fifth section of the old Act, which he read. The provision, requiring a certificate that the applicant for a tavern license had provided certain accommodations for the public, had been grossly abused in town and country. Parties would borrow the articles necessary to obtain the certificate, on which they would get the license, and then return the borrowed furniture. Again, parties having what is called a pint license, sell liquor in one room, to parties who consume it in another, and justify their violation of the law, by asserting that the premises on which it is used are not those on which it is sold. He considered that the whole License Law was a nuisance, and regretted that it could not be remedied more effectually than by the Bill before them. If the license fees were doubled, it might have the beneficial effect of diminishing the number of houses where liquor is sold. The experience of the Prohibitory Law in New Brunswick had convinced him that prohibition could not be carried out. He had always been an advocate for it; but he was now satisfied that, however desirable it might be to abolish the use of intoxicating drinks, moral suasion and the pulpit would be found more potent agents than coercion. Again, if prohibition were the law of the land, we should be compelled to keep almost an army, in the shape of a coast-guard; and a very large proportion of the revenue would have to be supplied from some source or other to make up the loss of the duties on liquors, the *ad valorem* duties on which at present, were large enough, and as high as the circumstances of the country warranted. Another obstacle to the carrying a Prohibitory Law into effect, would be found in the difficulty of having Justices of the Peace who adhered to temperance principles. He did not mean to say that the present magistrates were inebriates. They were temperate, but not temperance men; and it was futile to expect that any but temperance people would exert themselves to carry out the stringent provisions of a Prohibitory Act. When persons holding such positions like their drop, it is idle to suppose that others will abstain. He was informed by a gentleman in New Brunswick, one of the leading men of the Province, that after the passage of the Prohibitory Law, men who had for long periods been consistent Sons of Temperance broke their pledges, and took their

glass to show their independence. As a Son of Temperance, himself, he wished to see temperance principles prevail; yet he must confess his opinion, that a Prohibitory Law is impracticable, and that its introduction at present would be unwise. The best course would be to make the License Law as stringent as possible, and thus endeavor to suppress those dens of iniquity, which absorb the means which ought to be the support of families. He, therefore, would suggest the doubling of the license fees.

Hon. Mr. DINGWELL agreed with his Honor the President, in his opinion, as to the impossibility of enforcing the provisions of a Prohibitory Law. Some improvement would be effected by the introduction of wise alterations in the present License Act. He approved of doubling the amount of license fees. One suggestion he would offer for their honors' consideration. At present there was in public houses, in some parts of the country, no disposition evinced for the accommodation of parties travelling on temperance principles.

His Honor the PRESIDENT suggested, that the proprietors should be compelled to keep a stock of lemon syrup, raspberry vinegar, &c.

Hon COL. SWABEY.—Yes; and castor oil and laudanum. (Laughter.)

Hon. Mr. CRASWELL would not object to raise the license fee even to £20, if it would have the effect of abating the evils of the present system. He must differ with his Honor, Mr. Dingwell, as to the treatment of temperance travellers at public-houses. For himself, he had always found himself comfortably accommodated without calling for liquor.

His Honor the PRESIDENT said, that much depended on the comparative respectability of the proprietors of public-houses. Perhaps, as a body, they were more respectable in Prince than King's County. (Laughter.)

Hon. Mr. DINGWELL could assure his honor, that the innkeepers in King's were fully as respectable as those of Prince County. Last winter, when travelling from Cape Traverse, he stopped at a public-house where those who called for liquor received prompt attendance; but he endeavored in vain to get anything prepared for him, in consequence of his not patronising the bar-room.

Hon. Mr. CRASWELL must confess he had always been well used in King's County.

His Honor the PRESIDENT was delighted to find that Hon. Mr. Dingwell travelled on temperance principles. (A laugh.)

Hon. Mr. DINGWELL.—Does his honor infer that I do not always? (Laughter.)

Hon. Mr. BAGNALL.—The clause states that the applicant must keep a store; but it does not say that the store must be kept where the liquors are sold. The Schedule to the Bill specifies the place of residence. In Charlottetown, which is divided into wards, the inhabitants of each ward might elect the parties whom they may deem fit to keep public-houses. In the country the inhabitants of a district might have the same power. In his part of the country the people were so opposed to the selling of liquor, that it was impossible at New Glasgow to obtain signatures to a petition for a license.

His Honor the PRESIDENT suggested, that the applicant for a pint license should pay £7, instead of £3 10s. as at present. His motion could only be offered as a suggestion, as the Bill came under the description of a money bill.

Hon. Mr. WALKER considered £3 10s. sufficiently high for a license to sell by the pint. The duties on liquors were sufficiently high.

His Honor the PRESIDENT—in reference to his honor's remarks upon the duties—begged to assure him that he had seen a calculation shewing that money was actually made on the duties paid on goods imported from Halifax. For instance, a merchant buys £100 sterling worth in that market, the duty on which, by the Nova Scotia tariff, is 6½ per cent. That is, £6 5s. sterling, the drawback on which, worth £9 7s. 6d. currency he obtains, and can then easily pay £7 10s. currency under our tariff.

Hon. Mr. WALKER reminded the President that he had forgotten the amount to be added to the sterling cost. When 50 per cent. was added to the duties, he would find that there was an addition of 62½ or 65 per cent.

Hon. Mr. DINGWELL.—Those goods are sold by the yard not by the pint. (Laughter.)

Hon. Mr. BAGNALL considered that some definite qualification should be introduced into the Bill. The mere fact of a party calling himself a shopkeeper should not entitle him to a license.

His Honor the PRESIDENT suggested, that the license fee of £3 10s. be increased to £7, or, if that would not be agreed to, at least £5. He would, however, move the former sum.

Hon. Mr. Craswell seconded the amendment.

Hon. ATTORNEY GENERAL would support it, as tending to diminish the number of houses where liquor is sold.

Hon. COL. SWABEY was of opinion that the amendment would have the effect of increasing illicit traffic, and diminishing the amount derived from the licenses.

Hon. Mr. DINGWELL said, that the object the parties who petitioned for the change in the law had in view, was the diminution of the number of low tipping houses.

Hon. Mr. WALKER agreed with Hon. Col. Swabey, that a high license fee would conduce to violations of the law and loss of revenue.

His Honor the PRESIDENT would then move £5, which was agreed to on the following division:—

Content—Hons. President, Attorney General, Messrs. Forgan, Bagnall, Craswell, Wright and Dingwell.

Non-content—Hon. Mr. Walker.

His Honor the PRESIDENT then moved another amendment to the effect, that parties coming within the designation of shopkeepers under the Act, should produce certificates that they had in their places of business a stock of general merchandise, independent of liquors, to the value of £50.

Hon. Mr. WALKER suggested £100, which was unanimously agreed to.

The Bill was agreed to with the suggestions.

Hon. Mr. Wightman, from the House of Assembly, brought up a resolution for a joint address on the subject of the Lighthouse on Cape Race.

Hons. Attorney General, Col. Swabey and Mr. Forgan, were appointed a Committee on the address.

Mr. Heath Haviland brought up the Bill for the protection of parties against adverse claims; agreed to with an amendment.

Hon. ATTORNEY GENERAL said, that the amendment consisted in striking out the last clause, to which he had no objection; and, therefore, he moved that the amendment be agreed to.

Hon. Mr. Whelan, from the House of Assembly, brought up a resolution for a joint Committee, on the subject of the treaty stipulations relative to the Newfoundland Fisheries.

Hons. Attorney General, Col. Swabey and Mr. Craswell, were nominated the Committee.

Hon. Attorney General reported the joint address, on the subject of Cape Race Lighthouse.

The Bible Christians' Incorporation Act was read a second time.

The Loan Bill was made the order of the day, for Monday next.

In the afternoon the Appropriation Bill was committed, and progress reported.

The Bible Christians' Incorporation Act was agreed to without any amendment.

Hons. Col. Swabey and Mr. Craswell were appointed a Committee to manage the conference, on the suggestions of the Council, in amendment of the License Act.

Hon. ATTORNEY GENERAL introduced a short Bill, having for its object the removal of doubts as to the authority of the Commissioner of Public Lands under the Land Purchase Bill. Difficulties had arisen in connection with the Worrell Estate. The period limited for ascertaining the area of that property was two years, from the period of the purchase, within which time the Government were to reconvey to the vendors, at a certain rate, the possessions of those parties who might refuse to attorn to them. On Lot 66, there were several parties who declined to acknowledge the titles of the Crown to the lands they held; and because the Land Purchase Bill contained a clause, limiting the number of acres to be conveyed to one

individual at 300, the vendors refused to take the reconveyance on that ground, although the necessary papers had been prepared and signed. Although a reconveyance of non-attorning parties did not come within the spirit or intention of the clause he referred to, which was only intended to apply to the cases of parties purchasing from the Government, he thought it advisable to pass a short Act, which would remove any doubts on the subject, and obviate the necessity of litigation. The provisions of the Act were of general applicability, it enacted the validity of a reconveyance of the occupations of parties who refused to attorn to Government, notwithstanding the clause in the Land Purchase Bill to which he had alluded, and reinvested the vendors in their former estate. The Bill did not increase the number of acres to be sold to one individual.

His Honor the PRESIDENT introduced a Bill to improve the Law regulating the practice of the Surrogate Court. Under the present system the Surrogate has to administer the oaths to be taken by appraisers of real estate to be divided. Great inconvenience and expense have frequently been sustained, by reason of the distance from Charlottetown, at which some of the parties reside. In one case, no less a sum than nine pounds was charged for the mere expense of the appraisers coming to Charlottetown to be sworn. He proposed to remedy this by a short Bill empowering the Commissioners, before whom wills are proven to qualify appraisers, by administering the necessary oaths. The Bill also enabled the Surrogate to order the sale of lands in cases where it might be necessary for the maintenance of a family deprived of their natural support. At present this could be done only through the expensive process of a suit of Chancery, which would cost £30 or £40, the Surrogate having power to order the sale of lands of deceased parties, only in payment of debts. The cost of the proceedings, under the Bill, would not exceed £5 or £6.

The Bill was read a first time.

The Bill for patenting Bessemer's improvement in the manufacture of iron was committed, and agreed to without amendment.

Hon. Col. Secretary informed the Council, that the House of Assembly agreed to the conference desired, on the Ferry Bill.

Hon. Col. Swabey reported an address to His Excellency the Lieutenant Governor, requesting him to forward the address to Her Majesty, on the subject of the Cape Race Lighthouse.

Hon. Mr. DINGWELL presented a petition of James Douglas, detailing singularly unfortunate circumstances connected with the purchase of lands on the Worrell Estate, of which petitioner complained that he had been dispossessed, after having paid a large sum of money for the land. His Honor considered that the petition was entitled to the serious consideration of the Council, as it disclosed a series of hardship and oppression, to which it was their duty to apply a remedy, if possible. The petitioner was under the impression that his property could be restored to him by the Government, which now owned the Worrell Estate. He trusted that some action would be taken for the relief of the petitioner.

Hon. ATTORNEY GENERAL wished to know what course his honor wished the Council to pursue.

Hon. the PRESIDENT thought it well to ascertain what the House of Assembly had done in the matter.

Hon. Col. Swabey reported that the House of Assembly had agreed to the suggestions to the Ferry Bill.

The Gas Company Bill was read a third time and passed, Hon. Mr. Wright in the chair.

Hon. Attorney General moved to increase the general *ad valorem* duty of 5 per cent. on the unenumerated articles, to 6½ per cent.

His Honor the PRESIDENT explained the reasons which rendered the proposed increase expedient. Last year the revenue did not reach the estimated amount, in consequence of the early closing of the navigation. This caused the expenditure to exceed the receipts; but since the close of the fiscal year, which terminated on the 31st January, vessels have arrived, which, under other circumstances, would have reached the Island last season, and the duties would thus have been received to the credit of last year's revenue. The alteration, suggested by the Hon. Attorney General, was intended to remedy the inconvenience which might result from a recurrence of such a contingency. Even under the proposed increase the tariff was lower than in any of the adjoining Colonies. In Nova Scotia, it ranged from 6½ to 10 per cent.; in New Brunswick, it was 12½, and Canada was increasing hers from 12½ to 14 per cent. The Island was also in a preferable condition, with respect to debt, as compared to the neighbouring Colonies. Nova Scotia was largely indebted; in New Brunswick they were getting involved as fast as they could. That Province had, in the first year of Sir John Harvey's administration of the Government, a surplus of £120,000 in the public chest. In three years afterwards the Treasury was nearly bankrupt. He did not deny that great public improvements remained to show for the expenditure of the greater portion of the money.

Hon. Mr. BAGNALL suggested, that iron knees for ships should be admitted free of duty. As Lloyd's inspection required their application from the 1st of January next, it would be necessary that shipbuilders should import them before the close of the ensuing season.

Hon. COL. SWABEY considered the suggestion a very important one.

Progress was then reported.

The Bill for better securing the Liberty of the Subject was then read a third time and passed.

MONDAY, April 13.

The Bill for the extension of the powers of the Surrogate Court was read a second time.

His Honor the PRESIDENT had, on the previous day, omitted to state that the Bill did not deprive the Court of Chancery of any jurisdiction it at present possessed; it merely gave a concurrent jurisdiction to the Surrogate Court in the matters to which it had reference. He would state the fees proposed by the Bill, were respectively—for the Judge, on the order for swearing the appraisers, 5s.; for the Commissioner, on administering the oath, 3s.

On the clause authorising the Surrogate to order the Boards of Guardians to be put in suit, His Honor the President remarked, that the only object was to save expense, as by the present mode of application to the Court of Chancery, £25 or £30 were spent; whereas the change to be effected by the Bill would reduce the amount to about £5. He would further advise the addition of a clause, similar to that in the Chancery Court, making a registered deed *prima facie* evidence of the correctness of the previous proceedings.

Bill agreed to with amendments.

The Bill, in amendment of the Land Purchase Bill, was read a second time and agreed to.

Hon. Mr. Palmer, from the House of Assembly, requested a conference on the License Bill.

Hons. Col. Swabey and Mr. Craswell were appointed a Committee to manage the Conference. Hon. Col. Swabey reported that they had delivered the suggestions of the Committee.

Hon. Col. Swabey reported the address, requesting His

Excellency to forward the address to Her Majesty, on the subject of the Cape Race Lighthouse.

The address was agreed to.

The Revenue Bill was recommitted, and agreed to with one or two unimportant verbal suggestions.

Hon. Attorney General and Mr. Forgan were appointed a Committee to conduct the conference on the suggestions.

Hon. Col. Swabey moved the second reading of the Loan Bill.

Hon. Mr. BAGNALL considered the motion premature. There had not been time for the investigation of the accounts of the Worrell Estate. He moved that the consideration of the Bill be deferred till to-morrow.

His Honor the PRESIDENT said, that unless their honors were unanimous in bringing on the Bill to-day, it must be deferred till to-morrow, as that was the time for which it was made the order of the day.

Hon. Mr. DINGWELL had no desire to treat any of their honors unfairly; but from the state of the public business, he thought the postponement of the discussion might lay the Council open to the charge of delaying the progress of legislation.

Hon. Mr. BAGNALL, rather than be the sole obstacle to the despatch of business, would waive his objection.

Hon. COL. SWABEY.—Disclaiming any wish to delay your honors by any unnecessary observations, I must ask your indulgence if, on the present occasion, I shall occupy your attention for a short time, as the Bill now before us has so direct a connection with the office I hold, that it will be expected that I should avail myself of this opportunity to make those explanations which my official position enables me to offer. It will not be necessary for me to review the various features the land question has assumed during a number of years. We all know how the minds of the tenantry were abused, and false hopes excited by the idea, that the lands would be escheated, on account of the non-compliance on the part of the proprietors with all the provisions contained in the original grants. A Bill, similar to the Land Purchase Bill, was introduced into the Legislature some years since; it contemplated the purchase of the landlords' interest, but it differed from the Land Purchase Bill, inasmuch as it rendered the sale of the land compulsory on the part of the proprietors. Such a principle could not be sustained for a moment, and were a Bill embodying such an idea introduced into this House, I for one would oppose it to the last. The matter remained in abeyance for some time, till the system of Government was changed, and the present party succeeded to power. They adopted part of the old Bill, but omitted the objectionable compulsory clause; and, in the Land Purchase Bill carried by them, left the sale of lands, as it ought to be, perfectly a voluntary act. That Bill, however, limits the operation of the Government to £30,000, at one time an amount, your honors will agree with me in considering, totally inadequate to meet the requirements of the case, which demand ample means to do away with the existing causes of complaint and irritation, more particularly when we see that proprietors are willing to dispose of their lands to the Government. A joint address of both branches of the Legislature was passed last session, praying that Her Majesty's Government would guarantee a loan of an amount sufficient to buy all the claims of the large proprietors—£100,000 sterling were considered sufficient for the purpose. The correspondence which has taken place on the subject, and which has been laid before your honors, will show that the Imperial Government generously acceded to our request; and the Secretary of State for the Colonies sent out the draft of a bill to give effect to the wishes of the Government. That Bill is now before your honors for discussion. I do not need to argue that, by going into the English money market, with our credit endorsed by the Imperial Government, we shall pay less interest than we would have to pay on money borrowed here, supposing that the required amount could be obtained here, which is not the case. Here we should have to pay, at the very least, five per cent.; while, on the London

Stock Exchange, the money could be obtained for less than four. The Bill, however, assumed four per cent. as the probable rate, and therefore restricted the interest to that amount. I will now, your honors, allude briefly to the Worrell Estate, about which I may state that a good deal of misapprehension exists. My own opinion is, that if the whole amount paid for the Worrell Estate were lost, that fact ought not to militate against the passage of this Bill. But, your honors, I have no fear of any loss being ultimately sustained by the Government on account of the Worrell Estate; but, if it were otherwise, I do not think it likely that any other property in the Island was so embarrassed—so surrounded with obstructions to its speedy disposal to the tenantry. No less than 50,000 acres were not mapped; yet I am expected to know all about them—to define every location—to open roads, &c. As an instance of the unjust censure to which I have been exposed, I may mention that it is no unusual thing to find on some of the plans a party's name inscribed as the holder of fifty acres; he will deny the correctness of the plan; asserting that the position of his land is not truly delineated on the plan—that it goes further back or extends in a different direction. In such a case as that, how can the officer at the head of the department decide the proper location until the land has been surveyed? If it be true, as has been said, that the Worrell Estate will be a losing concern, I will ask if Lot 11 is to be placed in the same category? In the case of Lot 11 the state of the property was entirely different from that in which the Worrell Estate was handed over to the Government. It is easy to ascertain any particulars connected with that property, because the whole property had been managed in a systematic and business-like manner; besides the tenantry had not been preached to by escheators, and advised not to come in and attorn to the Government. The tenantry generally find it their interest to agree to the terms of the Government, notwithstanding they may have been deluded by the vain hope of escheat. The other day Mr. Cox, of Morrell, brought into my office a most confirmed escheator, who applied to purchase his land from the Government. "A change had come o'er the spirit of his dream;" for Mr. Cox said to me that he was convinced the man must buy his land. I repeat, your honors, that even at a loss, it is desirable that the leasehold tenures should be done away with; and should loss occur from the Worrell Estate, the most that can be said would be that we had made a bad bargain on the first occasion, and that we should make better ones in future. If I am deserving of censure on account of the Worrell Estate, I am in common justice entitled to credit in the matter of Lot 11. I repudiate the censure, and I claim not the credit. I will now read the abstract of the accounts connected with the Worrell Estate alluded to by his Honor Mr. Bagnall.

Hon. Mr. BAGNALL.—The abstract does not agree in all respects with the detailed accounts.

Hon. COL. SWABEY.—The House of Assembly after careful examination, found that they corresponded, and the abstract on your honors' table shows that there have been sold 26,155 acres—there remain unsold 44,985 acres—making a total of 71,140 acres, exclusive of Lot 66. The amount paid over to the Treasurer, besides expenses, is £3622 14s. 4d. The bonds and interest may be estimated at £14,000. This I consider a moderate computation, as they might fairly be considered to amount to £1500 or £1600. The balance due on instalments may, at first sight, be considered large, but it must be borne in mind that the greater proportion of them were only due in December last, out of £18,000, the price to be paid for the estate, there remain but £5470 5s. 9d. to be realized from us less than 44,985 acres of land still the property of the Government. A much greater quantity of land would have been sold ere this had the estate been properly mapped out, throughout the whole management of the estate since it has become the property of the Government, I have carefully guarded against forming too high estimates of its value. Last year the Surveyor General and myself in our representation to the Legislature allowed 12,000 acres as the amount to be deducted for swamps, but I have good reason to believe that there are not more than 6000 acres to come under that denomination. And even that is not altogether worthless, for I may mention that at Cable Head there is a regular line of swamps, which was not included in the

lease given to the tenants on that tract. This swamp would not be intrinsically worth a shilling an acre, yet parties are glad to come in and buy such portions of it as run past their respective holdings. Estimating that there remain in the hands of the Government 44,000 acres, this quantity, at the price of five shillings an acre, would fetch £11,000, but his honor Mr. Dingwell has given us ten shillings an acre for land, a great portion of which was wilderness.

Hon. Mr. DINGWELL did not wish to interrupt his Honor Col. Swabey, but could not help expressing his satisfaction that the swamp land was being disposed of. He had been under the impression that it would remain on hand a long time.

Hon. COL. SWABEY resumed.—On Lot 42 there were several old escheators who at first declared they would not avail themselves of the land purchase bill, but they now come in and pay ten shillings an acre, while some of them whose farms front on roads, give 12s. 6d. I may mention a fact to which my attention has been directed by his Honor Mr. Dingwell, with reference to the swamps. A part of Lot 40 is intersected by the Marie River, the banks of which are swamps but parties living on both sides of the streams are desirous of purchasing the approaches to the river, in fact they are anxious to get them for several reasons. The purchase of a portion of swamp, causes a reduction on the average rate per acre of the whole lot bought by one individual, besides the people require access to the river for watering their cattle, and many other purposes. In short they find they cannot do without the swamp. Since the close of the fiscal year £328 have been received. This amount is not all composed of instalments, some parties having paid the full amount of their purchase money; without giving a detailed statement of the exact amount sold since the accounts were made out, it is probable that £1200 worth has been disposed of between that time and the present. In contrast to the state in which the Government found the Worrell Estate, I have already called your honors' notice to Lot 11, the resale of which has not been hampered with the mass of difficulties which surrounded the former. And I may mention that the other day His Excellency the Lieutenant Governor came into my office, with a printed prospectus of Government lands for sale in Canada; this paper contained the particulars of sale, the situation of the lands, the number of acres, and in short all that was requisite to form the judgment of the applicant for a lot, and to enable the officer of the Crown Land department to give every needful information. Under such a state of affairs it becomes a matter of comparative ease to manage such an office but whoever may be placed in my situation is expected by the public to know all about the various leases, rents, situation of particular lots, in fact to possess a knowledge of the details of the whole of the Worrell Estate, without the means of ascertaining them. Returning again for a moment to Lot 11, I will state that the returns laid upon your Honors' table exhibit but a small proportion of what has been done in the affairs of that property. Up to February last the amount paid into the Treasury was £463 1s 11d. representing £1075 3s. 10d. the gross amount for lands sold up to that time, but since then £ have been received on account of purchases to the amount of £1007 3s. 9d. the price of 2156 acres subsequently sold. Now the original price of the lot was £2550; there remains of that amount to be provided £485, and how is this sum to be raised? Why your honors, we have on hand 9202 acres, which at five shillings an acre will realize £2600. The people, sensible of the boon conferred on them by the Government, are anxious to buy, but of course they will not until roads are opened out through the property. With reference to the bonds which were handed over to the Government on its purchasing the Worrell Estate, I will observe that their nominal amount is £7000, representing liabilities to the extent of £3500 and your honors will agree with me in thinking that the estimated receipts from that source, namely £1400, is a very moderate one. In any future purchases the Government will not experience similar difficulty. They will have had the experience of the past to guide them, and the affairs of the property in the Island will not be found in so complicated and confused a state. It will be high time to complain when the public are called upon to make up a deficiency. Up to the present not a shilling has been asked for such a purpose, nor do I think ever will be.

Hon. Mr. CRASWELL would ask what is due for the Worrell Estate to the vendors?

Hon. COLONEL SWABEY.—That question cannot be answered until existing differences between them and the Government are arranged. I repeat, however, my opinion that no loss will be sustained; but I fully concur in the opinion of the Hon. the Speaker of the House of Assembly, as expressed in his report to the Government before the purchase, that even the loss of £2,000 or £3,000 would be amply compensated by the allaying of the pernicious agitation which had so long distracted the country. The question for your honors' decision on this Bill is, whether it is desirable to settle the minds of the people by any feasible means. For myself, I have no hesitation in saying, that the present Government can rest their reputation on the Land Purchase Bill and the present one as securely, as Lord John Russell's reputation is based on the Reform Bill.

The Hon. ATTORNEY GENERAL, after seconding Hon. Colonel Swabey's motion, and giving some calculations which the reporter did not catch, explained—that the Bill authorised the borrowing of £100,000 sterling,—not, however, at one time, but in such sums as may from time to time be required. For this purpose an agent would be required in London, whose duty it would be to negotiate the debentures and transmit the proceeds. The maximum rate of interest to be paid on the debentures was four per cent. The Lieutenant Governor for the time being would grant warrants for the amounts required from time to time, as lands might be offered to the Government. The Bill also provided for the establishment of a sinking fund at five per cent., to be applied to the redemption of the debentures, and to be invested in securities at home, subject to the approval of the Imperial Government. Purchasers of land from the Government would have ten years within which to avail themselves of the provisions of the Bill, thus giving them ample time. All monies received for lands purchased under the Bill, and re-sold to individuals, were to be carried to the credit of the debentures, and any deficiency would be charged on the general revenue. The provisions of the Bill were similar to those which had received the Imperial sanction in the cases of the Islands of Trinidad and Jamaica.

His Honor the PRESIDENT, from calculations he had made, was of opinion, that in ten years time the Government would have a surplus from the Worrell Estate, after deducting the expenses and land tax. He did not therefore consider that the property was as bad a bargain as had been represented. He considered that his Honor Col. Swabey had been very unjustly assailed. Any one having the interest of the Colony at heart should support the Bill, as being the only feasible means of quieting the minds of the people, and elevating their character and social position. If this Bill would have that effect, if it would substitute harmony for discord, then it became the duty of the Legislature to give it its approval. The tillers of the soil would then take an interest, of a permanent and abiding nature, in the prosperity of the country. An oppressive landlord was a curse, but a greedy agent did even more injury than an oppressive landlord. Another consideration which should weigh in favor of the passage of the Bill, was to be found in the generous manner in which the Imperial Government had lent the sanction of its high name and reputation to the credit of the Colony. Having asked such sanction and having obtained it, we should not now hesitate to avail ourselves of it. As had been observed by the Hon. Attorney General, the details of the Bill were the same as those of a similar nature; and it was only an act of common prudence, on the part of the British Government, to provide against loss to itself, on account of

having liberally endorsed our credit, and stated to the world that our finances are in a satisfactory condition.

Hon. COLONEL SWABEY had omitted to observe, that some of their honors might labor under the impression that, under the Bill, the working expenses would be greatly increased; but he would remind them that the increase of operations would rateably diminish the official expenses.

Hon. Mr. CRASWELL was happy to hear that the Worrell Estate was likely to cost the general revenue nothing, and that all the hue-and-cry to the contrary was without foundation.

Hon. Mr. DINGWELL would give his hearty support to the Bill, as he believed it to be the only practicable means of remedying the deplorable state of things which had so long existed, with reference to the lands on the Island. He fully concurred in what had fallen from his honor the President, as to the important benefits likely to accrue to the country from the Bill, and that it should receive the support of every one desirous of advancing the prosperity of the Colony. He was not, however, very sanguine as to any surplus being derived from the Worrell Estate. He would be satisfied if it paid for itself, and he believed, that if well managed, it would do so.

Hon. Mr. BAGNALL would not say that hon. members of the Government stated what they did not believe, but he considered that they were deceiving themselves. He certainly could not find anything to warrant the statements he had heard with reference to his honor, Col. Swabey's assertion, that the expenses would not be increased. He could not agree with him in that opinion; his honor had often complained that he was overworked, and if that were the case, it would be necessary to provide additional assistance, at a necessary increase of expense; and as the operations extended, the costs of the department must be proportionately augmented. Notwithstanding this, he had always been in favour of the Land Purchase Bill, and was truly happy to find that the Imperial Government had given the guarantee we had requested. His honor, Col. Swabey, had always laid great stress on the absence of a plan of the Worrell Estate. Now, he (Hon. Mr. B.) could not suppose that a Surveyor had been receiving a salary for 2½ years, and that up to the present time he had made no plan of the property, more of which, his honor had stated, would have been sold, had it been surveyed.

Hon. COL. SWABEY.—More surveyors are required.

Hon. Mr. BAGNALL.—I consider that the Government are re-selling the lands at too low a price. The charge for the most eligible is 12s 6d an acre; that quality has been all taken up, and none but land of an inferior value remains on hand. I hope that in disposing of future purchases, the Government will be more particular in adjusting the relative prices of the lands. The Land Purchase Bill was not intended to impose a burden on any but those who became purchasers of land from the Government, and I think still, that if the Worrell Estate were judiciously worked, the country would not incur a loss on account of it. It seems probable that in the case of Lot 11 a saving may be effected, which will have the effect of proportionately relieving the Worrell Estate. I am not opposed to the Loan Bill, but am desirous that the lands should be valued properly.

Hon. COL. SWABEY was sorry to trouble their honors again, but the observation which had been made by his honor, Mr. Bagnall, with reference to the Surveyor General, called for explanation. That officer's salary was £250 a year, an amount less than he would realize from private business. He had to travel at a considerable expense, with a horse and carriage. He bore cheerful testimony to the Surveyor Gene-

ral's zeal and efficiency, which had been of great benefit to the public service. He would say one word on the subject of opening up of roads through the Government lands. The cost of them should, in fairness, be transferred from the debit to the credit side of the account, as their benefits were not confined to the settlers on the particular properties through which they passed, but were participated in by the public generally. Roads through properties differently circumstanced were provided for from the general revenue.

Hon. Mr. BAGNALL said that proprietors did not charge for opening roads for settlements.

Hon. Mr. DINGWELL thought that his honor, Mr. Bagnall, would not have reflected on the Surveyor General, if he had considered the little time he had had to do what was required in addition to what had been done.

Hon. Mr. BAGNALL.—Then if his honor is right, the Government should employ another Surveyor in addition.

Hon. Mr. ALDOUS agreed with Hon. Mr. Bagnall, that if the Surveyor General could not do the work as rapidly as the requirement of the public service demanded, a competent staff should be provided, if for no other reason than the saving of the Land Tax by the resale of the lands to private individuals.

The question was then taken and the motion was carried, Hon. Mr. Forgan voting against it.

Hon. Col. Treasurer brought up a message from the House of Assembly, to the effect, that the House had agreed to the conference requested on the suggestions to the Revenue Bill. Hons. Attorney General and Mr. Dingwell were appointed to manage the conference on the part of the Council.

After which the Bill was recommitted, and the suggestions having been withdrawn, was agreed to.

HOUSE OF ASSEMBLY.

WEDNESDAY, April 1, 1857.

AFTERNOON SITTING.

THE LOAN BILL.

(Continued from folio 95.)

Hon. Mr. PALMER.—It is a most remarkable circumstance that there is not a member of this side of the house can rise, but he is assailed directly with having some sinister or improper motives. We have heard from one or two principal members of the house, particularly from the Hon. Col. Secretary, that he was of opinion we did not want the accounts investigated. They jumped into our minds and gave our motives at large. There is no use to rise on this side of the house; we ought not to be listened to; we are all intriguers, and the people who sent us here are fools or rogues. These are the arguments that are used by members on the other side of the house; but I trust there are some portion of the public left to believe that we are here for some purpose—that we have some duty to discharge to others in the part we are taking, and that it is not improbable that some members on the other side of the house may be as likely to be actuated by improper motives as those on this side. If we were to examine into the matter, each hon. member might be found to have had his own motive for advocating this measure; contriving to secure an electoral district for themselves, for instance, would be no motive at all, sir; while they danced and held office, the people would have to pay the piper. I voted against this Bill, because I believe it to be a piece of class legislation; I voted against it, because it is extending benefit to the few at the expense of the many.

I look upon it—and every member in this house knows himself—that the day will never arrive when all the tenantry will participate in the benefits of this Bill. Do they intend to say that one proprietor will come in after another, and surrender up his estate for five or six shillings per acre? Will they tell me, that if the proprietors do not, that they will pass another Bill, as hinted by hon. Mr. Lord, that they will compel them to do it? will they tell me that there is one member who supposes that such a Bill would be passed by the Government at Home? will they tell me that the proprietors, now, just as their lands have become profitable to them, will sell them at the paltry sum named? I think not. Fifteen years ago or so when the business of agriculture was and had been for many years previously greatly depressed for want of a market, and often still more by the failure of the crops; when there was little or no money in circulation; when the farmer was obliged to sell his pork at two pence halfpenny and his flour at three halfpence per pound; his potatoes at ninepence and his oats at fifteenpence per bushel; and the rest of his produce proportionally low, and this for only half cash; a time when his rent was truly a burthen to him, and his arrears yearly increasing; when his landlord received little or nothing from him; that was a time when the proprietors, each and all of them, perhaps, might have been induced to sell their estates, and might gladly have accepted five or six shillings per acre for the best of their lands; but that time, I am happy to say, has passed away, and the condition of the farmer has now fortunately become in, a measure as prosperous as it was then disastrous; the great increase of money in circulation, the great demand that has arisen for our agricultural produce, the additional markets which free trade has opened to us, have raised the price of the farmer's commodities one hundred per cent at least on an average above what they formerly were, and have contributed to render him independent of his landlord, and to care but little for him. With such an increase in the products of the land, and which year after year proves to us is becoming permanent, the value of the land itself must necessarily have risen in the same proportion. Is it likely then, sir, that those proprietors who now receive their rents regularly would listen to proposals of five or six shillings an acre for the purchase of their lands? Ask those proprietors, the Cunards, Montgomeries, Todds, Fannings, Stewarts, Sullivans, Macdonalds, Winsloes, Haythornes, &c., if they are willing to sell their lands at five, six, ten, or even twenty shillings per acre, and my opinion is they would quickly say "no." The probability is, if this Bill go into operation, that no more than half a dozen Lots will ever be purchased; then what will this Colony have to thank the house for? Some five or six Townships purchased for the benefit of a few of the tenantry—and those too, it may be presumed, of the most undeserving class—who might thereby become freeholders. The amount of it is this, sir, for about one-eighth of the whole Island—and what proportion does that bear to the population of the Colony, who will not participate in the benefits of this Bill?—the numbers would stand at about nine to one. Then, sir, are we justified in passing this piece of class legislation, in taxing the industrious and deserving many, for the unindustrious and undeserving few? No, sir. Take a measure, I care not whether it come from the Hon. Col. Secretary or from Mr. Cooper, by which the whole people of the Island will be benefitted, if they are to be taxed for its support, and I will go with it; but I do not like to put my hands into the pockets of seven-eighths of the people in order to pay for a benefit to be conferred on the other eighth. Then, too, we are accused of manoeuvring and intrigue. But, sir, there is one item in those accounts that I will

comment upon before I sit down. Where are those arrears of rent that were due? I have heard from very good authority that there were upwards of £6000 of arrears of rent purchased with the Estate. What has become of it? There is no sign of it in the accounts produced; it is in fact studiously kept out of sight. It has been said that the Government have given it up to the parties, and it certainly seems to be the case. Now, sir, I am by no means concerned to think that some Tenants have honestly got clear of their arrears of rent; but I think it my duty to protest against that bounty being extended to them at the expense of the rest of the Tenants who have paid, and have been obliged to pay, their arrears by the sweat of their brow. This I consider a tax on honest industry, and a bounty on inertness and servility. Of course there is nothing in this that savours of manœuvring or intrigue! Now, sir, I say, I object to this Bill, because it will be class legislation, and we have no right to impose upon the people of this Island the tax that will be necessary in order to make this Bill operate. There is a very old saying that the proof of the pudding is in the eating of it; and the proof of the effect of this Bill is the working of the one which is at present the law of the land. I shall not go into the full particulars of the Worrel Estate accounts; that has been done in a lucid and unanswerable manner by Hon. T. H. Haviland on my right; and without any disparagement to him, I shall take the accounts given in by the Commissioner of Lands, who has prepared them, and has had a long time to do it. What are they? Here are facts that cannot be denied, if we take as facts those figures and statements which that officer has placed before us. He states,—to paid vendors £18,000; interest paid treasurer—£1,760; salaries, &c., less $\frac{1}{2}$ Lot 11 £1,081 5s. Yes, sir, they work this one estate for no less than £1,081 5s. I confess it would gratify the curiosity of the public, if the consideration the country derives for those salaries was brought before them, and the parties pointed out who received pay up to last January, for two years working of the Bill. Altogether the Commissioner states the whole sum amounts to £20,841 5s. for this Worrel estate. Well, now, run your eyes over the whole accounts, and you cannot mention any more received than £3,622 14s. 4d. exclusive of expenses. We hear also of lands unsold; but I have heard of a maxim of an experienced old widow lady giving advice about the uncertainty of pecuniary engagements to her grand child, "my good child," she said, "never calculate the benefit of any money coming to you until you get it into the palm of your hand." The state of the Land Commissioner's accounts now before us has certainly brought the old lady's maxim very vividly to my recollection. Here then we see by the Commissioner's own account that £20,841 5s. of the people's money has already been paid away; that is certain and undeniable; on the other side of the account we see that no more than £3,622 14s. 4d. have been paid back, that is equally certain: Thus there remains £17,218 10s. 8d. yet to be repaid to the country. Now, we are told, that to meet this balance there is a balance due from the purchasers of the lands sold by the Commissioner, amounting to £10,348, 4s. 10d; and that the further sum of £1400 is due on bonds given by some of the Tenantry to Mr. Worrel's Trustees and transferred to the Government. Well, should these two sums be received by the Government, the balance against the country would thereby be reduced to £5470 5s. 9d. Now, the recovery of these two sums, I contend is very uncertain. With respect to the balance due from the purchasers, reports are abroad that the purchasers say, they have paid one instalment which they think is quite enough, and being in possession of their lands they do not intend to pay any more;

that Government ought to have charged them no more than the five shillings an acre. Should coercive measures be necessary, they must be enforced by the Government of the day, whose existence depends perhaps in no small degree upon the breath of these very people, delays and excuses would likely follow, and the expenses of recovering the balance due on a hundred acres would equal nearly the balance itself so, that in the end I fear the Government would not but very little of that sum. And with reference to the sum of £1400 for bonds, why if Mr. Worrel's agents and his astute lawyer unfettered by political policy, could not manage to recover this amount with the advantages of the bonds, I fear the Government are very unlikely to be more successful. Now, let us suppose that the whole of the balance alleged to be due from the Government purchasers, that is £10,348 4s. 10d. is credited to the country, in cash as if actually received, then, take from the balance I have just mentioned, of £17,218 10s. 8d. there would be against the Colony, £6870 5s. 10d. Now add to this the balance yet due to Pope & Company being £6100 two years, interest therein £610. Loss of land tax £300. Interest on debentures £900. And we have actually a sum of £14,780 5s. 10d. already sunk to the Colony, by the purchase of the Worrel Estate. Continuing however to follow up the account as the Commissioner has rendered it, and supposing for the elucidation of the subject, that there existed no uncertainty about the recovery of the two large sums I have been remarking upon, the Commissioner's own balance of £5470 5s. 9d. as he makes it out against the country, he says, will be met by the lands still unsold and amounting to 41,984 acres, or to make round number, call it 45,000. Now what is to be realized out of this land? It is very astonishing that with all this valuable land lying on hand, the Government party are so anxious to get more. But I begin to suspect, Sir, the rumours about swamps, bogs, and blueberry barrens in that vicinity are not without good foundation. Why, if it were good land, or saleable land, there would surely be numerous applications to purchase it. We were told, if I mistake not, that there would be a rush to obtain land; but the steam was soon blown off; the choice lands indeed found ready customers; but the refuse, of course, is left to enrich the Government. The Hon. Col. Secretary has stated that there is to be a reduction of some 10,000 acres of the Worrell Estate as deficiency in the quantity sold; this, however, is mere assertion. The Government bought by boundaries well known and defined, and with their eyes open, and it does not lie with them to deduct such parts of the given area as they please and call them by some other name than land. I do not think the Hon. Col. Secretary has stated one word here to demonstrate that there are 10,000 acres short of the complement sold to the Government. Now, Sir, I have just as much right to use the assertion of those persons who have sold that estate, and they say, there is no such deficiency; not one half of that quantity short. I think it is not out of place here to say that the Hon. Col. Secretary used a very unfortunate assertion when he stated that there was "trickery" on the part of those gentlemen by receiving money after the estate had been sold [Hon. Col. Secretary—I proved it.] We see no proof of it. I have heard it, and have just as good a right to assert it as the Hon. Col. Secretary, that when this property was sold to the Government a day was fixed as is usual in similar transactions from which the purchaser was to become entitled to the rents and issues of the estate; the 14th August, 1855, was named for this purpose, being the time the estate, was purchased from Mr. Worrell, by Mr. Pope, the parties who sold the property were entitled to the rents and profits of the estate. The agents were still in possession of the estate, and the

accounts were unsettled, as we have the best evidence of knowing. Mr. Desbrisay, who was agent for the estate was willing to continue to receive the rents, and receipt them, and pay over to the Government the amount that came into his hands, as accrued between those periods. [Hon. Col. Secretary—I deny that he received a copper.] Mr. Desbrisay states that he always acknowledged himself accountable for whatever came into his hands from August 14th up to December 28th, and has repeatedly stated it to the Commissioner of Public Lands. He has also positively denied, and has demonstrated to me, that there has been no money received by him for which he has denied to charge himself against the Government. [Hon. Col. Secretary—I rise to order, the £300 was not in the books.] The hon. member has repeated over and over again, that Mr. Desbrisay had received several hundred pounds for payments made between those periods now I have it fixed down to £300. Well now, he has assisted me by raising a particular sum at last. Mr. Desbrisay has not received £300, or one-sixth part of it. What has been received was some few pounds that were paid into the hands of other persons on the estate, who had been previously authorized to receive moneys; but had not charge of the books, and Mr. Desbrisay supplied the entries in the books for these credits, but the monies did not come into his hands. And thus it is that the entries appear to have been made after the 14th August, tho' for monies paid or credits earned long before that period. I am sorry to have to travel out of my way in this manner. Then, Sir, when they charge the vendors of this estate with manouvering and trickery, they had better look a little at home. Well, I take £6,100 and interest upon it for a year £305. With respect to this £6,100, the Hon. Col. Secretary says it was left in the hands of the Government merely to cover any deficiency which might turn out in the estate; and he says there is a deficiency of 10,000 acres. Well, that would not absorb the £6,100; but it would leave yet £3,000. Now, I ask when they charge those persons with trickery, &c., why do they hold that £3,100 in their hands? Let them answer that question. If they have arrived at the conclusion that there are 10,000 acres deficient on the estate, let them say, here are your £3,000. Who are to be accused of trickery now? Why, this is a transaction that as a Government they ought to be ashamed of; it is conduct that a private individual would be ashamed of. The Hon. Col. Secretary says the Commissioner tendered them the deed; but will he say they tendered them the debentures along with the deed. We know that when money is to be paid, it must appear with the deed. The money was never offered them either before or since. They said if the money was paid down and the deed signed, and executed by all parties, then the matter might have been closed; but there was another hitch in the way, they found out that the deed could not be given, there was some small irregularity in it. [Hon. Col. Secretary—The deed was delivered.] I have sufficient information to say, that it was not delivered. The deed was merely allowed to be put into their hands for the purpose of being returned on that day following. The Commissioner of Crown Lands himself reminded them that that deed was only permitted to be handed to them, for perusal before entering on the contract, to be returned to them again. They took delivery of that deed, they would have been the greatest fools in existence if they had taken it, for it would not give them the least title. Fools indeed they would have been; and I dare say the Hon. Col. Secretary and others would have been the first to turn around and laugh at them. Well, then, where are the Government of Prince Edward Island now? who are the persons that performed the honorable part? Here the

Government acknowledge that those gentlemen are to get a debt of about £3,100, and yet they won't give it to them, and at the same time tried to force a worthless deed upon them. Now, sir, hon. members may vote for this bill if they please; yet I conceive that in the state in which these accounts of the Commissioner of Public Lands are now existing, they would see a signal failure of the prospects and expectations of the public being realized, that is, if they can only see those accounts as they really stand. I say we are not wise in passing this bill without an investigation of those accounts. The House, however, have said, that investigation shall not take place. That resolution was put, and I thought it would have passed the House; but no, sir. The majority say those accounts were before the House a fortnight; but now it is found out, that they have been only been five or six days. They say, there is no occasion for taking up the time of the House in investigating them, and they negatived it. I have no doubt that they will, perhaps, have an act to register them as an example of sterling worth and veracity to the country, and to our children hereafter. Now, whether they investigate them or not, there is sufficient in those accounts to show, that the Land Purchase Bill, instead of being self-sustaining, is sinking the Colony in debt. There is good reason to know that vast numbers will not reap any advantage from this Bill; and that many look upon it as mere nothing to pay £5 a year for a hundred acres of land; but I may say this of them, these are the men whom we are going to tax without giving them any advantage in return. Now when going to do that, I want to see that I do so upon good and solid grounds—those in which the country will bear me out. If we were to ask every person we meet, if it is right and proper that this Bill should pass, there would be seven in every ten who would say, let people who want free land pay for it, we do not want to be called upon to pay those accounts. Upon this ground I take my stand in advocating against this Bill. Now, sir, I ask in what position would the majority feel themselves, should a committee after investigating these accounts, report them incorrect and that the Government were sinking money. I shall conclude by saying that these are the grounds upon which I will rest my act in voting decidedly against the report.

Hon. Mr. WHELAN.—Mr. Speaker, as I intend to vote against the resolution submitted by the hon. member for Charlottetown (Mr. Palmer), I shall, with your permission, briefly state the reasons which induce me to give that vote.—[For resolution referred to, see *Examiner*, June 15, 1857.]—In voting against that resolution, it is not my intention to preclude a full enquiry being made into the accounts of the Land Office; on the contrary, I think it is the duty of members on both sides of the House to make the closest investigation into all the accounts of that office; and I am sure the Government have no wish to deny them every reasonable opportunity for so doing. But, Sir, I regard the resolution of the hon. member as an attempt to obstruct the progress of the public business—as a decoy to some members on this side of the House, and as a pretext for creating suspicion against the Government. If there had been no enquiry made into the accounts referred to—if we had seen those accounts only for the first time this very day—the resolution might not appear out of place. But we have had them before us for a considerable length of time—every member who chose to avail himself of the opportunity afforded, might examine them as closely as he pleased. Now, if we pass the resolution, and give the hon. member the Special Committee he has asked for, in courtesy, and according to our usual practice, he will be named the chairman of that committee; and as the selection of those to act with him would be thereby thrown

into the hands of his own party, there is no doubt that the accounts would be dressed up to suit the palates of the opposition, however much the Government might dislike the cookery; and perhaps we should be kept waiting for their report, until the patience of country members, who are anxious to get home, became quite exhausted—the number of members in attendance on this side of the House be thus reduced, and the opposition, watchful of their opportunity, would then be enabled to carry any resolution they pleased. It is no doubt an excellent cry to din into the public ear: “that the minority wanted to protect the public interests—to see that the money of the Land Office was duly accounted for—that there was no fraud or embezzlement,—but the Government and their supporters, afraid of an exposure, would allow no enquiry to be made.” This is the cry that will be raised—indeed the speeches already delivered by some hon. members on the other side seemed to have been framed with the intention to call it forth. Although I must vote against the resolution for the reasons I have stated, I for one am not desirous that the Loan Bill shall be hurriedly passed through the House. It is a measure of too much importance to be disposed of so summarily. I support the motion to go into committee on the Bill, and that motion being carried, and the principle of the measure then admitted, let progress be reported, the Bill be taken up at a future day when all the members shall be in their places, and in the meantime let the accounts, about which so much has been said, be referred to the general committee on Public Accounts, which is the proper committee to investigate them, and they can be reported upon with the other accounts for the public service, before we resume the consideration of the Bill. [Mr. Whelan then proceeded to reply to the arguments offered in opposition to the Loan Bill, on the part of the minority, occupying over an hour in the delivery of his speech—the notes of which have not been prepared for publication.]

Mr. T. H. HAVILAND.—I am opposed to the principles of the Bill in question. I have always been opposed to it—upon the ground that it is not a self-sustaining measure. I would, however, commend the eloquence with which its principles are upheld: but they are based upon no solid foundation. When the answer to the Governor's Speech was being discussed, much was said about this measure giving general satisfaction—much was said about the thriving state the affairs of the Worrell Estate were in: but when we come to view the Public Accounts quite a different state of affairs becomes evident. When the Loan Bill was alluded to, it was characterised as one of the most important measures ever originated for the benefit of the country. And nothing could exceed the satisfactory condition in which the Land Purchase Bill had placed the tenantry on the Worrell Estate! But lo! we find this now nothing more than a dream. Under the peculiar manner and spirit in which this debate has been carried on by the members of the Government, we have had nothing more than a series of contradictions. It will become the hon. member, Mr. Lord, to reflect upon the minority of this House for discharging their duty in ferreting out, and bringing to light the numerous shortcomings of the Government. As to the threat he makes use of in enforcing his argument—that a handsome tax will be levied on the rent-rolls of the proprietors—it is simply ridiculous. We have heard a good deal of eloquence to-night, and certainly the hon. members on both sides of the House have done themselves credit by the very able manner in which they have advocated their several views of the subject. To my hon. and learned friend, Mr. Palmer, I must do the justice to say that he has delivered one of the best and ablest speeches I have ever had the pleasure to listen to from him. His arguments are based upon too solid a foundation to be shaken, and they have not been as yet, nor can they be answered, by a single member of the Government. Before going into Committee, contrary to the rules of Parliament, the Hon. Col. Secretary more than once launched out into a torrent of eloquence. He seemed to

open the fire of the great guns then; but alas! they have dwindled down before Mr. Palmer's battery, into volleys of musketry—and a mere running fire has been kept up. [Hon. Col. Secretary.—The hon. member should not forget that it is customary to speak but once on a resolution.] If I speak more than once, it is because such a rule seems to have been made an order of the evening; and if I am out of order in speaking to this resolution, I contend that hon. members on your (Hon. Col. Secretary) side of the House are out of order. The hon. member, Mr. Whelan, in alluding to the resolution said, that if it were passed it would defeat the Bill under consideration—that it was important to defeat the resolution. In fact all the hon. members at the opposite side of the House are at variance, in opinion, as to how it would affect the Bill under consideration—some of them said, if it were passed, the Bill would be annihilated, and therefore the whole party are paralysed with this fear, and will not vote in accordance with their convictions. The hon. member on my right, Mr. Montgomery, tried to fish out your (Hon. Col. Secretary's) opinion on the subject; but you dexterously evaded the bait. But I will now give my opinion, and if I am wrong, you will be pleased to correct me: If the resolution were passed, the further consideration of it would be postponed until Saturday. Government would not surely be put in danger by such a course. It would merely suspend the action on the measure under consideration, but in no wise defeat it. Such a course, however, is rejected by the Hon. Col. Secretary, who is kind enough to state that after the Bill is passed, he will give us a Special Committee to investigate the Public Accounts. I am thankful to him for such consideration; but it cannot be done now—when a resolution is once lost it cannot be put again. If we had the privilege to have the Public Accounts properly before us, with a chance for their investigation, what a boon it would be to the minority. But, by a species of Governmental tyranny, we are denied that privilege—we are subjected to a denial, the parallel for which it would be in vain to look for. Let the majority search the records of Nova Scotia, Newfoundland, New Brunswick and Canada, for a precedent—but they will search in vain. Go to Russia, and even there we will meet with more liberal views from the Emperor than in the Government of this Island. My views on the principles of this Bill are well known, and no hon. member can say that I want to shrink from giving my vote independently. No, sir, instead of leaving the field, I will “take the bull by the horns.” I have declared my sentiments, on this point. When the address in answer to the Governor's Speech was discussed I then declared I would not support the imposition of a tax upon industrious men to support the lazy. I likened it to a tax upon industry, and a premium upon idleness. The Hon. Mr. Whelan says, he has nothing to fear from an examination of the Public Accounts. Perhaps not. But I wish I had the snug income of £800 a-year which he has got. Perhaps I would then be as anxious to shield off investigation as he is. He also says, if the resolution were carried, it would give the minority an undue advantage, which they are not entitled to. I can sympathise with the anxiety he manifests. When the Hon. Col. Secretary says, we ought to be ashamed to ask for an investigation, he forgot that we had a right to ask for such an investigation—nay, to demand it. He first said they were before the House fifteen days, and then the fifteen days dwindled down into ten. But, sir, instead of having the Public Accounts laid before us at the beginning of the session, they did not come in for a month after the House met. This delay was not anticipated. We were led to believe, when the House met, we would not have to wait long for the Government measures—that the Attorney and Solicitor Generals would have them ready; but where are they? Echo answers, “Where?” About a week ago there was a call of the House, and every member was to be in his place, to hear the Despatches read in relation to this loan affair, and to say which way they would vote on the question. The hon. member, Mr. Cooper, labored under the impression that we were to have the money from the Home Government; but when the Despatch was read, which said as plainly as I say it—“We will pass the Bill for you, and grant the Loan; but you must pledge the revenue of your Island, before anything is paid”—he changed his mind,

and I don't wonder at it. What could he do? He could not vote for such a measure, neither could he vote directly against it. What did he do? Why, he fell back on Escheat! The hon. member, Mr. Whelan, states that the minority wanted to see the Public Accounts before voting. I cannot answer for them; but for myself, I would say that I expected to see the Public Accounts from the very first. He also wonders why the minority show such determined opposition. If the hon. member studied the character of the British House of Commons, he would find that the duty of the opposition is to oppose the Government. He also stated his surprise that the Hon. Mr. Palmer should characterize the Bill as founded on class-legislation. [The hon. member was here interrupted; but resuming, said:] The hon. member wishes to lead me from the point—class-legislation; but it is not the first time. The Rent Roll and Tenant Compensation Act, was another species of the same "class-legislation," and it was supported; but its character distinctly denied. But the time gone by are not the times of now. Formerly the hon. member would deny the charge, that any Bill introduced by the majority into the House was a species of class-legislation; but now the tune is changed—now he admits it is a species of "class-legislation, and lays it down, in justification, that no Government can exist without class-legislation. Look at the principle, it is odious; and any Government which is intended to exist by class-legislation is not worthy the name of Government. Macaulay, in his history of the reign of William III., mentions an instance where a Bill was brought into Parliament to lay a tax on Jews, which after one reading was rejected. He thus characterises legislation of this kind:—"If any Legislature stoops so low as to put a burthen on one class, they are unworthy the name of Government." And to what end is the present Bill intended to apply? Not only to levy a tax on freeholders, but on leaseholders. Not only on townships, but on individuals. Not only on individuals, but on incomes. If the people are willing thus to sustain men who will vote away their money—if they sustain men who are rushing them headlong and blindly into destruction, like Sampson, they can only expect to bear the burthen, or have their rights crushed beneath the weight of taxation. But I do not believe they do. I do not believe they will run thus headlong into the abyss. The few who are in favor of this measure, labor under a mistaken notion. But the leaders in this movement have one darling object in view—one end to which their whole energies are directed. That is, the purchase of the Selkirk Estate. If, it was thought, the Earl of Selkirk would sell, we could then have a chance of additional field for speculation. How did they go to work? They stirred up the tenantry on that estate, and goaded them on by flattering hopes and promises to petition their landlord. It was a most indelicate piece of business thus to act. It was not right for them to go from place to place, and influence the minds of men against their landlords. But they thought the end justified the means—perhaps they quieted their conscience with the thought that they were working for the independence of the country. Perhaps they thought it would be better to have the Selkirk added to the Worrell Estate, to secure two representatives to their side of the House. But Government have repudiated their first doctrine, and now they acknowledge this measure to be a species of class-legislation, justifying it on the very new and disingenious grounds, that no Government can exist without class-legislation! They tell us it is self-sustaining; but they may repudiate that assertion also, by-and-by, and justify themselves on other equally untenable grounds. It is, however, at present asserted that this measure will be self-sustaining; but I should like to know in what manner is it to be self-sustaining. I judge that the Government will find it rather hard to realize the sum of £15,000 per annum, interest on this loan. I am afraid that the revenue of this Colony would have to be converted into a sinking fund, which would be altogether sunk in a few years. The Hon. Mr. Whelan stated, that if the members of the Government do not express the views of their constituents, they can be sent about their business. But if, while in power, they saddled the country with a burthen, that would require the strength and labor of a Hercules to remove, is it then time to cry out against them—is it then an easy matter to remedy their faults? I think not. If

we had a House of Assembly where the members of the Government were only so many drops in the bucket, instead of the bucket itself, then there would be some chance—some hope of justice; but as at present constituted, there is none. The members of the Government are tied down to each other, and the members of their party to them; therefore it is not surprising to see hon. members voting against their convictions. There is one member of the Government, whom I know in voting for this measure, has voted against his principles; but if he were in my boots, I am certain he would vote as I have voted. (Name?) I will not name him. Perhaps the time will come when we shall, many of us, find ourselves left out of the list of public representatives, and as for myself, the prophecy may apply to me as to others; but that consideration will have very little weight with me. I do not care whether I am to be sent back or not: but while I am here, I will protest with all my whole strength against such an outrageous measure. And, if this Bill be passed in this Assembly, the generations yet unborn, laboring and groaning under the disabilities this House placed them under, will curse it bitterly and with indignation.

Hon. COL. SECRETARY.—The hon. member who has just sat down, accuses the Government of not being able to answer the arguments adduced by the Hon. Mr. Palmer. They certainly did not use so much humor in their reply as the hon. member who last spoke; but the hon. gentleman need not work himself up to such a frenzy because they did not bring so many arguments to bear against those of his friend. What arguments, however, they have used are good, sound and substantial. I do not blame the minority for raising such a hue and cry against the Government—that is their business. But I do blame them for making false statements—statements calculated to show the affairs of the Government in a wrong light. Still we could not expect any more from that side of the House. It has been their constant practice to villify the Government—and practice, they say, makes perfect. The hon. member from Princetown, after giving an unfair statement of the affairs of the Public Lands, wound up with a statement that there was £5,000 or £6,000 due, and asks what is there to meet it—nothing but bonds. But bonds, he says are worth nothing. He may think so; but there are others who think different. Then this Bill is characterized as a species of "class legislation," and some of the hon. members of the minority are opposed to it on this ground, and the grounds that it will not be self-sustaining, and will impose a tax on the freeholder to benefit the leaseholder. But we say and are prepared to show that the principle is self-sustaining. What more then can the hon. members want? The hon. and learned member for Georgetown, Mr. T. H. Haviland, dwelt largely on the enormity of "class legislation," and even quoted from an historian to second his arguments. But I would ask that hon. and learned member if a system of "class legislation" was not carried out in England, when the Home Government purchased the slaves in the West Indies? Who were taxed for the carrying out of this scheme but the people? But you will, perhaps, say, look at the object of that measure! True, it was done to a humane end. But look in return at the object at which the present Bill aims? I must confess the resemblance did not strike me before; but I think there is a surprising likeness in both the measures. The Bill to emancipate the negroes, was a humane movement—this is also a humane movement. One had for its object the freeing of the slave from the authority of a cruel master—the other the emancipation of the tenants from the powers of an exacting landlord and a grasping agent. If such a measure as this can be considered a species of "class legislation," then it is one that we are willing to take the blame for supporting. It has been approved of by Her Majesty's Government, and that is well. It will be the means of making this Island a colony of inde-

pendent men, and that is better. Besides, it is only an opinion, the mere result of supposition, that this measure will not be self-sustaining. The remarks of the hon. member for Charlottetown, (Mr. Palmer), have been, I think, fully answered by my hon. friend, Mr. Whelan. But there are one or two remarks with reference to the Worrel Estate, which I will briefly note. The Hon. Mr. Palmer accuses the Government of dishonesty, because they did not pay the balance of £3,000, said to be due on that Estate. Now, sir, the Government do not acknowledge that they owe any such amount on the estate. They are willing to give £2,000, but no more. When the bargain was entered into, the Deventures were to be ready for signing and transfer on Saturday; but as the arrangements could not be made, it was postponed until Monday, but the deed of reconveyance was to be executed that day. I there met Mr. Fairbanks, who, in presence of the Attorney General, took a document out of his pocket, to show us how bad he had been used in the affair by his colleagues. I did not see the deeds signed, but the Attorney General says they were signed. In the deed it states how much is due by the Government. However, when Monday came they repudiated their acts, and there the matter rests. Is not Government justified in holding back until the affair is cleared up? I think they are. There has been something said about the books of the estate. When the estate was purchased, the books were handed over by T. Desbrisay, Esq., when it was found that some of them were missing. On applying to him, he replied that there were no other books of the kind in his possession. Another application was made, and he replied in writing that he had found one, which before escaped observation. When this book was examined, it was found to lead to another, still missing. Mr. Desbrisay was again applied to, when he said, after searching for some time, he found another box full of books, but still this box did not contain all, as there appears to be another ledger. How can the Government be expected to settle, when they have not got all the books. How do we know but, when the missing ledger is procured, that we may find hundreds of pounds paid in it, of which we have never received any account. When one of the parties was asked to explain why so much money had been collected, of which there was no account, he excused himself by saying these sums were collected by others. We are therefore apprehensive that there is yet some artful dodging going on of which we know nothing about. The hon. member, Mr. Palmer, said he would go for any measure that would benefit the whole Island—that if there was a certainty of all the Proprietors of lands being willing to sell, and a scheme for their purchase would be only self-sustaining, he would support it. But, sir, if after having a chance to dispose of their property, the proprietors still refuse to sell, I would be prepared to go for a Bill that would compel them to dispose of their lands to the Government. (Hear.) But there will be no need of that. The tenants will drive them to that alternative. The hon. member also gives the names of individuals, who, he says, will not part with their property. How does he know they will not sell? Is he authorised to make such a statement? There has been a favourable answer received to the petition of the tenants on the Selkirk Estate. There has also been a petition forwarded to the proprietor by the tenants on the Cunard property, and I suppose he will also sell to the Government. Mr. Yeo also says he will sell Sir George Seymour's property to the Government at one quarter the price he paid for it. The Government will take it on the terms he offers. (An hon. member—swamps included?) Yes; at his offer. For I know it is a choice bit of land; and the tenants would be rejoiced at the change. The hon. and learned member for

Georgetown, is pleased to compare this Government to that of the Czar of Russia. It is a good thing we have a Czar. (Mr. T. Heath Haviland.—You are a greater tyrant than the Czar of Russia.) Yes, I am, because I do not cringe to your opinions and eat humble pie to you and your party. The hon. member makes use of some very curious arguments in support of the position he assumes. Among others he wonders why it is the revenue of the Colony will have to be pledged in behalf of this Loan. Does he think Her Majesty's Government so foolish as to loan us money on any other conditions. If we have to spend more than the revenue, to pay the interest on this loan we will have to look out for other means of raising taxes (Hear.) I perceive you understand me. I am in earnest. We should be in earnest in carrying out this measure—in our endeavours to purchase the Selkirk estate, and all the estates in the Island. The hon. member went on to intimate that it would be the means of pulling down the present Government, to pay so large an interest, for which the people must be taxed. We have heard the same arguments used against the Free Education Act. It was thought to be a measure that would create dissatisfaction and ruin the country; but it is still in operation, costs the country £13,000 per annum, and has it pulled down the Government? No; it has rather lifted them up. But the £100,000 seems to stun them altogether. "We shall never be able to pay the interest; not to speak of the principal?" I have explained, until I am tired, that no such sum will be drawn, perhaps the extent will be no more than £20,000 at one time. The hon. members may rest satisfied that this affair will not ruin, but rather be the greatest benefit to, the country.

Mr. YEO.—There is one thing I would notice, and that is, the public lands have been in the hands of the Government for at least three years; they have sold two-thirds of the lands, and what have these sales brought in? I would ask is Lot 11 paying for itself? I do not know much about the affairs on the Worrell Estate; but in Lot 11, if the land is all sold, it will, I am thinking, at the end of ten years, be found that it is not paid for; that there is not a man in Lot 11 who can pay his instalments; and that the expenses attending its management will be found to exceed the receipts. I am sorry for the Commissioner of Crown Lands. I do not think he is so much to blame, having no Clerk to keep his accounts. He is poorly situated, and may have to answer for errors not his own.

Hon. COL. TREASURER.—I do not intend to speak on the Bill now before the House, but merely to notice a statement made by the hon. member who spoke last. He says that there is not a man on Lot 11 who can pay his instalments. I deny it. There are many that can not only pay their instalments, but have paid altogether for their lands. Why, it was only by the last post that the Commissioner received £25 from a man in Lot 11; but I won't tell the hon. member who it was that sent it.

Mr. MACINTOSH.—In regard to the reference made to the emancipation of slaves in the West Indies, by the Hon. Col. Secretary, I agree with the hon. member that it was both humane and charitable. It would be equally so if our slaves, the tenants, were released from their serfdom, who have even a better right than their masters to be free; but the proper way to proceed would be to put it to test who had a right to pay for their lands, and who had not. The system of taxing the freeholder to pay for the tenant's land is, in my opinion, the result that will follow this measure. If I thought otherwise, I would vote differently.

Hon. T. H. Haviland then moved that the Bill lay over till this day three months.

The House divided on the motion :

Yeas—Hons. T. H. Haviland, Palmer, Longworth, Montgomery, Messrs. T.H. Haviland, Yeo, McIntosh and Laird—8.

Nays—Hons. Colonial Secretary, Col. Treasurer, Lord, Whelan, Wightman, Mooney, Messrs. Macdonald, Munro, Perry, Clark, Muirhead, Dingwell and Cooper—13.

The original motion was then carried, without division.

The House then went into Committee of the whole on the Bill. Mr. Macdonald in the Chair. When,

On motion of Mr. Perry, the Chairman reported progress, and asked leave to sit again, which was granted.

Then the House adjourned. T. KIRWAN, Rep.

THURSDAY, April 2, 1855.

The Bill to incorporate the Free Church, Charlottetown, was read a third time and passed; also the Bill granting a yearly sum to the New York, Newfoundland, and London Telegraph Company.

Mr. T. HEATH HAVILAND introduced a Bill for better securing the liberty of the subject, and briefly explained its object. Under the present law, the only remedy for an individual confined in jail, was by applying one of the Judges of the Supreme Court praying that a writ of *habeas corpus* might be given to bring him up before one of the Judges of that Court, that they might inquire into the legality of the charges against him, that, however, was an expensive course, for the Sheriff was bound to bring the individual himself into Charlottetown, and the unfortunate person had to pay the expenses himself; where the Court might inquire into the matter just as easily without having the body of the prisoner before the Court at all. A case had lately come under his own observation of an unfortunate person in Prince County who had committed some misdemeanor, and though he obtained his liberty, yet it was at the cost of two or three sovereigns more than if the Bill now introduced had been the law of the land. An Act similar to the Bill in question, was in force, in New Brunswick, and it worked very well. Bill read a first time.

Adjourned for one hour. R. LAIRD, Reporter.

AFTERNOON SITTING.

Hon. Col. Secretary presented a petition from the acting Head master of the Central Academy, praying a grant to enable him to procure the instruments necessary to impart a practical knowledge of navigation and land surveying, which, after a short discussion was referred to Supply, Mr. Dingwell, who opposed the petition on the ground that it would not be a general good to the Island, being the only voter in the negative.

Hon. Col. Secretary also presented the School Inspector's Report for the past year, which was laid on the table.

The Bill for the better regulation of public ferries, &c., was read a third time, passed, and sent up to the Legislative Council. Adjourned.

FRIDAY, April 3, 1855.

Mr. Clark presented the Custom House Report for Charlottetown and the various out-ports, &c., embodying the No. of tonnage built and launched, arrived and cleared, and the amount of goods and produce imported and exported, during the past year.

The House then went into Committee of the whole on the several Road Scales. Mr. Clark in the chair. After some time spent therein, the House resumed. The Chairman reported progress, and asked leave to sit again, which was granted.

SUPPLY.

The House resolved itself into a Committee of the whole on Supply. Hon. Col. Treasurer in the chair. The following sums were voted:—£25 16s 2d to reimburse Indian Commissioners, for supplies furnished the Indians last year, over and above the public grant for that year.

£7 to John Macintosh, Lot 14, for extra services as mail carrier.

£50 to procure instruments for pupils studying Navigation, and Land Surveying at the Central Academy.

£20 to the Bog School, Charlottetown.

£3 4s 9d to James Howatt, Crapaud, to reimburse him for duty paid on imported machinery.

£10 to Wm. Chappell, master of Bay Verte packet.

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

While in Committee of Supply, the Hon. Col. Secretary submitted a communication from Wm. Monk, Esq., master of the Normal School, suggesting the propriety of providing for that School a set of apparatus for experimenting in Agricultural Chemistry, and offering to devote part of his time to the elucidation of the said branch of knowledge. A resolution was moved, granting £60 for the purchase of said apparatus, which after a lengthy discussion, in which nearly all the hon. members present took part, was negatived on the following division:—Yeas, 9; Nays, 10.

A message was received from the Legislative Council, informing the House that their Honors had agreed to the Bill for an additional assistant in the Post Office, and to increase the salary of the present assistant, without making any amendment thereto.

Adjourned for one hour. T. KIRWAN, Reporter.

AFTERNOON SITTING.

The House resolved itself into Committee of Supply, when several resolutions were agreed to; after which progress was reported.

THE LOAN BILL.

On motion of the Hon. Col. Secretary, the House went into Committee of the whole on the further consideration of this Bill. Mr. Macdonald in the chair. After several clauses had been agreed without opposition—

Mr. COOPER said, before they went farther in the Bill; he would merely ask whether the titles of the land to be purchased were to be investigated; and as they had every reason to believe that the titles of the land which had been already bought by the Government, had not been investigated according to law, it was easy to make provision in the present Bill for that purpose. He wished to test the question, and moved the following as a principle upon which a clause might be founded.

"In cases where there is reason to believe that the conditions of the grants have not been performed, before the Government purchase any such lands, the grants shall be submitted to a court of competent jurisdiction to investigate the title."

The Hon. SPEAKER did not wish to prevent the hon. gentleman from putting that resolution or rather opinion before the committee; but it was a bill that they were considering, and it ought to come in, in the shape of a clause as an amendment to the Bill.

Hon. COL. SECRETARY said, the hon. member knew that the original grants were settled; and the clause proposed went to say that if not settled, they should be investigated. That was no place to introduce the clause, which would require to be a short bill of itself, and might be the means of defeating the bill. The Hon. Government had again and again said that they were satisfied with them, and thought it unwise to entertain any measure that would affect the rights of the proprietors.

Mr. COOPER said, if they took the opinion of Her Majesty's Ministers of England, it was their opinion from the first that they should be investigated; but there appeared to be an act of treachery before those bills relating to the Land Purchase were passed. Whether it was the intention of ministers at first, or whether it was an intention to deceive

the King, he could not say; but he would ask if they were to take an opinion to give an advantage to one class of men over another; for the titles should be investigated.

Hon. COL. SECRETARY said, the hon. member would never get any land purchased in that case. Where were they to be investigated? If in the Courts of law here, they would decide against the hon. member's opinion; and should the decision be in favor of it, the proprietors would carry the matter to the old country; and the time that would be taken up would make an endless affair of it, and the whole bill had better be thrown out at once. The tenantry, too, would be tired waiting for it; and the peace and harmony that now existed with reference to the Land Purchase Bill, would be disturbed. The hon. member did not think of the tribunal before which he intended to have the titles tried.

Mr. COOPER replied, before a Court of Escheat and inquiry. That was allowed in other countries; and what was the reason it was not here, he could not say. They ought to know whether there was a party of members in that Assembly—the representatives of the the people—who were determined to have justice done to their constituents.

Hon. COL. SECRETARY said, that justice to his constituents, he believed was the desire of every hon. member, as well as of the hon. member himself. But the hon. member would not take the opinion of the Crown Law Officers, nor of Her Majesty's Government; but he would have an opinion of his own, that the original titles were forfeited. They knew that Her Majesty's Government had opposed violent interference with the original titles, and that the Government would not purchase land from parties who could not show good titles.

Mr. COOPER said, they had never had an opinion of Law Officers in the Island or in the old country on the subject. They should be willing to call the Crown Law Officers of England to give an opinion respecting the condition of the grants, and the titles; because it was done by the Crown Law Officer, when the Government took his opinion relative to the Worrell Estate.

Hon. COL. SECRETARY said, of course that officer was perfectly right, because he was not required to investigate the original grants; they were not specified in the Land Purchase Bill.

The Hon. SPEAKER said, they were reviving the old question of escheat; but brought before the House under a new name, and called a court of Inquiries. He would ask the hon. member from King's County, Mr. Macintosh, one question, whether the conversation which took place in his own house between him, and James Dingwell and himself (Hon. Speaker) respecting the purchase of the Worrell Estate, was private or not.

Mr. MACINTOSH said, when the land question was under discussion last year, the Hon. Speaker knew that he had never broached what had passed in privacy. He regarded the conversation alluded to as private.

The Hon. SPEAKER said, he never felt at liberty to discuss publicly what had passed in private; and for that reason he had asked the question. Now, they had the revival of the old question of escheat; but it has been decided on in two sessions of the present House, and what was the use of agitating it now? Did he (Mr. Cooper) suppose that he could obtain a majority of the House to support him in that resolution. He might suppose it; but he (Hon. Speaker) did not believe he would. It was only another proof that he was an enthusiast in that subject; and he was disturbing the minds of the people of the country. It was ridiculous in the extreme; it was shameful. The hon. member (Mr. Cooper) knew that he could not carry the measure. They had heard

over and over again the same opinion, and that party saying, they must have free land or a court of escheat. Many by that means were hoping for what would never be realized; but it was a miserable time for them. He was sorry that at the third session of the House that question had been brought up. At the opening of the session he thought the hon. member had taken counsel in time; in fact, he had repudiated the idea of escheat, and adopted some other mode of benefitting the country; but still he had returned to it again. He (the hon. Speaker) had not had an opportunity of speaking on this question; but his views were well known. That was the only way they could confer a benefit and boon on the people of the Island in relation to the land, was by inducing the proprietors to sell their lands to the tenantry; that was the only course. The bill before the committee was supposed to impose a tax on the country; but he did not suppose that the Government would run the country into debt to meet the amount that was required on that Bill. No; he trusted they would make a better bargain than they had done in the case of the Worrell estate—the most unfortunate estate in the Island. It had been the great obstacle, and had been made the principal argument by those who opposed the Loan Bill; but he knew by experience, that when they purchased that property, they would get more trouble with it than would be an equivalent for what they would make by it. But to return to the amendment proposed to the Bill; he would repeat it, it was nonsensical in the extreme. A late speaker of the House, Dr. Jardine, had pronounced it a mere chimera; and he now, as an old man, pronounced it the same; and he believed the hon. member (Mr. Cooper) could not carry it in that House. The proprietors would not sell their lands to the Government, if they said, "we will question your titles."

Mr. YEO said, that in London he had purchased one Lot of land; and the titles had been examined and seen to be really good, before his son paid for it. Certainly if the Government bought land and paid for it, they would see that they had a good title to it. Let the Government search for records and see whether the titles were good before they purchased land. He did not consider that the members of the House were judges of such things.

Hon. COL. SECRETARY said, the hon. member was quite mistaken. The Act that this Bill referred to, had a clause providing that the titles should be investigated. The investigation alluded to by the hon. member, Mr. Yeo, was different from that intended by the hon. member, Mr. Cooper. What the hon. member, Mr. Yeo meant, was to see that the deed was perfect.

Mr. COOPER said, there was a great debt of £100,000 sterling to be brought upon the Colony to purchase land; and if it was an error to purchase land formerly without investigating the titles, it would be so still. He repeated his opinion that it would be a piece of error and fraud for the Government to purchase any land without investigating the titles, and wish to have the purchasers of it duped instead of themselves. He did not think the House could go into the point respecting the opinion of Ministers; but let the Government get an opinion from the Law Officers of the Crown, and not from Ministers.

Mr. MACINTOSH said, as the Hon. Speaker had put a question to him, he would ask him one in return. He wished to know the difference between a court of inquiry and a court of escheat. He believed they were both the same; yet he wished to see if his opinion on the subject was not different from that of the Hon. Speaker. He (Mr. Macintosh) did not see how Government would purchase those Townships which had no grants, without investigating the original grants.

Hon. Mr. PALMER said, the proposition of the hon. member for King's County, (Mr. Cooper) though perhaps not one which he would have suggested himself in a Bill of that nature, still he could not altogether agree with the opinion of some hon. members, that it was out of place or unconstitutional. He could not see that it required a separate Bill, as had been said it would; and it might as reasonably be ingrafted on the present Bill as brought in by a separate one. If the hon. member (Mr. Cooper) still adhered to his opinion that the Government of this Island should not buy up any portion of land till they knew that its title had been investigated, then he (Mr. Palmer) said—though he did not wish to flatter the hon. member—that it was perfectly lawful for him to propose that it be ingrafted in the present Bill, and he saw nothing to prevent that from being done. If a proprietor were anxious to sell his land to the Government, who would give so much for it in the expectation of receiving a good title to it, but should they say, the title must be tried by a legal court, the proprietor might refuse to submit to that; yet if there were a proper court, he might submit to have such a trial. The long agitated question of the fishery reserves had been a long time kept from a legal tribunal, because it was supposed that such a trial would have serious effect upon the public; and various attempts had been made to bring in such a Bill as would settle that vexed question, but none had succeeded; yet all parties adhered to the idea that a Bill was necessary, and that the question could not be left to the courts of law. However, it was found by modern views and new opinions that it might be entrusted to a court of law; and so far as such trials had gone the crown had been successful. With just as much consistency might the titles of land be tried in a court of law; and the Government might some day find themselves in such a court; for the tenants might become refractory on the Government as well as on the proprietors. It was only in the last number of the *Royal Gazette*, that he had seen notice given to persons in arrears, that they were required to pay the same forthwith, and that persons whose bonds and warrants were due, were required to pay the same. The House, then, found that the people were holding back,—that their debts were overdue. The House did not know the reason why they did so; but the people might come forward and say, "Mr. Commissioner of Crown Lands, you have no right to these lands, they belong to us;" Whether the right was given up or not, they might raise a clamour about it; and so a clause of the nature proposed should be incorporated in the Bill before the committee. If a proprietor had every confidence in the security of his title, he would submit it to the investigation of a good trial. He ventured to say if one estate were tried as in the case of the fishery reserves, it might settle the matter.

Hon. COL. SECRETARY said, that was just like the logic of the hon. member last year; the speech was all to enable the hon. member (Mr. Cooper) to go on and deceive the people. The notice that the hon. member (Hon. Mr. Palmer) had read from the *Royal Gazette*, was only that the bonds were due, and that the parties were to come and pay them. Was that any very serious affair? But what was his (Mr. Palmer's) conclusion from it? Why, that the people might be dissatisfied with the Government, and that the grants might be disputed. That, however, was only the opinion of the hon. member, Mr. Palmer. That hon. member knew very well that the proposed amendment could not be carried, and if carried, it would defeat the Bill; yet he thought by supporting it, to be popular with some people; but the people of the Island knew the hon. gentleman too well for that. He said, he saw no reason why that clause should not be incorporated into the Bill; but this was not a

Bill for regulating the purchase of land from the proprietors, but it was a Bill to extend the provisions of the Land Purchase Bill from £30,000, to £150,000, and it was not for the proprietors, but for the people, who provided the money. The other Bill provided for the investigation of the titles as far as the learned member for Charlottetown wished, who had given his opinion before, that the Legislature could not interfere with the original grants. It was all nonsense to think of interfering with them; no court here would entertain such an opinion. The hon. member, Mr. Cooper, had advised the tenants to resist the claims of the proprietors, and if they succeeded, the proprietor would be bound to take the case into the Court. Some poor fellow did go into Court with such a case; but he lost it. The Judges took no notice at all of a failure in the conditions of original grants. As to the power of the House to incorporate the amendment into the Bill, no person disputed it. If there was a desire on the part of the majority to incorporate it in the Bill, they would do it; but the thing was altogether opposed to the principles of the Bill; and if incorporated in it, the Bill would be defeated.

Hon. Mr. PALMER said, the hon. member was not warranted in saying, that anything he had said when he last spoke, was to induce the people to think that he was favourable to a Court of Escheat. He never had heard him, in that House or out of it, state any such thing; nor had he heard that he (Hon. Mr. Palmer) stated it was unconstitutional or illegal for the House to interfere with the original grants. His objections to a Court of Escheat, was the inexpediency of it. They knew that the Crown had a right to establish a Court of Escheat at any time it pleased; but owing to the great lapse of time and other circumstances, it would be inexpedient to do so. Those were the grounds on which he had opposed a Court of Escheat; and he had never departed from them. Last year when the hon. member (Mr. Cooper) moved that the House go into committee on the land question, he had given his sentiments just as disinterestedly as he did now, and voted against his motion. But what he rose a few minutes ago to state was, that there was nothing unparliamentary in the proposition offered, or in the amendment of the hon. member for King's County (Mr. Cooper); but that he could not see why there should not be a court by which it could be carried out, and that it was nothing more than perfectly consistent that the question should be settled in some form or other. Perhaps another mode might be adopted with less expense than the one proposed, namely, a trial by law, which would be just as good as one by a Court of Escheat. The hon. member for King's County was perfectly right when he said, that no Crown law officer had ever given his opinion on the subject. The Home Government could institute a Court of Escheat when they pleased. Those were the grounds on which he had risen to speak on the hon. member's (Mr. Cooper's) amendment, and not with the view of asserting to the country that he was favourable to the notion of Escheat, and that it might be granted now. That sense was put into his mouth by the Hon. Col. Secretary with the view of accusing him of a desire to deceive the country; but he deceived the country on any question as little as he (Hon. Col. Secretary) or his partisans did. The country might think of him as they pleased, but what he wanted was, that his words went forth to the country as he spoke them.

Hon. COL. SECRETARY declared that he had not perverted them. The hon. member did not say, he was opposed to escheat when he was on his legs before; but from what he stated on the notice in the paper, that the titles might be forfeited that might be inferred. He (Hon. Col. Secretary)

thought the Escheat question had now been set at rest. There was no doubt that Her Majesty's Government could at any time establish a Court of Escheat; but they would at the same time know what they were going to bring into it—their own acts. But the hon. member went farther when he was on his legs before; he said there was another reason to try the titles now on account of the decision or the fishery reserves. Now, they were given on a different footing altogether; and parties disputed whether their claim for them should be up bays and rivers. Some years ago, a case relating to the fishery reserves was brought into a court of law, and the decision was in favor of the Government. But this was a question of titles. Her Majesty's Government had said that the titles were good, and the land had been settled; and though some of the grants could not be found, yet Her Majesty's Government said, they were satisfied that they had been given. So it was no use to afford encouragement to go on with a measure of escheat. If the hon. member (Mr. Cooper) thought proper to support it now, he (Hon. Col. Secretary) would not.

Mr. COOPER said, it was entirely unfair to have a Court of Escheat for two Townships in the Island; when the titles of the others were just as bad. When those townships had been escheated, further proceedings were delayed, in consequence of the parties engaged in them being interested in the matter. People of the same class and having land of similar quality, should be placed in the same position; but now there was a vast difference between them. What took place in the Island in reference to the land, was a disgrace to the Home Government; and he always thought the Ministers aided it themselves, and wished to have it covered up; and that when they got Governors to come to the Island, and oppress the people of the Colony, they then thought they had power over the rights of the people. There was no such thing as Ministers giving a decision at law; they were no court; whenever a case came to a point of law, it was referred to a Court of jurymen.

Hon. COL. SECRETARY said, still it was very simple in the Despatch of Her Majesty's Secretary of State, that he refused a Court of Escheat, and recommended purchase; he said:—

"Seeing, therefore, that the rights of the proprietors could not be sacrificed without manifest injustice, I feel that it will be my duty steadily to resist by all means in my power measures similar in their character to those which were recently under the consideration of Her Majesty's Government."

The hon. member (Mr. Cooper) had admitted on several occasions that escheat was not expected, and was glad that some other means could be employed in order to benefit the people. If he had adhered to that, and given attention to the purchase of lands, he might have been of great assistance in settling the minds of the people; and his advice would have been beneficial to them.

R. LAIRD, Reporter.

Mr. COOPER.—The Honorable Secretary will still insist that the preamble of that Purchase Bill are my opinions; and I can only repeat, what I have said before, that the preamble is the reasons given by ministers why a Court of Escheat should not be established. The Colonial Ministers had given indulgence to persons who made no use of the land themselves, but to impose rents and oppress inhabitants who wanted land; and therefore it was the duty of the Imperial Government to remedy the evil committed by their servants, that is, to purchase and resume the land and sell it to the tenantry at a price which they could pay in a short time. If the reasons given by ministers were good to show cause why a Court of Escheat should not be established, the same reasons were equally good to show that as ministers had given indulgence to persons to hold over forfeited lands against the rights of the inhabitants, and deprived the Colony of a Court wherein to bring such

matters to trial, the Imperial Government were in duty bound to recover by purchase the claims which ministers had wrongfully given.

Hon. COL. SECRETARY.—He first objected to the preamble alone; but now he objects to it, because he says it was the opinion given by ministers why a Court of Escheat should not be established.

Hon. Mr. WIGHTMAN.—Mr. Chairman, I cannot support the amendment of the hon. member, Mr. Cooper, for the day has gone by when such a measure might be of any effect. 'Tis true there was a time when, if a Court of Inquiry were established, it might have the effect of escheating many of the Townships in this Island, for which the titles were at best but doubtful; but that time has passed away—that opportunity is now hopelessly lost. I cannot but admire the devotion and perseverance with which Mr. Cooper has followed up this darling object of his political life. We find him now just as eager in the pursuit of this object as he was fifteen years ago. I do not blame him—I have no doubt as to the honesty and earnestness of his principles; but, sir, his agitation is now of no earthly use, and will rather be productive of harm than good. We have struck out upon a newer and better path to attain the object he so earnestly longs after—we have found a more feasible plan for the accomplishment of that end, and this is the proposed loan—a measure which will, I am confident, give general satisfaction, and be the means of making the tenants not only independent, but prosperous and happy. It may be well for hon. members to consider the important results likely to follow the acquisition of, I might say, the almost unbounded credit with which the Home Government have invested us, before they reject it as being more likely to prove ruinous to the country than productive of any permanent good. It is said that this measure is not well received by the country; but, sir, I can affirm that the principal part of my constituents wish this measure to be carried into effect. And why? Some of them have had to pay and would still have to pay, if the landlord system were continued in force, at the rate of thirty or forty shillings per acre, whereas the Government could give them the same land for six or ten shillings; besides they would not be subjected to the imperious demands of the landlords or the insolence of agents; but with a very reasonable demand to meet, and ample time for preparation given, it is impossible to have room for complaint or cause to regret the change from the landlord and his agent to the Government. With regard to the unfortunate purchase of the Worrell Estate, so much gloated over by the hon. members of the minority, the affairs of that estate are certainly not so successful as could be desired; but still they are not in such a ruinous state as is represented, nor will that estate entail a loss upon the Government of £24,000, as some hon. members have intimated. Sir, those hon. members strain statements to such an extent that they will easily bear the false constructions put upon them;—they say, there is so much of a debt upon that estate, but they silently pass over the amounts due in instalments, and the fact of 45,000 acres of land, in reserve, which will more than liquidate all claims for which the Government is liable. But, sir, admitting for a moment that it would entail a loss of £2,000 on the Government, it will ultimately be a real benefit to the country, and one the country would never regret to bear. The end, however, is not yet; and, I think, hon. gentlemen are counting without their host. We have not given the scheme a fair trial—let us wait, and I fear not the result. When Mr. Worrell held his estate, he exacted 40s. an acre from those tenants who wished to purchase; but when the Government became the purchaser, the tenant found he could get the same land for from 7s. 6d. to 12s. 6d. When the tenant finds he can become a freeholder at such a great advantage to what he could formerly, he will go cheerfully to work, nerved by the prospect of independence and a hope of future prosperity, which under the landlord and agent he despaired of. The hon. member for Charlottetown (Mr. Palmer) says, that three-fourths of the people in the country are against this loan; but, sir, I can tell that hon. member that I think it will be received by the whole country with satisfaction—at least I can speak for King's County—in which I have heard but few dissenting voices to the proposed loan—and I can safely affirm that three-fourths of the people in that County

are in favor of it. If the contrary were the fact, we should have our tables loaded with petitions, and our ears filled with murmurs impossible to mistake, and not to be discarded. It was said last night by the hon. member for Princetown (Hon. T. H. Haviland) that if we borrowed £100,000, the country would have to pay £15,000 a-year interest upon it: but, sir, we are not so foolish as to draw more than will be necessary to purchase whatever lands may be offered, which, in all probability, will not at the most be of more value than £10,000 at a time. There will be the Selkirk Estate, the tenants on which are desirous to become freeholders, and heretofore have not had the opportunity of purchasing their lands, except at very high rates; but where they have had to pay from twenty to forty shillings per acre, they will, when the Government becomes the purchaser, have a chance of obtaining their lands for 7s. 6d. or 10s. per acre. There seems to be great apprehension felt from the prospect of the revenue of the Island being pledged for the payment of the loan by the British Government; but it is right the revenue should be pledged. Could we expect the Home Government to advance their credit to us on the strength of those swamps and sandbanks as graphically described by the Hon. Mr. Palmer? Although I can tell that hon. member, that his estimates of swamps and sandbanks are not always correct; but that dry lands as well as swamps abound. I have no desire to enlarge my remarks upon this subject, which, on last night, was discussed in a manner that reflects great credit upon the intelligence of this Colony, and the hon. members on both sides of the House, and which could not be surpassed by any Legislature in the Colonies. In conclusion, I will state that this Bill receives my most hearty concurrence, and I will be most happy to give it my support.

Mr. COOPER.—It is certainly better to give the people land for 7s. an acre than to have them pay 40s.; but I do not wish to see the revenue of the country involved for such an end, when it might be gained by a comparatively small sacrifice. However, I have no objection to give the proprietors some compensation; but not at our expense.

Hon. Mr. PALMER.—The hon. member, Mr. Wightman, has stated that he is quite certain three-fourths of the inhabitants of King's County are in favor of this measure—that if they were not in favor of it, we should have this House inundated with petitions against the Bill, not to be discarded, &c. But he did not state to us whether he explained the principles and provisions of the Loan Bill—whether the money was to be raised in this country or at home. They may be led to think, like others, that it is an Imperial Loan—[Hon. Col. Secretary—And so it is.] In the correspondence on this subject, printed in the Journals, it is headed "Imperial Loan," and no doubt the people were given to understand it was. Did the hon. member (Mr. Wightman) give them to understand it was not to come out of the Exchequer of England; but out of our Exchequer?—[Hon. the Speaker—They were informed of all the provisions of the Bill, and were satisfied with it.] Where they told the state of the accounts in regard to the Worrell Estate? That, according to the Commissioners' Accounts, £5,480 are due, and £6,300 yet unpaid—in all £11,780 in which the Government are in arrears—[Hon. Col. Secretary—Where do you leave the 50,000 acres of good land yet undisposed of?] Ought it remain on the hands of the Government, if it is such good land? Do Mr. Wightman's constituents know this—do the people of the Island know it—that there is an arrearage of £11,780 on the Public Lands already? And, if the Government have fallen so much into arrear for this estate, what would be the consequence if they purchased another estate at a cost of £40,000? They would be £20,000 behind. This Bill is passed for no other purpose than to buy up the Selkirk Estate. There has been a correspondence opened with the proprietor of that estate, with a view to induce him to part with his property. There has been also a correspondence opened with the tenants on that estate, promising much, I have no doubt, and urging them to petition their landlord. It was thought a capital place to buy up, a constituency. Two members who would support the Government would indeed be an acquisition, and at the same time assist in getting rid of those fat Tories, who have too long infested the place. Hon. members, holding situations in the Government, could then afford to buy up good farms, mill-

sites, &c., and they may do so—I envy them not; but let them buy it at the expense of the estate or those who live on it.

Hon. Mr. WIGHTMAN.—I regret that the hon. member thinks I made a false statement; but if he does not credit my assertions, I can bring many of the tenants in my own and other districts of King's County to corroborate what I have stated. As to the Worrell Estate, if there has been a wrong step taken it can be easily retrieved; but it is set up as a target to fire at, not only by the opposition, but by their organ, the *Islander*—the source of all public slander, and the falsifier and villifier of all public accounts and public officers. But I can tell the hon. member (Mr. Palmer) that the Worrell Estate is not so hazardous an enterprise as he imagines. If he is not pleased with the working of the Land Purchase Bill in regard to that estate, the people on it are. That they are satisfied with the present Bill I am assured. I went to meetings held at several places, and fully explained its provisions to them; at which they were satisfied. The hon. member, when he will have occasion to see them on law business, will find that my colleague and I have fully explained it to them.

Mr. T. H. HAVILAND.—It is unfortunate that the hon. member, Mr. Wightman, should have thrown the "apple of discord" in our midst; for, until he arose, all seemed to be going—

—"Merry as the marriage bell."

Where was he the other night when we had so much animated conversation about this Bill? I am sure I should be happy to have heard him then;—but to-night he commences to fight the battle over again, in the character of a *corps de reserve*. The fact is, when brought to the breach, he has no alternative but to say he will support the bill. It is, however, quite necessary for him to do so, for if he did not his colleague would give him the cold shoulder. The hon. member complains of the *Islander* newspaper, most piteously. I wonder what the members of the Government would do but for it. One half of their speeches, at least, are filled with complaints of it. I think they ought to feel grateful for the notice it takes of them and their actions. But if it make misstatements, as has been gravely asserted so many times in this House by hon. members, I wonder they condescend to notice it. Perhaps they are afraid that if the people read it they will not swallow the Government *pap* prepared for them every week in the *Examiner*. The hon. member, Mr. Wightman, said at the outset that not one man would be found in the Island but was in favor of this measure. On reflection, however, he cuts off Prince and Queen's Counties, and confines the remark to King's County. At last, he tells us that three-fourths of the people of King's County are in favor of the proposed Loan. He also asserts that the tenants on the Selkirk Estate wish that the Government would purchase that Estate. They would be foolish if they did not; because they would then be enabled to purchase the land for 10s. per acre, while they have now to pay 40s. I would have no objection to the present Bill if it were founded on justice, was self-sustaining, and would not impose a ruinous tax upon the country. The hon. member complains that the Worrell estate has been made a common target to shoot at. All I can say is that, if so, the arrow has gone straight into the "bull's eye." He admits that it was an "unfortunate" purchase,—that it will prove a loss of £2,000 to the country. Well, that is a slight admission at any rate. We are prepared to receive others.

Hon. COL. TREASURER.—Mr. Chairman, I do not intend to say much on this subject. There has been some reference made to the *Islander* newspaper, and I am sorry my hon. friend, Mr. Wightman, has thought fit to express himself of that paper in the manner he has done; because I believe it to be the best friend the Government has. To show how its attacks on the Government are regarded abroad, I was asked some time ago by a gentleman in a neighboring Province, how much the Government of this Island paid it for villifying them! The fact is, so low is its character for veracity, and so highly is it prized for being a most scandalous and abusive publication, that it must raise the character of this Government in the opinion of every good and honest man. It happened at one time, when I was an agent, that the editor of that paper called me a "gentleman." I hoped then, and do hope now,

he will never style me such again; for it would not only injure me in my own estimation, but in the estimation of all my friends. The question now before the Committee, is, I believe, the resolution of Mr. Cooper, to add an escheat clause to the Bill. If it be his object to make the Bill an escheat measure, I will vote against it, for reasons which it would be unnecessary at present to repeat. I did think that we were done with that affair: and it is silly in the extreme to bring it forward again, when all reasonable prospect of its adoption is hopeless.

Hon. COL. SECRETARY.—Mr. Chairman, I am sorry to have occasion to rise again; but I cannot permit the statements made by the hon. and learned member for Charlottetown (Mr. Palmer) to go forth without reply. He is correct as far as the balance due on the estate is concerned; but he says nothing about the land remaining in the hands of the Government. He says the Government are £11,780 in arrears—I take his own statement for granted—well, let us say there is £11,000 due on the Estate,—there is 50,000 acres of land to cover it, besides £10,000 due for lands already sold. Now, at 5s. an acre, this would amount to £12,500. Thus it will be seen, that even admitting the correctness of the hon. member's calculation, that is soon provided for. Besides there are hundreds of acres of land on the Worrell estate, the timber on which, alone, is worth 5s. an acre. And there is a gentleman in this Island, at the present time, who would be willing to pay the balance due on the Estate of Lot II, in consideration of his having the timber on it. It is all very well for hon. members to get up and make statements here that have no foundation in truth; but they will be contradicted,—the people will not be led astray by those "will-o'-the-wisps." The hon. member, Mr. Wightman, said that if even these Estates were a loss of £2,000 to the country, the people would not complain; that it would ultimately prove a benefit. But it will not be so bad as we anticipate. If it will not more than pay for itself,—which there is every reason to expect it will,—it, at least, will be no source of loss to the country. The hon. member also characterized the Worrell estate as an "unfortunate" affair. It has, indeed, been a most unfortunate affair for its former proprietor, Mr. Worrell. He had skillful men to deal with, who did not mince matters when it served their interest. After the Land Purchase Bill passed, the trustees had a meeting, and agreed to recommend Mr. Worrell to sell to Government for £10,000; and a letter to that effect was prepared and given to the acting trustee, to forward to Mr. Worrell, who, in return, authorized the trustees to sell to the Government for that amount; but as this letter was sent to the acting trustee, he, from some motive, which appears to be selfish, suppressed the letter, and never acquainted the other trustees with Mr. Worrell's determination, but wrote back to say the Government would not purchase the estate. Mr. Worrell then authorized them to sell it (the estate) to a gentleman for £9,000; but this was not made known to him. And then, this acting trustee, after suppressing both letters, recommended Mr. Worrell to consult Mr. Pope, who was going to England, which finally led to Mr. Pope's purchasing the property for £500, and agreeing to pay all debts due on the Estate, in which purchase his friend, Mr. Desbrisay, who recommended him, had a large interest. On Mr. Pope's return to the Island, the property was offered to the Government for £26,000, which had cost the company of Pope & Co. some £14,000. The Government, knowing the disposition of Mr. Pope to saddle the tenantry with law expenses, finally agreed to give £24,000 for the property, so as to secure the peace of that part of the country. Thus it will be seen that had this acting trustee complied with Mr. Worrell's instructions, as recommended by his brother trustees, to sell the property to the Government for £10,000, the people would have had their lands at half price, and the whole estate would have been paid for by his time. And how was this trustee paid for his services? He got £800 st'g., for managing the affairs of the estate for a few years. Soon after he sent in another account to the amount of £1200, st'g., which so frightened Mr. Worrell, that he authorized the Attorney General to offer him £900 if he would sign a receipt in full. Is this man—are these men guiltless who have acted thus? I pause

for a reply. The hon. and learned member for Georgetown says the Government, by passing this bill, will saddle the country with a burthen, &c. Now, sir, I have plainly demonstrated before, that it will be no burthen to the country. He went further to say that, in purchasing the Selkirk estate, the Government had in view the securing of two members to the Legislature of its own party. The Government have one member for that district already;—they are not so much in want of supporters as the hon. member would insinuate by making the allegation. The Government, however, have no such intention. They thought the Selkirk estate would be the last one in the Island they would have an opportunity of purchasing. One of the hon. members for that district is, I observe, absent to-night, which is significant. I am glad to see that he has learnt wisdom; for he shows no opposition to this measure. (Mr. T. H. Haviland.—Does he support it?) He does, by staying away. The hon. and learned member for Charlottetown, Mr. Palmer, said we were deceiving the people by telling them that we were to get money from the Imperial Government. Now, sir, I contend that we do get the money from the Imperial Government; It is raised in the same manner as Her Majesty's Government raises monies on Exchequer Bills. Thus it is in reality taken out of the Imperial Treasury. Then it is said the interest will have to come out of the treasury of this Island; but I have already explained that it will come out of the Land,—that the Estate will pay for itself. The Government are also limited to certain regulations, beyond which they can not go. The hon. member lays great stress on the £6,000 due by Government on the Public Lands. Perhaps his party wish for a change of Government; "for," they say, "while the Liberals are in power we can't get the £6,000 out of them." If the hon. member's party were in power, no doubt they would pay the whole amount. But it is useless further to repeat arguments which are only thrown away upon men who are determined, if they can, to oppose all measures introduced by this Government, caring very little whether they be good, bad or indifferent.

T. KIRWAN, Rep.

Mr. COOPER said, what the Hon. Col. Secretary had said now, showed better than anything he could have said, the necessity for such a motion. Was it possible that Mr. Worrell would have given it up for £500?—and was it possible that another party would have expected to make £12,000, or £13,000 profit by it, if they did not know that they would make something of it? Even if the present Bill was passed, the House did not know what speculation might be made on it. Perhaps it might be possible to buy land from the Earl of Selkirk at 5s. per acre; and another man might offer 7s. 6d.

The Committee then divided on Mr. Cooper's amendment, as follows:—

Yeas—Messrs. Cooper, Hons. Palmer and Montgomery, Messrs. Macintosh, Laird and Yeo—6.

Nays—Hons. Col. Secretary, Col. Treasurer, Speaker, Whelan, Wightman, Mooney, Lord and T. H. Haviland, Messrs. Clark, Perry, Moirhead, Munro, Dingwell and T. Heath Haviland—14.

The House then resumed, and the Chairman reported the Bill agreed to without any amendment, and moved that it be received.

Mr. COOPER, before the question was put, moved in amendment that the Bill be referred back to Committee for the purpose of inserting in it the clause he had submitted in Committee, when the House divided on the motion of amendment, the numbers being the same as in Committee, the Chairman, Mr. Macdonald, voting with the majority.

So the amendment was lost.

Hon. T. H. Haviland then moved in amendment to the original motion, that the report of the Committee be received "this day three months," when the House divided on the motion, as follows:—

Yeas—Hons. T. H. Haviland, Palmer, Montgomery, Messrs. T. Heath Haviland, Yeo, Macintosh and Laird—7.

Nays—Hons. Col. Secretary, Whelan, Mooney, Col. Treasurer, Lord and Wightman, Messrs. Macdonald, Perry, Cooper, Clark, Muirhead, Munro and Dingwell—13.

So the motion was lost, and the report of the Committee was then received and adopted.
House adjourned.

SATURDAY, April 4.

On motion of Hon. Mr. Wightman, the Accounts of the Worrell Estate were referred to the Committee on Public Accounts.

The Bill for better securing the liberty of the subject was, according to order, read a second time; it was then committed to a committee of the whole house, and reported agreed to without any amendment.

The House again resolved itself into committee of Supply, when several resolutions were agreed. On the motion of a grant of £12 to the Horticultural Society being put, Messrs. Cooper, Macdonald, Perry, Mooney, McIntosh, Laird, Clarke, and Muirhead, voted against it. It, however, was carried.

Mr. T. HEATH HAVILAND, in moving a grant of £150 for the purchase of books for the Legislative Library, explained why it was so large. A motion of the grant appropriated to the Library last session, had been expended in paying for the freight &c. of a large number of "Works by the Commissioners of Patents," which had been presented to the Island Government. There was no occasion, however, to regret that expenditure: for the works in question, were a very valuable addition to the Library; and though they might not be of much service at present, yet when the youth of the Colony in future times, turned their attention to making inventions, no doubt those works would afford them valuable assistance.

Hon. Col. Secretary and Mr. Cooper expressed their high appreciation of the present, and regarded the works as a valuable acquisition to the Library, concurring in the views expressed by Mr. Haviland. The motion was then agreed to.

House resumed, and progress reported.

The house was again a short time in committee on the consideration of the Road Scales, which were then agreed to, and the house adjourned for one hour. R. LAIRD, Reporter.

AFTERNOON SITTING.

The petition of inhabitants of St. Peter's, praying aid to build a new schoolhouse, the former one having been destroyed by fire; and the petition of James Douglas praying for a sum of money to enable him to lecture on Agricultural Chemistry, were taken up and rejected.

The petition of Ann Cullen was taken up, and referred to supply, as was also the petition of Hugh McVarish.

The Bill to prevent the running at large of Swine at Saint Eleanor's, &c., was committed to a committee of the whole house. Mr. Mooney in the chair. After spending some time therein, on motion of the Speaker, the committee rose without reporting, and so the bill was lost.

Then the house adjourned.

MONDAY, April 6, 1857.

The house, on motion of Mr. T. H. Haviland, went into a committee of the whole Bill to amend the Act to incorporate the Gas Light Company of Charlottetown. Hon. Mr. Longworth in the chair. Bill was agreed to without amendment, read a second time and ordered to be engrossed.

The Bill for better securing the liberty of the subject was read a third time, passed, and sent to the Council by Mr. T. H. Haviland.

SUPPLY.

The house then went into a committee of the whole to consider further of a Supply. Hon. Col. Treasurer in the chair. The following sums were voted, viz:—

- £5 to William Bourke, an aged and infirm person.
- £5 to William McCarvill, towards defraying the expenses of his passage to Ireland.
- £10 to Hugh McVarish, to remunerate him for the loss of his house, destroyed by fire, the act of some person unknown, after been used as a small pox hospital, in 1848.
- £10 to Mrs. Ann Cullen, in consideration of her husband's services, as late Clerk of this House.

£25 to Volunteer Guards, towards defraying their expenses, and as an acknowledgment for their services.

£30 to Charlottetown Mechanics' Institute.

£40 for deepening the channel at Rustico Oyster Bed.

Hon. Mr. Mooney moved a resolution to grant the sum of £16 13s. 4d., to Abercrombie Willock, being for his services as teacher for 4 months in Millcove District. Mr. T. Heath Haviland moved in amendment that the petitioner have leave to withdraw, which was agreed to, and Mr. Mooney's resolution was lost.

The House resumed. The chairman reported that the committee had come to several resolutions, and it was ordered that the report of the committee be received to-morrow.

The Hon. Col. Secretary laid before the house a copy of a Despatch in reference to the Revenue Bill of last year, which is said to be too stringent, and pointing out such clauses in the Act as are considered objectionable. Referred to the house in committee on ways and means.

A message was received from the Legislative Council, acquainting the house that their honors had passed a Bill to enable the Supreme Court of Judicature to provide against loss to sheriffs. Read a first time. To be read a second time to-morrow.

The Charlottetown Gas Light Company Bill was read a third time, passed, and sent to the Council.

Hon. Mr. Palmer submitted the draft of a Bill to amend the Charlottetown License Act. Read a first time. To be read a second time to-morrow.

Hon. Col. Secretary moved that the Loan Bill be read a third time, and the same do now pass. To which the Hon. T. H. Haviland moved an amendment that the said Bill be read "this day three months," which was negatived on the following division:—Yeas, 8; nays, 10. The original motion was then put and carried—yeas, 10; nays, 6.

The Bill was then read a third time, passed, and sent to the Council.

Hon. Mr. Wightman, from the committee appointed to wait on His Excellency with an address in relation to the establishment of new Post Offices,—pursuant to the adopted report of the special committee on the same,—requesting him to direct the recommendations contained therein to be carried into effect,—reported that the committee had waited on His Excellency with the said address, who was pleased, in reply, to give his assent to the same.

Mr. McDonald from the special committee appointed to examine and report on the petition of Peter McCallum, St. Peter's Bay, submitted a report recommending that the sum of £7 5s. 5d., duty paid to him on goods damaged, be refunded.

Hon. Mr. WIGHTMAN said the goods were insured, and that when sold at auction, Mr. McCallum bought them in for little or nothing. He therefore moved the report of the committee be rejected. It was.

Adjourned for one hour.

T. KIRWAN, Reporter.

AFTERNOON SITTING.

Mr. Macdonald, from the committee on Public Accounts, presented the report of the said committee, and moved that the consideration of the report be the order of the day for Tuesday next, which was agreed to.

BOARD OF WORKS BILL.

The House went into committee of the whole on the second reading of this bill, Mr. Muirhead in the chair. Several clauses of the bill were then read.

Hon. COL. SECRETARY explained that some of the clauses read, were similar to those in acts of the same nature as the Bill in the other Provinces. There, they appointed a Financial Secretary with three or four other persons in the Board of Works; and provision was made in their bills, that persons holding departmental offices received no pay for their attendance at the Boards of Works, but those not holding such offices, were paid for every day the board met. He thought it was agreed by all parties that it was time there should be some board to look after all the public

buildings of the Colony. It was true that the Government as at present constituted, looked after those buildings; but then it was only from time to time, and it was not the business of any particular member to take the matter in hand; whereas if there were a Board of Works, they would inquire into it, and bring it before the Government in a proper form, and see that light-houses and similar establishments were properly regulated. It would also be their duty to pay attention to roads, bridges, and other public undertakings. The suggestion had been made that there should be one of the members from each of the other two Counties; and it was thought, that the offices of Road Commissioners would be abolished, and that in place of them, there would be a Road Superintendent for the whole Island. When expensive bridges were required to be built, they would come under the management of the Board of Works; and a great saving would be effected in regard to plans and specifications for such undertakings. Even if the Municipality Bill were not carried out, the establishment of a Board of Works would be paving the way for a change in the system of the road service. He cared not himself whether there should be any other persons than members of the Government in the Board of Works; but he thought it advisable to bring in one or two persons not connected with them, to act along with some of them as a Board of Works, which was the way in the other Provinces. They saw that there were Boards of Works in the other Provinces and in Great Britain; and there was great need for one in the Island; for the present system of building large bridges was the means of throwing away money, in consequence of their continually going out of repair. They should be under the superintendance of a proper person. Should a general superintendent be appointed, that would be the means of introducing new improvements; for it was not likely that a Road Commissioner with a salary of £10 a year would feel much interest in studying new plans and improvements. In that manner, great improvements had been made in bridges in New Brunswick; in Canada, he believed there was one superintendent for the whole Province. He knew hon. members were afraid of the expense; but if there would be expense connected with the board, there would be a saving effected in the works executed. The chief engineer would supercede the present superintendent of Public Works, and to him would be entrusted the management of the principal public undertakings, the survey of new lines of roads, and the preparing of reports respecting such works, with their estimated cost, which could then be provided for by grants from the House. He did not think it was necessary that the bill should be postponed till they saw if the Municipality Bill was carried into effect.

Mr. MACINTOSH said, he would approve very much of a Board of Works, if he saw means to carry it out; for he thought as long as they had the present system, but little improvement would be made. If the Statute Labor were commuted into money, he thought there would be something for the chief engineer to go by. He believed there were very few bridges that would not require to be built again; for they were constructed of such perishable material that they soon decayed. As for roads, he thought it would be necessary that some better system be adopted to keep them in repair than the Statute Labor; for it was a loss to the people, and the labor was not well done. He for one would be for postponing the bill, until Municipalities were established in the country. If they passed the bill, a great part of the duties to be performed, would devolve on the chief engineer; but really he did not think the Colony was in a state to build new bridges at present.

Hon. COL. SECRETARY said, this bill was not going to

create additional expense. In taking up the public accounts, they would see that large sums were spent in employing the Superintendent of Public Works for visiting distant places; and in some cases, as Darnley Bridge, his plan was not carried out; but if a chief engineer were appointed, his plans would be carried out; he would be responsible for them, and much would be saved in building bridges, &c. The members of the board would not receive pay, except perhaps 10s. a day for every day they attended. The hon. member complained of the present system; but the bill would be the means of remedying it.

Hon. Mr. MONTGOMERY had always thought that a better system than the present relating to roads and bridges, might be adopted; for large sums were spent for bridges year after year, with but little beneficial results. If a competent person were appointed to look after the bridges, he was convinced there would be a great saving to the country; for though they might cost a few pounds more in building, yet they would be cheaper to the country and last much longer than if built as many of them were at present; such as Wilmot Creek Bridge, which if properly built at first, they would not now be called upon to provide a large sum to repair it. Unless some better system than the present were adopted, he thought it was only throwing away money to build more new bridges. It was for the House to say if there should be one superintendent. He was of opinion that something was wanted in this Colony; but whether the present bill would remedy the evil, he was not prepared to say.

Mr. COOPER had often mentioned that they required a different system from the present. They ought to have road contractors who would take a lease of the roads to keep them in repair for a number of years; and until they had a party of men that had an interest in doing the best work, they might lay out money to little purpose in paying for contracts, as a number of men took contracts on the roads, and just executed them in such a manner as to make the work pass. If they had men to take a lease of the road contracts for a number of years, the public would be overseers; and when a person passed along a road and found it bad, complaints could be made, and the contractors might be proceeded against. In case, too, of such contractors being employed, they would be prepared for their work with proper implements and other requisites for roadmaking, and would not proceed according to the very inefficient manner in which that work was now frequently performed. Some of the roads were repaired with the top soil, notwithstanding the directions of the Road Commissioners to the contrary; yet when they went to inspect the work, they could scarcely have the hardihood to say,—the contractor being a poor man,—that he must take it off, and put on gravel.

Hon. COL. SECRETARY could not agree with some of the remarks just made; for at present there was no man to take the management of the work; but if a Board of Works or chief engineer were appointed, they could attend to the matter. Were the making of roads let for a number of years, the chief engineer might perhaps draw up some plan for making those roads. The parties contracting would then feel it to be their interest to find gravel or some other material to keep the roads in repair. But how was it now? The Road Commissioner let perhaps a mile to one party and a mile to another, who repaired the road with the top soil, which the first rain that came afterwards swept away, leaving the road worse than it was before, and so it remained during the season. That was the way in which the work was generally done. He certainly thought it was time something should be done; and he did not know of any other scheme than the one proposed. It would be some time, per-

haps, before a competent person could be obtained; for there should be such a person,—a civil engineer from some other country. In that case, no doubt, great improvements would be made in the roads and bridges.

Mr. CLARK said, all that was very good; but this Bill did not provide anything at all for repairing the roads; but this Bill did not provide anything at all for repairing the roads. He was not going to argue against the principles of the Bill; but it did not go far enough. He agreed with what had fallen from hon. members respecting the state of the roads; but no one person could carry out all that was proposed; and it was his decided opinion that they must have one superintendent for each County. He would abolish the office of the present Road Commissioners, and give their salaries to pay for a superintendent for each County. It was useless to endeavor to improve the bridges, unless they also improved the roads. He thought the best thing the Government could do with the measure was to allow it to lie over for a year, and then bring in a measure providing for a superintendent of roads for each County.

Hon. COL. TREASURER said, from what had fallen from the hon. member, Mr. Clark, it did not appear that he knew much about the matter. He (hon. Col. Treasurer) had known that such a Bill was to be brought before the House this session; and when in Ireland lately, he had made inquiries respecting such matters, and found that there they had a County Surveyor, who surveyed the roads of a County; and one of those counties was nearly as large as the whole Island; but not a rut would be found on the road in it. The work on the roads there was executed as the hon. member, Mr. Cooper, had recommended, by letting it to a number of individuals. He objected to having a superintendent for each County for the reason that it was more difficult to procure three competent men to discharge the duty than one; and he certainly believed that one man occupied the whole summer, could superintend the erection of every bridge to be built, and also report on everything of that nature required in the country. He spoke from the little experience he had, and from the inquiries he had made. There were more roads in the County in Ireland to which he had alluded, than in the whole Island. He felt satisfied that if a Board of Works were established with one competent person to undertake the superintendence of the roads and bridges, it would be quite sufficient; for in Canada one superintendent had a district five or six times as large as Prince Edward Island.

Hon. COL. SECRETARY said, what the hon. member, Mr. Clark, alluded to, one superintendent for each County, might be carried out, if the municipalities' bill were passed next session, and then if the House thought proper one might be appointed for each County to act in concert with the chief engineer; but this Bill was not intended to provide for that.

Mr. COOPER did not see the necessity of passing the Bill the present session, as there were no great works commenced or likely to be commenced this year; and the road money was already appropriated. The Bill might lie over one session.

Mr. MACINTOSH quite agreed with the opinion first expressed. An alteration of the existing system would be required before they introduced the Bill; but had it been brought forward before the road appropriations were made, they might have considered the measure more particularly.

Mr. DOUSE felt inclined to support some new plan with reference to the roads and bridges in the Island; and a re-modelling of the whole system, he thought, was much required. At the same he did not feel pledged to carry out

the system proposed. He thought it would be almost impossible that one superintendent would be able to discharge all the duties required of him. The hon. Col. Treasurer had alluded to Ireland; but the circumstances of that country, and those of this Island were quite different; for there they could work on the roads all winter, and likewise had railroads, which was not the case here. It was no use to think that a person at a salary of £75 a year could devote his time sufficiently to the public service. The salaries proposed in the Bill were certainly too low. He thought if they could adopt some plan to be well matured, and brought in next session, a saving might be effected as regarded the public expenditure; for he knew cases in which the public money was expended to little advantage; and he really was of opinion that something might be done, as the municipality Bill was likely to go into operation next year.

Hon. Mr. PALMER said, he thought no part of the public service called more for a change of system than that of the expenditure on public roads and bridges; and he believed it was the opinion of every person capable of forming an opinion on the subject, that a change was loudly called for in the system in which the public money was appropriated for the public service throughout the Island. He did not believe that one fourth part of the statute labor was applied as the law provided it should be applied; and what was done by contracts was very much slighted, and in too many places it was overlooked from a dereliction of duty on the part of the Commissioners. He thought if the real value of the statute labor were expended in labor or money faithfully applied, they would soon see a visible difference in the state of the roads and bridges of the Island. He did not think, however, that the present Bill was calculated to remedy those evils; nor did he think that the circumstances of the country required that a Bill should pass in that form; because the public buildings were not of that magnitude to call for a separate Board as was proposed in the Bill. He would willingly advocate such a change as would ensure to the country that the money expended in future would be applied more faithfully and honestly, and more to the credit of the Government and the benefit of the country than at present; but he did not see how that would be more effectually accomplished by the proposed measure. He thought the only plan that would be a public improvement, would be to place each County under a chief supervisor, who would be a responsible person, and would require to give security that all the work entrusted to him was faithfully and properly done. What responsibility had the present Road Commissioners? Supposing they squandered the money and overlooked the work, they might indeed be discharged from office; but the salary attached to it was so trifling, that they cared not to retain office. He would give the chief supervisor a salary of not less than £200 a year,—something that he could look to and be anxious to retain,—and who would devote his whole time and attention to the subject, in short, make it his business. If necessary that there should be a Board of Works, that might be done along with what he had suggested; and let those supervisors for each county might be members of the Board, to meet from time to time in this County as might be necessary, and let all money appropriated for the road service go through their hands. The suggestion made by the hon. member, Mr. Cooper, was one that he (Mr. Palmer) was sure would meet with public approbation; and it might very well be carried out by the scheme which he had just proposed. The Board might let by contract each year, the keeping in repair of eight or ten miles of road to one contractor, who would then make it his business to attend to the road, and whenever he saw any part of it likely to give

why, he would apply a remedy before it became worse. To some scheme of that kind he would be most willing to give his support; but the present Bill did not at all meet his expectations. He fully agreed with what had been said, that there was no necessity for passing the measure this session. But it seemed somewhat remarkable, that both this House and former Houses admitted that the present system relating to roads and bridges was a bad one, and still a majority of the Legislature could not be obtained to agree as to what would be a new system. He had always been willing to support a new system, and one time did support a measure for having a property tax for roads instead of the present system. Such a measure had been in operation in New Brunswick, for many years past; and it had been found that the assessment on property worked well. Such a plan could be combined with the new system of a separate superintendent for each County; and he thought it would likely come to that at last. According to the present system, the poor man was taxed as highly as the rich man for the labor on the roads. He thought the subject was well worthy the attention of hon. members, and that they should come there another session well prepared to consider the question.

Hon. COL. SECRETARY said, the hon. member had only expressed the same opinion as that expressed by every member of the House who had spoken on the subject. A bill different from the present one, would be required, if the suggestions of the hon. member were carried out. This bill was not prepared for the purpose of going into operation, if the Municipality Bill did not pass; but it was similar to bills in the other Provinces for the establishment of a Board of Works. If the House next session should not pass the bill for the establishment of Municipalities, a bill could be introduced to abolish the office of Road Commissioners, and to provide for the appointment of a superintendant for each county; but the country was not able to support a chief engineer for each county. He agreed with hon. members that there was not an urgent necessity for passing the bill now; yet there were several large bridges going on, and people were desirous to have more competent persons to superintend them than the Road Commissioners, and a chief engineer was not to be had. He wished to have the principle discussed, which would do a great deal of good in preparing the people for some change; and it would be well if members of the House turned their attention to some change in the existing system. He thought the bill so far as it went, was very well; and if in another year the Municipality Bill were not passed, a change might be made in the bill providing for the appointment of Road Commissioners. Nothing could be worse than the present system.

Mr. COOPER made a few additional observations. He thought the management of the roads should be under the general Government or Board of Works, especially the fixing of the amount of rates, which should be done in an equitable manner.

Hon. Mr. WIGHTMAN said, that introducing the bill would be paving the way for some improvements next year, and if they allowed it to go into operation before the Municipality Bill, the country would have an opportunity of judging of its benefits. The present system of road making was confessedly a bad one, incurring a large expenditure; and unless some competent person were appointed to superintend the outlay of the money appropriated to the road service, it would continue so. There was now much more travelling than in former years, and also a great increase in the carting of produce to places of shipping. So long as the system of throwing loose soil on the roads was continued, they would be bad, or until they were macadamized as in Nova Scotia and New Brunswick. Wherever the roads were macadamized in this Island, they were excellent. He approved of the bill so far as it went; but it did not go so far as he wished.

Mr. PERRY did not see the necessity of passing the bill this session. His views on the subject had been so well expressed by Hon. Mr. Palmer, that he had not a word left. He certainly thought there should be a measure introduced

providing for a road superintendent for each county; because if there was only for the whole Island, how could he know the state of the roads at Tignish, or the East Point. If the bill passed this session, it would cost the country £500 or £600; and he would, therefore, let it lie over for a year. It would be much better, in his opinion, to take it up next session before the road appropriations were passed; and he was also of opinion that the bill did not go far enough. He thought every hon. member would admit it was high time that the system of making roads and bridges was revised.

Mr. LAIRD thought the subject had been pretty well discussed; and the general opinion seemed to be, that as they had appropriated the money for roads and bridges, and as there were persons appointed to take charge of it, it was unnecessary to pass the bill this year. He agreed with hon. members that a change in the road service was necessary; and he also agreed with what fell from the Hon. Col. Secretary, that one person might superintend the roads for the whole Island. He thought that before next session the subject would be pretty well considered by hon. members; he, therefore, moved the following resolution to test the opinion of the House upon the question:—

“Resolved, that the further consideration of the Bill intitled ‘an Act to provide for the establishment of a Board of Works,’ be postponed till next session, and that the bill be printed and published in all the weekly papers.”

Hon. Mr. LORD said, he would go with the resolution; in fact, he understood when this bill was introduced, it was to lie over until the Municipality Bill was passed, and the minds of the people were known on that bill. Much had been said on the state of the roads in the Island, and the necessity of an improved system, which was perhaps all very well; but he had made comparisons between the roads of the Island and those in Nova Scotia and New Brunswick, as he had travelled on the roads in those Provinces as well as on those in the Island, and he thought, leaving the main post roads out of the question, that the roads were worse in those Provinces than they were in this Island. He was one of those who paid some attention to road making, and when he travelled through other countries, he observed their systems; and he did not think that our system was to be despised so much as some thought. He thought when they considered the amount expended on them, that they were as good or perhaps better than those in the other Provinces. They knew very well that if roads were macadamized, as large amount of money would be expended; and how was it to be obtained? They went on from year to year increasing the amount appropriated to the road service; but if so, the roads were also improving. If a Board of Works were established, its officers would require to be paid. He was perhaps wrong in his opinion, but he thought, if a Board of Works were established, there would be a necessity for raising a little more money than at present, or the board would not have a sufficient amount of money to make those improvements that the public would expect. He thought they were going a little too fast; they must impose taxes, if they made improvements. Were they to look at the finances of the country, they would see at a glance that it was going to be involved in debt, which he did not approve of. Hon. members might go on, and appoint officers; but he would tell them that the money must come from the hard working people of the Colony. He would refer to an observation made by the hon. member for Charlottetown (Hon. Mr. Palmer) with reference to a property tax, who had stated that in New Brunswick they had a property tax for the making of roads. Now, he would ask him if he would like to introduce a measure of that nature in this Island; and if he intended to be a representative for this town, he could not moot a measure that would be less popular than such a one. At all events, he (Hon. Mr. Lord) disapproved of it very much.

Hon. COL. SECRETARY again offered some explanation, showing that the amount appropriated to the road service, had been greatly increased during the few past years, and stating that the present bill was introduced to make that money go further. The expenses connected with the working of the bill would not be great, as the present officers in connection

with the road service and public works, would not then be required. He had no objections to publishing the Bill.

Hon. Mr. LONGWORTH thought the hon. member's arguments went to condemn the present system; yet they were all agreed upon that; and he thought the majority had agreed that the Bill would not tend to improve it. He felt that there must be a great deal of corruption; when so much money was expended as they yearly appropriated to the road service, and so little benefit derived from it. He thought the old system should be swept away, and a new one introduced next session. He had no objections to allow this Bill to be printed and lie over till next session; and he hoped that then there would be a measure introduced to embrace a great deal more than it did.

Some suggestions were then made as to amending the resolution, which was accordingly amended and then agreed to by the Committee. The House then resumed, and the Chairman reported the resolution agreed to, which was adopted by the House, and is as follows:—

“Resolved, That the further consideration of the Bill intitled ‘an Act to provide for the establishment of a Board of Works,’ be postponed till next session, and that the Bill be printed and published in the *Examiner*, *Islander*, *Protector* and *Advertiser* newspapers.”

WAYS AND MEANS.

The House then went into a Committee of the whole on Ways and Means.

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

“Resolved, That the several rates and duties imposed and levied under the Act 19 Victoria, cap. 1, be continued and amended for one year, from and after the first day of May next.”

Hon. Col. Secretary moved the following resolution:—

“Resolved, That the 14th, 15th and 20th sections of the Act 19 Victoria, cap. 1, be amended so as to carry out the suggestions of the Lords Commissioners of Her Majesty's Treasury.”

He then offered a few remarks respecting the Despatch which had been received on the subject, by which it appears to be intended to abolish certain oaths imposed on parties entering goods at the Excise Office.

After several hon. members had briefly expressed themselves on the subject, the resolution was agreed to.

Hon. Col. Secretary moved the following resolution:—

“Resolved, That the *ad valorem* duty be increased from 5 per cent. to 6½ per cent.”

He made a few remarks on the subject, observing that there had been a practice of some merchants, who, in importing goods from Halifax, paid duty as if imposed on sterling money, and not as was intended by the Act on the currency of the Island, which he thought was taking advantage of other merchants. He thought if the evil could be remedied, it ought to be done. As to the proposed increase of duty, 6½ per cent. was the lowest tariff in any of Her Majesty's dominions. In Canada, it amounted to 20 or 30 per cent.; in New Brunswick, he believed it was to be raised to 10 per cent. this year, and the same in Nova Scotia. In fact, when they were raising the duty, they might have gone a little higher; but he thought the proposed increase would meet the expenditure, and there was no occasion to increase it any more than would be sufficient for that purpose. He thought an increase of duty on dry goods would not be objectionable, as the parties who principally purchased them were those who could well pay for them.

Hon. Mr. LORD rose to oppose any increase of duty on dry goods. He would ask the leader of the Government if there was any occasion for an increase of taxation. There might be for education, but in no other way at all. If an increase of duty were imposed on spirituous liquors, he would support it; but the increase was proposed on the very articles required by the inhabitants of the Island from one end of it to the other. He said the House had no right to appropriate a larger amount of money than the revenue would meet; and he knew it would be an unpopular movement to increase the

duties as proposed; nor did he see why it should be introduced this session. If the members of the Government thought that an increase of revenue would be required, why did they not propose it at the first of the session, when they brought down their estimates? The expenditure for roads and bridges might have been reduced, as he thought the roads were very fair for the Colony; and he would rather support a reduction of the grant to them than have an increase of duties. He would not give his consent to an increase of duty, unless on ardent spirits imported into the Colony and those manufactured in it. Every gallon of spirits drank in the Colony might well be taxed 5s. per gallon. It was said that such an increase of duty on them would encourage smuggling; but it would do no such thing.

Hon. COL. SECRETARY said, the hon. member seemed to say that no improvements were going on; but such was not the case. When the free education system was first introduced, it was not thought to cost more than £6,000 or £7,000; now the expenditure for it was £13,000 or £14,000. Thus the people of the Island could have education for a paltry tax on land. The duties, too, at that time had been lowered. The increase proposed now would perhaps not raise over £1,500; and the people would not grumble at that. The hon. member need not be so much alarmed that the proposed increase would be unpopular; for he was convinced that the people would be satisfied with the increase to carry out the Education Act. It could be seen that the Education Act and roads and bridges took up half of the revenue. People could not expect to get education without paying for it. What had the Education Act done for the people of the Island? It was better than to have free land; and many throughout the Island would never have been able to educate their children, had it not been for that Act. Therefore, the hon. member need not be afraid of the unpopularity of the proposed increase of duty. He (Hon. Col. Secretary) was one who had no fear of it. The Government were called upon almost every day the Council met, to establish new schools; and they had never refused a school yet. The Government schools had gone on increasing till they now amounted to about 260 or 270; and the Government must have funds to meet those demands; and, in order to meet them, they must impose taxation. The hon. member thought that other articles might bear the increase better than dry goods; but he (Hon. Col. Secretary) thought persons who purchased dry goods could pay for an increase of duty as well as those who took a glass of brandy and water. They had raised the duty on spirits as high as they well could, without encouraging smuggling.

Hon. Mr. LORD replied, that then it appeared to be cause of the extra expenditure for the school system, that the increase was required; but why not put the tax on the proper quarter—the land. Some years ago when a small sum was required to be given to the teachers, a small tax was laid on the land. He thought the Hon. Col. Secretary must have been mistaken in his allusions to some merchants as paying duty on the value of their goods in sterling, instead of in the currency of the Island.

Hon. the SPEAKER was altogether opposed to any increase of taxation on land. He was of opinion that the people would rather pay an additional duty of 2½ per cent. on dry goods than any increase of the tax on land. He said he spoke of several meetings that had taken place, at which the question had been put to the people, if an increase of the taxation of the country were required for paying the amount expended for education, would they be satisfied to have it imposed on land or not; and they were opposed to that, but would not object to an increase on dutiable articles imported into the country. Therefore, he did not believe there would be a man out of a hundred who would object to the proposed increase, when he saw that it was required because of the increased expenditure for education, which had not been expected. He considered that taxation on spirituous liquors had a tendency to increase smuggling; and was in favor of taxing one article as well as another. He was sorry that when the present educational system was introduced, the Government had taken off the duty on tea to the extent of 1d. per pound, and the same on molasses per gallon; and he had said it was no benefit

to the consumer; for if any duty were taken off, take it off entirely, and then there would be a reduction made in the price of the article to the consumer. There was no taxation imposed on the country that they would feel so lightly as an increase of the *ad valorem* duty; for the one who wore the best clothes, paid the highest. He was prepared to go for that increase in order to meet the deficiency upon the expenditure for schools, or rather the increase of the school system.

Mr. CLARK said, there was one thing that had not been taken into consideration in speaking on the question, which was, that some years ago they had entered into a treaty with the United States, by which many articles which then paid a high duty now paid very little. Many articles were now admitted duty free from the United States, such as cheese and also flour, on which the duty had formerly been 5s. per barrel. Quantities of boards and shingles were also now imported duty free from the other Provinces. He thought the revenue would not be much augmented by an increase of the duty on spirits; for it would encourage smuggling. The duty on spirits was already much higher than in the neighboring Colonies. The revenue must be increased in some way, else the Colony would go in debt; but as its inhabitants were deriving great advantages from a large expenditure for education, he did not think they would complain of the proposed increase of duty.

Mr. COOPER said, if the Government must have an additional revenue, he for his part did not know anything that would bear an increase of duty better than the advertisements of quack medicines. The proposed increase was only about 3d. per pound, and just about 1s. more on a fine coat, and perhaps 1d. on the poor man's shirt; so there would be very little difference in the price of it. The increase proposed was so trifling, that it was scarcely worth while making an objection to it.

Hon. Mr. LONGWORTH said, they might as well say the same thing every year. But what was the occasion of raising the duty? Was it not those land speculators? Were it not for them the country would be clear of debt; and that was the cause of the increase of duty now required.

Hon. COL. SECRETARY replied, that of the expenditure before the House there had not been a penny voted for the purchase of land. He could not see how the hon. member drew the conclusion which he had now drawn.

Hon. Mr. PALMER asked, why the proposed increase should be attributed to the expense of the education act more than anything else. That act had been based upon the principle that the expense connected with it, would be derived from the land tax. They all knew that it would never have passed if that expense had not been proposed to be raised from the land tax of the Colony. The Hon. Col. Secretary had gone so far as to say that the education act was of as much advantage to the people as if their land were free of rent. Well, on that principle, just lay on as much more taxation, and every man would have so much more. It could not be disguised, however, that the increase of duty was to pay for the Worrell estate. (Hon. Col. Secretary—Not a penny of it.) According, then, to the showing of the hon. Col. Secretary, it was £5,000 in arrears, besides about £6,000, which the people would never be called upon to pay over. That was the real secret of the proposed increase of duty; and why should it be kept from the people? No doubt, they would be taxed; and he foresaw it from an early part of the session. When they began to be taxed, they would begin to consider and to open their eyes. No person could pity them, if they would not raise their voices against it, but he could see no alternative. He, however, would not be a party to the proposed increase. In place of paying £3 or £4 for their quota of education, as formerly, the people would perhaps have to pay as much more again in the way of taxation. This Committee of ways and means should not have been gone into so very rapidly after the public accounts were before the House. They had not been an hour or two

before the House, before the House went into Committee on ways and means. No person in the minority knew anything about them until called upon to give his opinion on the proposed increase of taxation.

R. LAIRD, Rep.

After some further remarks by Hon. Col. Secretary and Hon. Mr. Longworth, the question was put on the said resolutions, and the two first were unanimously agreed to, but on the question being taken on the third resolution the House divided:

Yeas—Hons. Col. Secretary, Wightman, Whelan, Mooney, Speaker, Messrs. Cooper, Dingwell, McDonald, Macintosh, Clark—10.

Nays—Hons. Messrs. Montgomery, Longworth, Palmer, Lord, Messrs. T. H. Haviland, Perry, Laird, Muirhead—8.

The House resumed. The Chairman reported that the Committee had come to three Resolutions, which having been read at the Clerk's table, it was ordered that the question of concurrence be now separately put on the said Resolutions; and the first and second of the said resolutions being again severally read, were, on the question being separately put thereon, agreed to by the House; but on the third resolution being again read, and the question put thereon, the House divided, when the numbers stood as in Committee, with the exception that the Hon. Col. Treasurer voted for the resolution instead of the Speaker, who was in the chair.

The following gentlemen were then appointed a Committee to prepare and bring in a bill in accordance with the reported resolutions:—Hons. Col. Treasurer, Wightman, and Mr. Clark.

On motion of Hon. Col. Treasurer, it was resolved that no new matter, on which a bill can be founded, be introduced after Tuesday, 7th inst.

Adjourned.

T. KIRWAN, Rep.

TUESDAY, April 7.

Hon. Col. Secretary presented a petition of several persons of the Bible Christian denomination, setting forth that the present act of incorporation of that body is inoperative, and praying its repeal, and the passing of another according to the petitioners the privileges enjoyed by other bodies of Christians. Laid on the table.

The House was then a short time occupied in receiving some of the resolutions reported from Committee of Supply.

Hon. Mr. Mooney presented the report of the Pauper Committee, which was then referred to a Committee of the whole House. After a short time spent therein, progress was reported.

Hon. Mr. Palmer introduced a Bill to be intituled "an act to increase the powers of the city of Charlottetown over corporations or persons entitled to open streets, squares, and thoroughfares for the purpose of laying down pipes or conduits." Also a Bill to be intituled "an act to extend and more particularly define the powers and authority of the corporation of the city of Charlottetown." Also a Bill to be intituled "an act to define the boundaries of the streets and squares of the city of Charlottetown, and to improve the public thoroughfares therein." Bills read a first time; second reading to-morrow.

Adjourned for one hour.

R. LAIRD, Rep.

AFTERNOON SITTING.

The Bill to enable Henry Bessamer to obtain letters patent for the discovery of certain improvements in the manufacture of malleable or bar iron and steel, was committed to a Committee of the whole House. Mr. McDonald in the Chair. After some time spent therein, the Chairman

reported the Bill agreed to without amendment. Report received, Bill read a second time, and ordered to be engrossed.

The Bill to prevent fraud by means of secret bills of sale of personal goods and chattels, was committed to a Committee of the whole House. Mr. Perry in the Chair.

[This act provides that a registry be established in each of the Counties for the purpose of registering all secret Bills of Sale, instead of, as heretofore, in Queen's County. It was objected to, however, on the ground that there should be also a general registry of all such Bills. After a good deal of discussion, on motion of Mr. Cooper, the House resumed, the Speaker took the Chair, and the Committee rose without reporting. So the Bill was lost.]

The remaining resolutions reported from the Committee of Supply were taken up, again read, and were all agreed to as reported, with the exception of the grant of £30 to the Mechanics' Institute of Charlottetown, which, on motion of Mr. McDonald, was reduced to £20 on a vote of 12 yeas, against 8 nays.

The following Committee was then appointed to bring in a Bill to appropriate the Supplies granted to Her Majesty this Session, viz:—Hon. Col. Treasurer, Messrs. Clark, and McDonald.

Mr. T. H. Haviland introduced a Bill to extend the Elective principle to the Legislative Council. Read a first, to be read a second time to-morrow.

Hon. Col. Treasurer presented a Bill for raising a Revenue. Also, a Bill for appropriating certain moneys therein mentioned, for the service of the year 1857.

Hon. Mr. Palmer submitted a Bill the better to secure the independence of the House of Assembly. Read a first, to be read a second time to-morrow.

The Bill to alter certain provisions of the License Law, was read a second time, and committed to a Committee of the whole House. Mr. T. H. Haviland in the Chair. Several amendments were made, when the Committee rose, and reported accordingly. Report received, and the Bill ordered to be engrossed.

Adjourned.

T. KIRWAN, Rep.

WEDNESDAY, April 8, 1857.

Hon. Mr. Wightman presented the report of the Light House Committee, which was adopted, and is as follows:—

"Your Committee, to whom were referred certain Despatches relating to Lighthouses, have to report—that it appears, from these documents, the British Government have built a Lighthouse on Cape Race, the cost of erecting which will be about £5,160 sterling, and the cost of its maintenance somewhat over £400 sterling, per annum; and assuming that the cost of its erection is to be paid off in five years, it will be necessary to raise a sum of about £1,500 sterling a year, to be reduced so soon as the cost of erection is paid off. It is proposed to raise these sums under the provisions of the Merchants' Shipping Act amendment Act of 1855, which empowers Her Majesty, by Order in Council, to impose tolls on British shipping, in respect of any new Lighthouse which may be required, on or near the coast of any British possession, by or with the consent of the Legislative authority of such place. It is suggested that such tolls should be collected at the port of clearance, in the United Kingdom, or in the Colonies, and then remitted to England, or it may be collected entirely in the United Kingdom, in the majority of cases.

It appears, from Despatch No. 42, of the 13th November, 1856, from the Right Hon. H. Labouchere to His Excellency the Lieutenant Governor, that the Law Officers of the Crown, in England, have pronounced their opinion, that under the

above Act, the consent of the several Colonial Legislatures to the levying of these tolls must be obtained, before promulgation by Her Majesty, of an Order in Council imposing them, can legally take place; and an expression of assent is requested on the part of the Legislature of this Colony, either by means of an Address to the Crown or by Legislative enactment.

Your Committee are of opinion, that great advantage will accrue to the shipping of Prince Edward Island, passing between it and Great Britain or Newfoundland, from the erection of the said Lighthouse on Cape Race; they have, therefore, no hesitation in recommending that the assent of the Legislature to the promulgation of the Order in Council, imposing the above toll, at the rate of one-sixteenth of a penny per ton, should be at once notified by an Address to Her Majesty, on the subject; and it appears to them that this course will meet all the exigencies of the case, at the present moment, and render unnecessary any Legislative enactment on the subject, until some general arrangement is made, providing for Lighthouses on the coasts of all the Colonies, and establishing a general and equal system of contribution to that object, by the Colonies and the Mother Country.

There are seldom, if ever, any vessels navigating from this Island, upon Transatlantic voyages, to Ports not in the United Kingdom; and the toll upon ships engaged in the trade between this Island and Newfoundland can, at all events, be temporarily collected in Newfoundland, on their arrival there, under the local laws on the subject.

It appears that no communications have been received from the Governments of the neighboring Colonies, as to their willingness to contribute to the erection and maintenance of Lighthouses on the North Cape and East Point of this Island; but your Committee are of opinion that the subject should not be lost sight of, as it daily becomes of greater importance, from the constant increase in shipping.

Your Committee have to state, that by far the greater number of ships recently lost on the Northern and Eastern coasts of this Island, belonged to Great Britain, the neighboring Colonies and the United States of America, which shews that such Countries have an equal, if not a greater, interest than ourselves in maintaining Lights at East Point and North Cape, and should, in the opinion of your Committee, contribute to their erection and maintenance.

Your Committee have also had under their consideration certain Petitions relating to the erection of Lighthouses and to other matters, further submit—that with reference to the Petition of inhabitants of Princetown Royalty and vicinity, praying for the erection of a more sufficient Lighthouse at Fish Island, your Committee have been informed that it is the intention of the Government, as early as practicable, to make some alteration in the Lighthouse at that station,

That with reference to the petition praying for the erection of a Lighthouse at the North Cape, the subject of erecting Lighthouses on the North Cape and East Point of this Island is now under the consideration of the Government.

That with respect to the Petition of Thomas Robson, of Sackville, New Brunswick, about erecting Fog-bells on Cape Tormentine, in that Province, and on Cape Traverse, in this Island, your Committee cannot recommend their erection at the public expense."

The same Committee who prepared the report, were then appointed to join a Committee of the Legislative Council to prepare a joint address to His Excellency on the subject.

Mr. Perry, from the Committee on new lines of roads, presented the draft of an Address to His Excellency on the subject of the report of the Committee, which was adopted,

and the same Committee were appointed to wait upon His Excellency with it.

Mr. Macintosh, from the Committee to whom was referred the petition of Donald McDonald and others, presented the following report:—

“Your committee to whom was referred the petition of Donald McDonald, John Ford, and John McDonald, praying for a return of their property which had been seized at Souris last summer for a breach of the Navigation Laws, have to report, that the act which required spirits to be imported in casks of not less than sixty gallons, was not generally known until after the first importations under the act; and it appears that petitioners were not aware of that alteration in the act, and therefore had no intention to evade the laws as to the size of the packages for the convenience of landing them; for the duties were tendered before any attempt was made to land the goods.

“Your committee, therefore, recommend that there be returned to the petitioners whatever share the Government is entitled to receive of that seizure.”

The report was adopted, and the same committee who prepared it, were appointed a committee to prepare an address to His Excellency on the subject.

Hon. Col. Treasurer presented a petition of divers inhabitants of Cascumpec, setting forth that the dwelling house, furniture, &c., and five children of Samuel Cannon, shoemaker, Kildare Road, had been destroyed by fire on the 4th inst. and praying the House to afford relief to that individual. It was ordered that the sum received as fees for two private bills passed by the House, this session, be granted and paid for the relief of the sufferer.

The Appropriation Bill was read a second time, committed to a committee of the whole House, and reported agreed to without amendment.

The bill to alter the act now in force relating to the sale of spirituous liquors, was read a third time and passed;—also the bill to enable Henry Bessamer to obtain letters patent for the discovery of certain improvements in the manufacture of bar iron and steel. The standing order of the House having been suspended, the Appropriation Bill was also read a third time and passed.

On motion of the Hon. Col. Treasurer, the House went into committee of the whole on the second reading of the bill for raising a revenue. After some time spent in committee, the bill was reported agreed to with certain amendments, and the report was adopted by the House.

CITY CORPORATION BILL.

Hon. Mr. PALMER moved the third order of the day the second reading of the bill to increase the powers of the City of Charlottetown over corporations or persons entitled to open the streets, squares, and thoroughfares, for the purpose of laying down pipes or conduits.

Hon. T. H. HAVILAND said, before the question was put, it professed to be a bill to give increased powers to the Corporation of Charlottetown over the Gas Company, a Company which was in existence previous to the City of Charlottetown being incorporated. The bill, he had reason to know, had originated with His Worship the Mayor for reasons best known to himself. It had been stated that the bill was taken principally from a Bill of a like nature which made certain provisions for gas companies formed in towns in England. Now, that was all very well; for in England those towns had corporations to Gas Companies being formed, and so had power to make necessary provisions for preventing any injury to those parts of the town where pipes were to be laid down; but in this city the Gas Company laid their pipes before the city was incorporated. If the bill went into operation, it would compel the Gas Company to sink their pipes four feet below the surface,

causing injury to the company by the taking up of the pipes. He moved that the bill be read “this day three months.”

Hon. COL. SECRETARY had not read the bill; but he saw no reason to oppose it because it interfered with the rights of the Gas Company. He had been sorry to differ from the Judges in the case tried last year between the city corporation and that Company; but he thought they had a little feeling of opposition against the Mayor in that case. The Mayor and Council had been making improvements in the city; and in the cutting down of the streets necessary before they could be macadamized, they had come upon the pipes of the Gas Company, who said the city must put them down from the first at their own expense. The City Council would not put them down at the expense of the city, and he thought very justly; but the decision of the Judges had been against them. He did not pretend to know so well as they did, but he thought the common sense view of the case was, that where the Company had pipes in the way they ought to put them down themselves. He did not say that they should go all the extent that the bill required, that the pipes be four feet deep; but if required to be lowered, let the Gas Company lower those pipes themselves, and not tax the city to do it. He did not see the necessity of going so far as the bill provided for; but he would vote for going into committee on it.

Mr. PERRY was astonished that the bill should be brought in at that late hour, if it was of so much importance. He did not see the necessity of such a Bill; and therefore he would support the motion of Hon. T. H. Haviland.

Mr. MACINTOSH could not go that length; for if the city had not been prepared to bring in the bill before, the House ought to wait a little now. He would support the bill's going into committee.

Hon. Mr. MOONEY would support the bill to go into committee, and was in favor of it so far as he was concerned.

Mr. CLARK could not vote to keep the members from the country in attendance all that time, and would vote against the whole three bills from the city.

Hon. Mr. LORD said, it was very extraordinary that hon. members sent there to represent the country acted in that manner. If there was a necessity for having this bill passed, he thought they ought to stay till it was passed. He saw the necessity of something being done to prevent litigation between the two companies in Charlottetown. He was prepared to support the House going into committee on the bill.

Mr. T. HEATH HAVILAND said, the question for them to consider was whether the bill was an equitable measure or not. He was of opinion that it would not be equitable for the House to pass the bill. They had given the Gas Company a charter, laying down the manner and mode in which the pipes were to be laid in the city, and the Company had followed the directions of that act. That had been decided by the Judges of the Court, though they differed from the Hon. Col. Secretary; but he presumed that in a question of law their opinion was before that of the Hon. Col. Secretary. They gave that decision according to the law in England, which was, that every individual shall so use his own property as not to injure his neighbor. If the Company so laid their pipes as to injure the rights of others, there was a law for their protection without coming to that House. He regarded the bill as one of the most one-sided measures ever brought before the House. To pass such a law would be interfering with chartered rights, where men had invested their capital. He said they would be disgracing themselves by passing such an act; and when he said so, he had no pecuniary interest in the matter. He saw no necessity for such a law; because if the Gas Company were guilty of injuring the streets of Charlottetown by laying their pipes too near the surface, there was already a remedy for it. He would vote against the Bill.

Hon. Mr. PALMER thought the hon. member who made the motion, was rather premature, as he (Mr. P.) did not make the motion for the reading of the bill; he had moved for the order of the day, and then he was going to move that the House go into the order of the day. He moved then that the House go into the order of the day.

Mr. COOPER did not think it was as sufficient reason to reject the bill, because it was late in coming in. He did not

know the circumstances of the parties very well; but if it was necessary to have such a bill passed, they ought to pass it.

The House then went into the order of the day, and the bill was read by the clerk.

Hon. Mr. PALMER said, this bill had been entrusted to him and his colleague as the representatives of the town, to lay before the House; yet he confessed that he had very little opportunity of perusing it, or of giving that attention to it which perhaps he ought to have given. The bill had been approved of by the City Corporation after full discussion and deliberation, and in that case; he conceived it to be his duty to represent the wishes of the inhabitants of the city as expressed through that body, and to place the bill fairly before the House. After alluding to the circumstances which had originated the bill, he said that with regard to it, he agreed with hon. members who were opposed to the bill, that there were some of its provisions which were perhaps unnecessary; because the Corporation had power within themselves to make those regulations. Still he thought there were some of the regulations proposed in the bill that might be deemed necessary, and which the Corporation had not authority to pass; because they might be said to be a little in conflict with the rights of the Gas Company. He did not conceive it was necessary, as was provided for in the bill, that in future the pipes should be laid four feet deep, which, if carried into effect would create a great deal of confusion and expense. That part of the bill which provided that the Gas Company should give notice to the Corporation when they commenced laying down new pipes, was, he thought, necessary. There was not much in the bill that called for Legislative interference; but he was disposed to go into committee on it and let each clause be fairly discussed. He moved that the House go into committee on the bill.

Hon. Mr. LONGWORTH seconded the motion for the reasons given by his hon. colleague. He had objections to some of the provisions of the bill; but certainly no objections would be made to going into committee on it.

Hon. T. H. HAVILAND said there had nothing fallen from the hon. member for Charlottetown which had induced him to alter his views; he therefore pressed his motion.

Mr. DOUSE had no interest in the bill beyond what he considered for the public good. As the Gas Company had been established first, he thought the Corporation were bound to lower the pipes at their own expense, so far as they had been disturbed.

Hon. COL. SECRETARY said, hon. members seemed not to understand the bill. It was not a retrospective but a prospective bill,—that in future the pipes should be sunk four feet. He considered that the Gas Company obtained no more right over the streets of the city by the act incorporating them, than the Magistrates of the town had formerly power to grant.

After a few further remarks, the House divided on Hon. T. H. Haviland's motion as follows.

Yeas—Hon. T. H. Haviland, Montgomery and Wightman, Messrs. T. Heath Haviland, Douse, Dingwell, Macdonald, Perry, Clark, Laird, and Muirhead—11.

Nays—Hons. Palmer, Longworth, Col. Secretary, Col. Treasurer, Whelan, Mooney and Lord, Messrs. Cooper, Macintosh and Munro—10.

So the bill was lost.

The bill for raising a revenue was read a third time and passed. House adjourned.

THURSDAY, April 9.

Mr. MACINTOSH presented the draft of an address to His Excellency relating to the report of the committee on the petition of Donald McDonald and others, which was adopted, and the same committee were appointed to wait upon His Excellency, with the address.

SHERIFF'S BILL.

Hon. COL. SECRETARY moved the first order of the day, the second reading of the bill to enable the Supreme Court of Judicature to give relief against adverse claims made upon persons having no interest in such claims. He said he believed that this Bill, except one clause was an exact copy of the

imperial statute. It provided that the plaintiff should pay expenses in the first place, and the defendant in the second place.

Mr. T. H. HAVILAND said, he did not object to that part of the bill from the imperial statute; but he did not think the principle was sound as regarded the last clause; because it was laid down there that the sheriff should be entitled to his fees, though he did not rescue a person, the same as if he did. He thought the last clause was a most monstrous clause.

House in committee on the bill. Some further objections having been made to it.

Hon. COL. SECRETARY explained that there was a necessity for something being done. The sheriff could not be expected to engage in his duties without being paid whether he accomplished his duty, or failed in taking the person.

The Hon. SPEAKER said, this bill was for the protection of the sheriff alone; but they ought to protect the people as well. The bill was a new principle in legislation, and would have a bad effect. He was wholly opposed to it.

Hon. Mr. LORD spoke in favor of the bill. His opinion was that if a sheriff used due diligence in endeavoring to take a person, he ought to be paid whether he succeeded or not, especially if he employed several constables to assist him. He saw nothing unfair in the bill, and considered it was frequently very difficult for the sheriff to execute the duty assigned to him.

Mr. MACINTOSH did not see that a sheriff was entitled to his fees, if he did not use sufficient diligence in the apprehension of parties. He believed that officers were very well protected; and he would oppose the bill in every sense of the word.

Mr. COOPER thought as they had gone on a long time without such a bill, and business had been carried on without any complaints having been previously made on the subject, that there was no occasion to pass the bill. He felt much dissatisfied with it.

Hon. Mr. PALMER thought the provisions of the bill extremely novel. The appointment of sheriffs was not generally a difficult matter; and when they accepted office, they took the unprofitable part along with the profitable part of their duties. Should the clause alluded to pass, there would scarcely be any limit to the expenses which sheriffs might incur in the execution of their duty. He regarded the proposition so preposterous and palpably wrong, and the impolicy of it so dangerous, that he wondered hon. members would stand up in supporting of it.

Several other hon. members expressed themselves as strongly opposed to that part of the bill which had excited discussion, and on motion of Mr. T. Heath Haviland, it was struck out.

"When any sheriff shall report to any plaintiff's attorney that he has made an effort to execute any writ that may have been placed in his hands by such plaintiff or his attorney, and requires the assistance of one or two constables to assist in such execution; and if the said plaintiff or attorney refuse to guarantee the expenses incurred in the employment of such constables, it shall be lawful for such sheriff to retain such writ and state the grounds, being the refusal of such plaintiff or attorney to give such guarantee."

After a few remarks, the amendment was negatived, and the House having resumed, the bill was reported agreed to with certain amendments. It was then agreed to by the House and ordered to be engrossed, to be intitled "an Act to enable the Supreme Court of Judicature to give relief against adverse claims."

The rule of the House relating to bills having been suspended, the bill was read a third time and passed.

EXTENSION OF THE CITY POWERS BILL.

The third order of the day having been read, viz; the second reading of the bill to extend and more particularly define the powers and authority of the Corporation of the City of Charlottetown, the bill was read by the Clerk of the House.

Hon. Mr. PALMER said, he believed the principal provision sought for by the bill, was, to increase the jurisdiction of the Mayor's Court in civil cases, and also to give the Corporation jurisdiction which they did not now possess in criminal cases. With reference to the increase of jurisdiction in civil cases, he and his hon. colleague had made some inquiries, and found a difference of opinion on the subject; some being in favor of it,

and others thinking it objectionable, as there was another Court in the City to which parties could repair. He did not think it would be good policy, as long as there was a Small Debts' Court in Charlottetown, that parties should be compelled to go to the Mayor's Court; he would leave it to their own choice. He approved of that part of the bill which related to criminal cases, though not exactly as it was laid down in the bill; but he would give them power to try certain cases of petty larceny, and to punish for such offences by hard labor, &c. He would not, however make it compulsory on parties to be tried in that court, but make provision that if they gave bail till the Supreme Court sat, they might be tried at it; and if they did not choose to be tried by a jury of their countrymen, they would be tried by the Mayor's Court. Were there such an enactment it would be a very great improvement in regard to many of the smaller cases now tried in the Supreme Court. In reference to that part of the bill which related to the civil jurisdiction of the Mayor's Court, he would by no means accede to it. He was surprised to see that part of the bill relating to the qualifications of city electors, because provision was already made for that but he had no objections to that part of it respecting the power of granting licences. He confessed he did not like the provision in the bill which related to the appointment of City Recorder, as it appeared to savor a little of arbitrary conduct on the part of the City Council. He moved that the bill be committed to a committee of the whole House.

Mr. MACDONALD said he would oppose the motion. They saw there three bills come into the House from the City Council just at the close of the session. He moved in amendment that the bill be read "this day three months."

Hon. Mr. MONTGOMERY would support the motion of the hon. member for Georgetown; for it had been the practice of the inhabitants of Charlottetown that their bills were brought in near the close of the session, then perhaps taking up the time of the House a week.

Mr. MACINTOSH thought it was not the time when the bills were sent in that was to be considered; but the members of the House were here to do the business of the Colony. The question for them to decide was, whether the bill should be passed or not. He would support the motion that it go into committee.

Hon. COL. SECRETARY did not think it would be necessary that the whole of the bill should be carried out; but many cases might be settled by the Mayor's Court. He did not see the necessity of having two courts for the recovery of Small Debts sitting in Charlottetown; but he thought where either party resided in Charlottetown, the case ought to be decided in the Mayor's Court. As to the clause relating to the electors, it was only explanatory; and if there were doubts existing in reference to the act in force, it ought to be explained. With regard to the City Recorder, he thought when the City Councillors were elected annually that that officer ought to be elected also. He did not think there would be that objection to the bill which would prevent the House going into committee on it; and he thought they would be placing themselves in a very wrong light before the public, should they refuse to commit the bill to committee.

Mr. PERRY thought from explanations made, that there was no need of the bill.

The House then divided on the motion of amendment as follows.

Yeas—Mr. Macdonald, Hons. T. H. Haviland, Montgomery and Wightman, Messrs. Clark, Laird, Muirhead, Perry, Dingwell and T. Heath Haviland—10.

Nays—Hons. Palmer, Col. Secretary, Col. Treasurer, Whelan, Mooney, Longworth and Lord, Messrs. Murray Macintosh, Cooper, and Yeo—11.

A motion was then made that the House adjourn, which was carried by a majority of one, Mr. Yeo voting with the majority. So the bill was lost. Adjourned for one hour.

R. LAIRD, Rep.

AFTERNOON SITTING.

House in committee of the whole on the further consideration of Pauper Scales. Mr. McDonald in the chair. The following pauper grants were then made:—

£23 10s to Rev. Alexander Munroe, Lot 57; £19 14s to Rev. Alexander McKay, Belfast; £8 10s to Peter Nicholson, Orwell; £7 to Philip Lane, Lot 49; £24 15s to Joseph Dingwell; £39 10s to Rev. S. E. Perry; £35 2s 6d to Rev. Pius McPhee, St. Andrew's; £44 10s to Rev. David Fitzgerald, Charlottetown; £40 10s to Benevolent Irish Society, Charlottetown; £15 to Dorcas Society, Charlottetown; £39 to Rev. P. McIntyre; £8 10s to Donald Ramsay, Lot 11; £17 10s to James Yeo, Port Hill; £34 to Hon. W. W. Lord; £15 to James Muirhead; £6 to Robert Simpson; £6 10s to Rev. Alexander Sutherland; £2 to Rev. Mr. Meek; £12 10s to Alexander Laird; £3 10s to David Johnston, New London; £44 15s to Hon. George Coles; £43 12s to Hon. Robert Mooney; £44 9s to William McGill; £14 to Lawrence Peter's; £12 to Rev. Donald McDonald; £11 10s to John McIntosh; £31 to Johnson Aitken; 23 to Hugh McDonald; £2 to Mrs. Duncan McDonald; £6 10s to John Sorry, Lot 61.

PUBLIC ACCOUNTS.

The house resumed. The chairman reported the pauper scales agreed to, which report was received by the house.

The house then resolved itself into a committee of the whole, to take into consideration the report of the special committee appointed to examine and report on the Public Accounts. Mr. Muirhead in the chair. The report of the special committee having been read. A short conversational discussion took place, which the reporter was unable to fully note down; and after a few unimportant alterations being made, therein—

Mr. COOPER.—Are there any vouchers for the disbursements of the commissioner?

Hon. T. H. HAVILAND.—Nothing but the books. In former times, if an officer expended the public money, he was compelled to submit vouchers for every item expended. The house appropriates the money and it is but right they should know how it is expended. I would ask, is it right or consistent in a public officer to pay out money without proper authority for so doing.

Hon. COL. SECRETARY.—Cannot an officer pay himself if has authority?

Hon. T. H. HAVILAND.—If he receive money, it should be paid into the Treasury; but if he want it to expend, he should get a warrant for it.

Mr. CLARK.—The vouchers ought to be produced, if for no other reason than to allay any suspicion that might prevail.

Mr. PERRY.—It would certainly be the fairest way, to produce the vouchers.

Hon. Mr. PALMER.—There is nothing in the act to authorize the Commissioner of Public Lands to measure his own expenses. If he expend any amount over his salary he should be called upon to make it up. He is in receipt of large sums of public money, which he should pay into the Treasury; but if he require money for expenses, he should get a warrant for the same, and not take it upon himself to pay any sums on account of the Government without such authority. This is the way affairs of that kind used to be managed. Vouchers were always demanded, and always forthcoming for every item of expenditure. But now, when vouchers are asked for, none are produced, and the Commissioner is safe to spend the public money as he likes, without ever being apprehensive of being called to account for the same. If we take the Act, however, for a guide, we will find it implied that the duty of the Commissioner is the same in this respect as that of other officers. If he has claims, the proper way, is to present them through the Governor and Council, to be examined by them, and a warrant given. But if a public officer is allowed to spend the public money, without being called to account for so doing—if he be sustained in expending hundreds now, he will be sustained in expending thousands by and by.

Hon. COL. SECRETARY.—The Hon. and learned member who has just sat down says, that formerly vouchers were handed in with the public accounts. This I deny. Vouchers were not always handed in formerly, and the former Commissioner of Crown Lands, disbursed his own accounts.

Hon. T. H. HAVILAND.—I deny it. The disbursements made by the former Commissioner were authorized to be made by Government.

Hon. COL. SECRETARY.—It was never paid into the Treasury.

Hon. T. H. HAVILAND.—Why should it?

Hon. COL. SECRETARY.—And why should this? What if the Commissioner wants a man or two men, 50 or 60 miles up in the country, to work for him a day or two,—is he to come to Charlottetown, present his account of a few shillings to the Governor and Council, and get warrants for the same? I wonder if Mr. Wright ever did so?

Hon. T. H. HAVILAND.—Nevertheless vouchers have been produced for all expenditures, and why not now?

Hon. COL. SECRETARY.—If vouchers have hitherto been presented, as the hon. member intimates, they are not to be seen on the Journals. But I would ask, who could the Commissioner get to be chain-bearers, if there was a prospect of having to wait for a month before getting payment for a day's hire, which at anything else would command ready payment? If, however, it could be found out that the Commissioner has misapplied the public money, and not given a correct account of what he has expended, I would be found among the first to censure such conduct. But such is not the case; and I will allow no man to censure him when he deserves it not.

Mr. COOPER.—When we came to have Responsible Government in this Colony, it was expected that all public officers would be responsible to the people for the faithful performance of their duties, in reality as well as in name: therefore, in this case, it is nothing but an act of mere duty for the Commissioner of Public Lands to present vouchers for all the money he has expended. But I had all along understood that the Commissioner had to pay his expenses out of his own salary. Above all, when we pass an Act on the principles of economy, it is but just to observe the restrictions it imposes on public officers.

Hon. Mr. PALMER.—As the Commissioner could have no authority to measure his own expenses; he should have drawn up his account, and present it to the Governor and Council. This he should have done; but has not. It is asked why he has acted contrary to the provisions of the Land Purchase Act, and without authority. And how does the Hon. Col. Secretary answer? He meets not the question directly, but refers to the Commissioner of Crown Lands under the old system of Government as a precedent. But it should be recollected that the officer alluded to was under the control of the Crown, and was by the Crown allowed a certain per centage upon the moneys collected by him; but vouchers for the expenditure were submitted. Still, when we claim a similar right now, what does the leader of the Government give for reply? His reply is similar to every other argument when an unanswerable question is propounded: "O, we find them as bad under the old system, scores of times!" But, sir, two blacks do not make one white; neither will the answer given by the Hon. Col. Secretary clear the Commissioner of Public Lands from the charge of overstepping the bounds prescribed to his actions as a public officer. The time ought to arrive, under Responsible Government, when a proper responsibility would be fixed on every one of the public officers. When it arrives, we will have officers who will be responsible to the people; but not before. The Hon. Col. Secretary alludes to the Surveyor General, over whom we had no control, and wonders if he ever presented his accounts to the Governor and Council, before disbursing his expenses. Does the fact of his not doing so justify the present Commissioner of Public Lands in acting likewise? But the Government of that day denounced the system as unsound and corrupt. And if it was then considered corrupt, under that corrupt system, as the hon. member, is sometimes pleased to characterize it, what should it be thought now, when the genius of Responsible Government is said to be purity itself. If this system is to be sustained, any officer, casting his responsibility to

the winds, can continue its practice; and what he pays himself, he can keep in his pocket.

Hon. Col. SECRETARY.—The hon. and learned member who has spoken last, says there is no responsibility in public officers, meaning of course the Commissioner of Public Lands. Now, I will tell that hon. and learned member that the Government gave the Commissioner authority to disburse the necessary expenses incurred by him when absent from the City on the business of his office. The minority are picking at a bone; but they may find no pickings to reward them. The account of the disbursements are correct. Vouchers for every one of the items can be produced, and have been examined by the Special Committee. The hon. and learned member for Charlottetown says the proper way for the Commissioner to do, is to pay the money he receives into the Treasury, and if he need any given sum for disbursement, he should present his account to be examined by the Governor and Council, &c. I have answered this objection before, and pointed out the difficulty, nay, even the impossibility of doing so in all cases. Does the agent send home all the money he collects, and then ask for his salary? I think not. The Commissioner pays into the Treasury every month all the money he receives, except, perhaps, a sum of £5, which he expends for chain-bearers, horse-hire, and other necessary expenses. The hon. member is astray in saying that the former Commissioner of Crown Lands was under the control of the Crown. He was as much under the control of this Government as the present Commissioner of Public Lands is. And by reference to the accounts furnished to the Government and printed in the Journals, it will be seen that Mr. Wright in selling Crown Lands, charged his own mileage and expenses as well as commission and wages to chain-bearers, and only paid the balance into the Treasury.

Mr. COOPER.—This is not such a trifle as some hon. members would wish to make it. We are about to get £100,000 sterling, to buy up lands in this Island, and if this system is to be pursued, it will certainly lead to a bad end. I will state that I never saw the public accounts sent to this House without vouchers.

Hon. the SPEAKER.—If the Auditors have not examined the vouchers before subscribing to the correctness of these accounts, they have not done their duty.

Hon. COL. SECRETARY.—Capt. Swabey showed them his accounts. It was their place to examine into the correctness of the same. If they did not do so, then it was not the fault of the Government, but their's.

Hon. COL. TREASURER said that the Auditors examined all accounts in the treasury, even to the smallest item, and he could not help thinking they had done so in the Land Commissioner's office. He corroborated the assertion of the Col. Secretary, that the Government had authorized Capt. Swabey to pay all expenses incurred in the discharge of his duty, and allowed him for mileage and horse-hire.

Hon. Mr. LONGWORTH.—If the Auditors have not done their duty, the House of Assembly have no other course to pursue, but to send for the vouchers and examine them. The auditors are a sham. They examine the total amounts of the Commissioner's account, and then pronounce them correct, without knowing they are really so. As to the Commissioner taking upon himself to disburse the expenses of his office, my opinion is that the Act does not authorize him to do so. It allows him £300; but no more.

Mr. YEO adverted to the amount paid to the Surveyor General, saying that his salary and expenses took the cream off the land. Then, he said, there were wood-rangers, and there was no account of them.

Hon. the SPEAKER.—One great curse to this Island, is the letting out of large tracts of land for stumpage. A gentleman has told me that saw-mills are a curse to the country. They are the means of destroying the forests, and in a few years we will be unable to obtain boards for any purpose whatever, without importing them. If the Government would protect the public property, by employing wood-rangers, and give them a few pounds per year for their services it would not be lost, but be a positive gain to the country. In New Brunswick the case is different, where the forests of timber are almost inexhaustible; and no wood-rangers are required; but in this Island, if the timber is not protected by some such means, in a short time we will have no timber left for any useful purposes whatever.

Mr. YEO.—In Lot 11 the timber is nearly all cut off, and there is scarcely a chip of it left.

Hon. COL. SECRETARY.—It has not been cut off since the Government have had it. On the Worrell Estate the system of charging stumpage has been practiced, and permits were given to the Commissioner to let parties cut timber for a consideration; but I think we should follow out the Hon. the Speaker's suggestions, and preserve the timber on the land for the purchasers.

Mr. MACINTOSH.—It is wrong on the part of the Government to grant stumpage. That is one item which might as well not be referred to; for we shall never see a penny of it.

Hon. Mr. LORD.—I must say, I cannot go the length some hon. members go in following up this debate. There is great blame attached to the Commissioner of Public Lands, and some hon. members go so far as to say that he cannot give an account of the money he has expended. True, they do not say in plain terms that he pocketed the money, but something tantamount. If he were inclined to be dishonest, I defy this House to prevent him from appropriating the public money to his own use; for if he had a bill to pay, and were so disposed, it would be an easy matter for him to put on ten per cent. more than he paid. But no man can accuse Mr. Swabey of acting in this manner; and therefore it would be well to be a little nice in examining the Public Accounts before venturing such a surmise. With regard to letting out the public lands for stumpage, if my suggestions were carried out, such a system would be abolished altogether. It will not pay to employ wood-rangers. By the Accounts it would seem that £36 was paid to wood-rangers, while only £29 was received for stumpage, which shows that it is a losing affair. But if 2s. a ton were charged for timber cut on the Public Lands it would be much better, as no one could object to such a reasonable charge. It has been well said that the Worrell Estate has been an unfortunate affair, for the former proprietor was fleeced out of it by designing men. As regards the Commissioner of Public Lands, I have nothing to say for him. He has kept his accounts loosely. There is, however, one thing in the Public Accounts with which I am not satisfied, and that is the expenses incurred by the Commissioner of Public Lands. What did he want in the country every week? His services were not surely required so often. Could he not perform all the services required of him without going into the country every week? If such a system as this is carried out, the public property will soon be swamped. There have been complaints made that the Public Accounts had not been handed in until a late day of the Session. Let them be in future handed in at the proper time, and then there can be no cause for complaint. Then it is demanded that a Special Committee be appointed to investigate them. I hope it will not be refused. I also hope the vouchers will be laid before the House. This is

not the place to discuss the correctness of these accounts, until we know they are incorrect. But I cannot think, notwithstanding, that the Commissioner wishes to defraud the public, as has been insinuated.

Hon. Mr. MONTGOMERY.—It has been a rule that for every item paid there should be an account rendered. In fact, for all Public Accounts, even to the smallest items, vouchers should be laid on the table. Under Responsible Government, such a course may not be deemed necessary; but formerly it was considered indispensable.

Hon. COL. SECRETARY.—I am certain that if the hon. member would ask the Commissioner, he would gratify his desire to see *all* the vouchers, which would correspond with the detailed accounts before the Committee. But Government did not ask for vouchers for every little matter, as the Auditors' examined his Accounts. They have more confidence in him, than to suppose he would render a wrong account of his expenses. The hon. member, Mr. Lord, thinks the Government ought not to employ wood-rangers. But even, if after paying them the Government lose a few pounds, it is better than to dispense with them altogether, and lose twice as much; for, if the timber lands were left free for every one to cut timber on, there would, in a few years, be very little timber left on the Public Lands. As to the allusion about the travelling expenses of the Commissioner, when he goes to collect the money due to the Government, would you bring the people to town, for the sake of such a trifling sum, causing them perhaps to lose two or three days of the time which is absolutely required on their farms. If the Government, by the expenditure of a trifling sum, save ten times the amount for the people, I see no cause for complaint, but rather for congratulation.

Mr. T. H. HAVILAND.—I rise to say a few words in regard to the affairs of the Worrell Estate. The hon. member, Mr. Lord, censured the Commissioner for keeping his accounts so loosely, which is as much as to say he is unfit for the office he holds. Well, that is at least an admission. But, sir, by what authority does the Government allow the Commissioner to expend the public money? If he is under the regulations of the Land Purchase Act, it says plainly enough that he shall be entitled to three hundred pounds a year, but no more. What authority then can he have for expending more than this sum (his salary)? It is said by the Hon. Col. Secretary that it is beneath the dignity of the Government to pay chain-bearers; and therefore the Commissioner is justified in overstepping the bounds of his authority. But it was never intended to invest that officer with such authority, and if he be allowed to expend a few pounds now, by-and-by he may be upheld in expending thousands; and if the Government should purchase other estates, he will, having such unbounded control of the public money, be greater than even the Col. Secretary himself. I agree with the Hon. Mr. Lord that there is no need for the Commissioner to travel about the country every week. About the Worrell Estate being an unfortunate affair, I fully agree with the hon. member that it has been a loss to all concerned, and if its late proprietors were enriched by the sale of it, the Government will, before it is off their hands, find themselves, after following their *ignis fatuus* for a time, at last up to their neck in the "slough of despond."

Hon. COL. SECRETARY.—Government could make an order to disburse the expenses of the Commissioner.

Mr. MACINTOSH.—Still, such an order don't justify any one who abuses his authority. But I think the Hon. Col. Secretary is right when he says it is better for the Commissioner to go into the country for the purpose of collecting than to compel the people to come to town for the same purpose.

Hon. Mr. PALMER.—As to the advantage of letting the public lands out on stumpage, I think with Mr. Lord, that it will be a loss to the Government to maintain wood-rangers. It is better to give the people a chance to obtain timber when they can, and abolish these offices altogether. I do not see why the public lands should be turned into a domain for their especial benefit, or that they may give the privilege to whom they please, and Government be none the wiser. It is a species of favoritism, and ought to be done away with. They ought to be dismissed from office, and give the public an opportunity to have full scope of all the timber that is to be obtained. If there is anything remaining (A member—There will not be much left) the people who purchase can get it. As to the Selkirk Estate, I think it Government land already. I have heard that the bargain is closed with the proprietor. I mention this as no fiction; but have it from good authority. This estate will also, no doubt, be put upon the same footing as the other estates, now in the hands of the Government. There has been something said about bonds, and so much being secured upon them to the Government. The Commissioner has inserted in the Public Accounts, to the credit of the Government, the sum of £14,000 upon bonds. It is, however, said these bonds have been relinquished. The hon. member, Mr. MacIntosh, said they were. If such is the fact, what business has the Commissioner to charge them to the credit of the Government. While I am on this subject, I would ask what has been done with the back rents due on the Worrell Estate? I was told by a gentleman, some time ago, that there were £7,000 arrears on back rents due. If they are swept off the books, it should be known. If not, the amounts should be included in the Public Accounts. I hope we shall have some account of this item, as it may be important to know how it has been disposed of.

Hon. COL. SECRETARY.—If I heard the hon. member, Mr. MacIntosh, make such a statement, I should have immediately contradicted him. There is, however, £1,400 due, to the best of our knowledge; but it may happen, as before, that when they come in we may find many who have had receipts for money charged against them, which they have paid to Mr. Desbrisay. In reference to the back rents, if Government get £300 they will be well off. It would be better to wipe them off altogether, or, if charged at all, let it be for the two last years, and let the Government take it out in chain-bearing or in opening new roads, which would benefit the people and the estate.

Mr. LAIRD.—There has been a great deal of unfairness practised all through the whole affair of this estate. It would be better to give it up to the people altogether, and be done with it, than to have it a load on the country.

Mr. DINGWELL.—I was an advocate for the purchase of this estate, and thought it would be the means of freeing the people from the bondage of leasehold tenures; and I believe the Land Purchase Bill will in time work well, or I should not have supported it. When the Loan Bill was mooted, I supported it; for I thought we could do good to the country by it, and confer a boon upon the people. It is, however, objected by the opposite party that it will not be self-sustaining; but I am willing to take a share of the responsibility upon my shoulders, for the sake of making the tenants of this Island freeholders. It is not measures that the opposition are arrayed against, but it is the men who advocate them. I do not think the Bill will injure either proprietor or tenant; but rather be a benefit to both. As to the complaints made about the working of the affairs of the Worrell Estate, it should be recollected that it is yet only a new thing, and requires time yet to bring it about. When the affairs of that estate are got in proper working

order, it will be seen how satisfactory they will be. However, there is one privilege which the opposition cannot deprive us of, and that is, to hope for the best. Some say it will not pay 25 per cent.; but I hope it will pay 75 per cent.

Hon. Mr. PALMER then submitted the following resolution:—

“Resolved, That it is opinion of this Committee, that the the Commissioner of Public Lands, in charging the sum of £267 7s. 6½d., for disbursements in his account, submitted to this Committee, without a warrant or warrants under the hand and seal of the Lieutenant Governor, and for which amount no vouchers have been laid before the House, has acted contrary to the requirements of the Colonial Statute, under the authority of which he received his appointment as such Commissioner.”

Hon. COL. SECRETARY.—That resolution puts a wrong construction on the acts of the Commissioner. He was authorized to expend the above sum by the Government.

Hon. Mr. PALMER.—The Land Purchase Bill says the money collected by the Commissioner must be paid by him into the Treasury, and if he requires any money he must get it by warrant, as any other officer is compelled to do. Now, if he takes upon himself to expend the public money, contrary to the express conditions of the Land Purchase Bill, he is at least deserving of censure. The hon. member, Mr. Lord, praises the Commissioner on one side of his mouth and censures him on the other; but, sir, the method of giving a blow and a kiss alternately is not the thing. We must be bold, and censure where it is deserved.

Hon. Mr. LORD.—I will oppose the resolution. No public officer has been asked for vouchers, and until they have been asked and cannot produce them, it is not fair to censure them. However, I do not wish to screen the Commissioner of Public Lands; but I will see justice done, as far as in me lies.

T. KIRWAN, Reporter.

Hon. Mr. LONGWORTH thought all the vouchers had not been sent to the house; for unless he had happened to get hold of one of them, which had it gone to the committee on public accounts, they would not likely have seen anything more of it. It was an account of Mr. Stamper against the Government for a travelling desk, 35s., a knife 6s., &c., for the Surveyor General. Those things ought to be examined into.

Hon. COL. SECRETARY explained that the Commissioner of Crown Lands had to go to the Worrell Estate with his books in order to settle with the people. He supposed, if a travelling desk was provided for the Surveyor General, such an article had been provided for others in similar situations. When the Commissioner of Crown Lands visited the people, they were so anxious to buy the land that they prevailed on him to take the money, and he had at another time to enter into the accounts the money received from them, and he paid out some of the money received. There ought to be a separate account for it, he must say. The members of the opposition took the whole of it for disbursements; but it was no such thing. The members of the house knew that the Commissioner of Crown Lands had never been brought up to business; and therefore he was not so particular as a merchant would be in putting every thing under its own heading, not thinking that it would be cavilled at. He had put all under one heading; but all the items were there.

Hon. Mr. LORD said, if that was a sample of the vouchers, he would like to see the whole of them. He had courage enough to state that he would not sanction the first article charged in it. He saw that the Surveyor General was paid £200 a year; and he might find his own travelling desk.

Mr. COOPER said, to say the least of the matter, it had been very loose indeed; and they ought to express an opinion on it. It was nothing less than that he had received that money without warrant. With regard to the vouchers, they must be something like the thing before people took them; but a man for fear he should be suspected, would desire to have vouchers for his own sake.

Hon. COL. SECRETARY said, the Commissioner of Crown Lands had never been called upon for them; no doubt he had vouchers for everything he had received. It was the business of the members of the committee to see to it before that time. The accounts had been before the house three or four days. Had the hon. member for Prince County (Mr. Clark) produced his vouchers?

Mr. CLARK said, those vouchers were paid into the Treasury, and were charged. He asked who certified that account. The best course was to adjourn the debate, till they got the vouchers before them.

The motion was then put on the resolution, when there appeared in favor of it—

Hons. Messrs. Palmer, T. H. Haviland, Montgomery, and Longworth, Messrs. T. Heath Haviland, Yeo, Laird, Cooper, Clark, and Perry.—10.

Against it.—Hons. Col. Secretary, Col. Treasurer, Whelan, Lord, the Speaker, Mooney, and Wightman, Messrs. Munro, McIntosh, Dingwell, and McDonald.—11.

Hon. Col. Secretary moved that the Speaker take the chair, and the chairman report the report agreed to.

Mr. T. HEATH HAVILAND thought it was very indelicate of the Hon. Col. Secretary to move that the Speaker take the chair, considering the peculiar manner in which the committee of public accounts had been appointed, that not one of the minority had been on it. Then too he had proposed the motion that the Speaker take the chair; and had, he (Mr. H.) supposed, a majority to back him. There were many other things to be examined into in those accounts. If some of the minority had been on the committee, as they would have been in every other civilized community, they might have had an opportunity of examining them.

Hon. COL. SECRETARY said, the hon. member stated what was not true. It was the place of the minority to examine the accounts before them; they had the whole accounts on the table ever since they had been submitted. They might have made inquiries of the chairman of the committee of public accounts; and they had a chance of examining them, as they had been three days on the table.

Mr. T. HEATH HAVILAND said, they had the chance of examining them; but they had not had the chance of knowing the whys and wherefores. If they would have asked the chairman of the committee on public accounts, they would not have known, unless he was in the secrets of Her Majesty's Government. This was the place, when the house was in committee on the public accounts. What were they in that committee for, but to see that the public accounts of Prince Edward Island were correct; and if anything were doubtful, to put questions why it was so? This was the proper committee to do it in.

Hon. COL. SECRETARY replied that the vouchers for the items alluded to by him, were there, if the hon. member pleased to look at them.

Mr. CLARK said, he saw no great necessity for that hurry; they would take up the time with Bills detaining them; and now they had no time to wait on those accounts. He said, if there were any more items such as that alluded to by Hon. Mr. Longworth, he would not sanction them.

Hon. T. H. HAVILAND said, it was plain that the minority had not taken advantage of the opportunity they had of examining those accounts. A book was brought before the House for the first time. He had asked the chairman "Did you see the vouchers?" He had said, "no; I saw none." How, then, was it possible that the minority could know?

Hon. Mr. LORD was surprised that the chairman of the Committee on public accounts, had not been sent for. He ought to know about the matter.

Mr. T. HEATH HAVILAND said, he must rise to say that the hon. member was very fond of launching out his censures upon the chairman of the Committee, who was a young member of the House. The whole burden ought not to be left upon him. If any censure should rest on any one, it was upon Hon. Mr. Wightman, and not upon his (Mr. Haviland's) colleague.

Hon. Mr. WIGHTMAN replied, that if the hon. member found objections, he ought to have asked to see those vouchers. There had been so much said on that affair, that he thought it

was for cavilling. Every item in the accounts had been before the committee and approved of.

Hon. Mr. MONTGOMERY said, the proper way would be to report progress; and let all those vouchers be brought forward.

Hon. COL. SECRETARY said, because there was a majority of the House that did not doubt the honesty of them, were they to delay? Was the House to be detained in its business, because a few members pleased to doubt the vouchers. In that account there were £200 for disbursements. That was not the time to examine into them; the past fortnight had been the time for that purpose. Surely the committee were to do it; it was enough to ask the chairman of that committee respecting any item. But there was a majority of the House satisfied with them, there was no occasion for further inquiries.

Hon. Mr. PALMER said, he hoped hon. members took a better view of this subject, and remembered that it was the duty of the minority more especially than the majority, to ferret into those accounts; and when they and the public knew that the accounts before the committee involved sums nearly to the amount of £50,000. He asked the committee, the accounts having been before them from five o'clock up to the present hour—to eight o'clock, if they were to be limited to three hours to examine those accounts; and however necessary they might think it was to put forth remarks on those accounts, that they were to be closed up—that the committee were too arbitrary, and would shut up at the hour of seven o'clock; for he understood that there was a desire on the part of the house to rise at seven o'clock. But no, there was an objection then from the Hon. Col. Secretary himself, that they should sit and go on; yet they had no sooner got into that subject than the Hon. Col. Secretary showed great excitement to get this committee closed; and indeed he might think to carry his purpose by threatening those around him, and hope to end that investigation if he chose. He (Hon. Mr. Palmer) appealed to the public whether the members of the minority had not been studiously kept from the Committee on public accounts. Now, too, when they were on those accounts, they were to be shut up and the time for investigating them limited to two or three hours. Some hon. members had stated that they had various other items to inquire into, and so had he. He thought something was to be done about the accounts of the Worrell estate; and he could enumerate six or seven more items which he had marked for discussion. He thought if they silently submitted to that arbitrary motion which was then put to close the committee, and close the investigation so far as they were concerned, he said then, that they deserved to be kicked out of their places by those whose interests they would thus sacrifice, as those who voted for it would, if they did so. But he wanted to see if there was a majority present who would go with the hon. member, Hon. Col. Sec., and close the committee, when it was asserted that there were several items to be discussed yet.

Hon. Mr. MONTGOMERY thought the hon. member should not compare the Public Accounts with the Bill before the House to-day. The whole Island had a right to know how the amounts contained in those accounts had been expended; but they had not that interest in the Bill alluded to. It was gentlemen of the majority who were now acting in an arbitrary manner; they would not allow the Chairman to report progress. Many accounts had not been brought forward; he thought the Chairman should report progress, that they might see what was in them.

Hon. COL. SECRETARY asked, what then was the use of having Auditors. These gentlemen were opposed to the Government in every shape. Some hon. members said they had not had a chance of examining those accounts, and stated that there was no hurry in getting through them till they would have an opportunity of examining them; but when the accounts had been gone through, they wanted to examine some matters, and to have time to concoct something else. As to threats, he was said to have used, there had been no threats. Such a thing had never been heard of, as that an office-holder would vote for a resolution to condemn his own Government, and hold office. He defied him to show that there was such a thing.

Mr. CLARK said, he knew what the hon. member alluded to. He knew that he had threatened him several times. The question had been to adjourn the debate; and he had no

alternative. Did the hon. member think that he should vote against his conscience?

Hon. COL. SECRETARY declared, that the hon. member was wrong. There had been no motion to adjourn. His motion was for the Speaker to take the chair, and the chairman to report the report agreed to.

Mr. CLARK still maintained the position he had taken.

Hon. Mr. MOONEY did not know what hon. members were desirous of doing; and he really thought, though he might be wrong, that the minority would be glad to get clear of the matter. If there was time, he would allow them forty-eight hours longer to inquire into it. He had been surprised, that they had not been making much noise about the Public Accounts. But the thing now was, the time was advanced—the spring was coming on; and an hon. member had asked leave of absence for the remainder of the session. The minority might think to dodge the question, till that supporter of the Government had gone home.

Mr. T. HEATH HAVILAND said, the hon. member talked about dodges, but not with the majority. The hon. member for King's County, Hon. Mr. Whelan, said the minority should submit to the majority; but he (Mr. H.) thought the minority would do their duty by raising their voices to the House, and making inquiries into all matters that came before it. He said he was willing to submit to the report of the Committee; and he (Mr. H.) would be very willing also, if he had such a large salary as that hon. gentleman received from the Government. That hon. member also asked, was the state of the Public Accounts to be altered; but he (Mr. H.) presumed they were not like the laws of the Medes and Persians, and that where the majority had been extravagant in expenditure, the minority might inquire into it, and check their expenditure in future. He had also said, that the majority had the right to dictate who should be on the Committee of Public Accounts; he need not have said so; but he (Mr. H.) could tell him that no other majority, either in Great Britain or Her Majesty's Colonies, was ever guilty of such a tyrannical act as that majority on the first day of the session. They would not allow a member of the minority to be on the committee of Public Accounts. It was all very fine to say that the minority might ask the chairman of the committee on Public Accounts to show them those accounts; but the House knew that a member of a committee had much more facility in examining into those accounts than a member who was not. Hon. Mr. Whelan seemed also to be astonished that hon. members who wished to oppose the Bill to-day, should be so anxious to continue on those accounts; that, however, was just one of the reasons why they wished to oppose them, because they wished to have more time to devote to the Public Accounts. It had been remarked, that when the committee rose the public would have a full account of the expenditure; it might be added, whether contrary to law or not, judiciously or injudiciously; and that was the reason why they should devote a little more time to the Public Accounts. The Hon. Col. Secretary had said, what was the use of having Auditors; but if no further inquiries were to be made, they might as well have empty chairs, and hand over the accounts at the end of the session, and say all was correct. He (Mr. H.) considered that their duty was not superseded by those Auditors, and that they were still bound as representatives of the people to inquire if those accounts were correct; and to see if the auditors did their duty. The Hon. Col. Secretary took it for granted, that because the Auditors were opposed to the Government, the House ought to take all for right. Though those gentlemen agreed with him (Mr. H.) in politics, and one of them was a relative of his, yet he considered it his duty to examine into the Public Accounts; and if they should have examined them, he did those gentlemen no wrong by examining them likewise. He was convinced of one thing by what had taken place, that they wanted no Bill as much as the one to secure the better independence of the Legislature. When a member of the House—an office-holder—had been threatened, he said the time had arrived when they should have all office-holders excluded from the House; and then they might have independence. They might as well have empty chairs as men bound to a certain course, and not allowed to exercise independent

votes when they were on the floor of the House, or bound to resign their offices.

R. LAIRD, Reporter.

Hon. Mr. WHELAN.—The lecture on morality, just delivered by the hon. member, Mr. Haviland, is, no doubt, very interesting in his own estimation; but I consider it as so much sweetness wasted "on the desert air." Why should an individual member of the Government be supposed to exercise an individual judgment on any matter, when its interests are at stake? But it may be well for the hon. member to endeavor to make converts to his odd whims of duty and responsibility;—it may be all very fine for him and his party to sympathise with an act they would not for a moment tolerate among themselves. But, I would ask, when did that party split? At what time did they, or any portion of them, go contrary to the general opinion, when there was a chief or important opinion to advocate, or a measure to be gained? When did the hon. member for Georgetown divide the House on any question involving the interests, opinions, or policy of his party? Never once. He alludes, with great gusto, to the fact of the Queen's Printer's account having formed quite a large item in the Public Accounts, and he did so to insinuate that I was influenced by pecuniary considerations to ward off a too strict inquiry into them; that no investigation of them would satisfy my fears, and leave me at rest upon that score. But I am not afraid to have the Public Accounts investigated. I have stood many a shock about the Queen's Printer's accounts, and am not at this time of day to be frightened with any threatened or insinuated *expose* of the incorrectness of my portion of the Public Accounts. I defy the most malicious, the most critical scrutiny, to point out any error in my accounts. The Public Accounts have been before the House for some time, and if any flaw were evident in my portion of them it would soon be made known,—it would soon be telegraphed, and spread far and wide; but no, there are no mistakes discoverable, and not one syllable has been uttered in reference to the incorrectness of the Queen's Printer's account. The hon. member is mistaken about the fact of my receiving so much for the Queen's Printing. He adverts to the large amount of my account; but forgets what I really receive for my office. He wishes to have it understood that I receive a large amount of money for the Queen's Printing; but forgets to state the large proportion of that amount which is expended by me to pay for materials, wages to workmen, &c., and that after all these expenses are deducted from the total amount, there is but a very small share of what is realized mine. He also characterizes as arbitrary conduct in the majority to exclude a member of the minority from the Committee on Public Accounts. Does he forget what the minority (then the majority) did in the Session of 1854?—an act of despotism unexampled in the annals of parliamentary history. When the minority wanted one of its members to be Chairman of the Committee on Public Accounts, it was refused. (A Member.—Was he not a member of the Committee?) He was. But it was this member of the minority who asked for the Committee. Again, it is urged to postpone the action of the Committee on the Public Accounts; but what will the consequence be if we keep it over another week? Tomorrow will be a holiday, and Saturday will not find all hon. members in their places; therefore it cannot be resumed before Monday, when many of the hon. members who are anxious to get away, will be at their respective homes. Shrewdly weighing all these things, the opposition are anxious that it should be delayed, when they think the majority will have to submit, or suspend business, and send the Sergeant-at-Arms to bring back absent members. Suppose we enter on this discussion again tomorrow,

they would tell us that this and that is wrong, without altering the actual state of the case; without even having the slightest foundation for their charges, but from a wish to give the majority as much trouble as they possibly can. If they have not had sufficient time in seven weeks to examine the public accounts, in the name of reason when will they conclude their examination? The hon. Mr Palmer says the majority are determined to shut his party out from all participation in examining into the state of the Public Accounts. If, however, the hon. member, or any of his party are in possession of any important facts in connection with the Worrrell Estate, they ought to have been brought forward at an earlier period; but when we are driven to an alternative, at a time when the House is about to terminate its present session,—when we are importuned for delay when many hon. members are on the eve of departing for their homes, we should not hesitate what course to steer.

Hon. COL. SECRETARY.—If an officer of the Government vote against its measures, he should, at least, be prepared to resign. A resolution is offered, condemnatory of an act of the Government, and one of its officers (Mr. Clark) votes for it. Is this proceeding consistent with the character of an individual holding office under Government? What is the duty of an office-holder? Is it not plainly to support the Government in all its measures, or accept the alternative? If I were an office-holder, before taking such a step, I would resign my office. Look at a recent case of this kind which happened in Nova Scotia. An officer of the Government resolved upon opposing one of its measures. But how did he do it? Did he give no intimation of his design? No; he sent in his resignation first, and then voted against the Government. But if such a doctrine as has been broached here to-night is to be carried out, it is high time the House was purged of such members. I do not wonder the opposition take hold of these things to work by. It is no wonder they endeavor to laud such an action, to encourage division in our ranks. But this is proof positive that such an act is wrong. In England, at one time, when a member only spoke against a measure of the Government, the people called upon him to resign. If such a thing were tolerated in this country, Responsible Government would die by its own hand. If, however, an hon. member disagree about a Government measure let him resign; but to hold office, and vote against the Government (a vote of censure), is a thing out of all reason. Hon. members are not tied down to support the Government; they are not compelled to vote against their convictions. But there are some hon. members on this side of the House who give the Government more trouble than the entire opposition. There is a cry raised by the opposition to delay the action upon the Public Accounts, and but that hon. members wish to go home, I should not care if they were delayed for another fortnight; for we can substantiate the correctness of every item in the Public Accounts. But what would be the result if hon. members leave for home in the meantime? They would have to be sent for; and then the result would be the same. But if any hon. member on this side of the House wishes to report progress, I am willing.

Mr. CLARK.—The hon. Col. Secretary misrepresents my motives in voting as I have done. I was not aware the resolution conveyed a censure on the Government, or I should not have voted for it. Besides, I am not a member of the Government. I do not blame them for upholding the Government in all cases. But, sir, an office-holder should not be bound by the same rules, when he was not at the Council Board, and therefore was ignorant of the precise course of action required of him? How could I foresee

what measure was to be brought up, until it came before the House; and therefore, how could I tender my resignation before voting against it? But I consider it a piece of unmitigated tyranny to be threatened and bullied the way I have been. When I go against the Government, I will be prepared to resign; but the Col. Secretary is not the Government. If his Excellency wishes, perhaps, he may dismiss me to-morrow. If the Col. Secretary has the power to do so, let him do it.

Hon. COL. SECRETARY.—The hon. member threw his office up.

Mr. CLARK.—I said I would throw up my office if it was required.

Mr. MACDONALD.—There is no need of all this declamation about vouchers. All the items in the Public Accounts can be satisfactorily accounted for; and to give the opposition the chance they look for, I move the Committee report progress.

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

Then the House adjourned until Saturday morning.

T. KIRWAN, Rep.

SATURDAY, April 11.

Mr. Perry, from the Committee appointed to wait on His Excellency with an address in accordance with the report of the Special Committee on new lines of roads, informed the House that they had waited upon His Excellency with the address, and that he had been pleased to say that he would attend to the same.

On motion of Hon. Mr. Whelan, it was resolved that the Legislative Council be requested to appoint a Committee to join a Committee of this House to prepare a Joint Address to Her Majesty on the subject of the Fishery Convention affecting the interests of Newfoundland.

On motion of Mr. Macdonald, a special committee was appointed to prepare an Address to His Excellency thanking him for the various Messages received from him during the present session. Committee—Messrs. Macdonald, Macintosh, and Hon. Mr. Whelan.

Hon. Mr. Wightman, from the Committee appointed to prepare an Address to His Excellency in accordance with the report of the special committee on Lighthouses, presented the draft of an Address on the subject, which was agreed to by the House, and the same committee were appointed to wait on His Excellency with it.

Adjourned for one hour. R. LAIRD, Rep.

AFTERNOON SITTING.

Hon. Mr. Mooney submitted a report in relation to the construction of a "draw" on the Mount Stewart Bridge, to the effect that as the members for the District have subscribed the sum of £25 towards the carrying out of the same, and requiring the Superintendent of Public Works to oversee the construction of said "draw," which report, after some discussion, was adopted.

The standing order was suspended to enable Mr. Laird to present a petition from John Doirant, asking for an addition to his salary as Road Commissioner, for his services as Superintendent of the construction of the Bridge over the Oyster-bed, Rustico. Mr. Laird moved the said petition be received, and its prayer granted. To which, after a short discussion, Hon. Mr. Palmer moved as an amendment that the petitioner have leave to withdraw, the remedy being elsewhere, which amendment was adopted.

Hon. the Speaker presented a memorial from the citizens

of Charlottetown, on the subject of the Convention recently entered into between the Governments of Great Britain and France, making certain important concessions to the latter nation, which concessions are deemed highly prejudicial to the interests of not only Newfoundland, but to the other Colonies of British North America. Referred the Committee appointed to report on the several communications received from the Speaker of the House of Assembly of Newfoundland on that subject.

INDEPENDENCE OF THE LEGISLATURE.

On motion of Hon. Mr. Palmer, the House went into the 3d order of the Day, viz: the second reading of the Bill to secure the Independence of the Legislative Assemblies, by the exclusion of office-holders therefrom.

Hon. COL. SECRETARY.—Before going into Committee on this Bill, I wish to make a few observations. This bill is of so sweeping a character, that I can not support it. Indeed, it strikes at the very root of Responsible Government. Such a measure as the present one, I am convinced, is not desired by the country or by this House. We have had a long battle to fight in order to obtain Responsible Government; and there has as yet been nothing shown but that the Colony has prospered under that system, or that it has not worked advantageously for the interests of the people. Its opponents have failed to show that the country has not prospered better since its introduction than under the old system. It is said that when members holding office are excluded from the Assembly, that the members will be more independent. I do not believe it. Is it likely that the mere fact of an office-holder not being a member of the Government will make him better calculated to advance the interests of the country, than if in possession of a seat in this House, being returned by the confidence of the people? It is a surd to suppose he will. I therefore move that the House do go into the order of the day "this day three months."

Hon. T. H. HAVILAND.—I do not agree with the hon. Col. Secretary that the Bill under consideration is of so sweeping a nature. I would not go for excluding all office-holders from the House; but I think there are certain office-holders who should not hold seats in the House of Assembly. I therefore think the Bill should be committed to a Committee of the whole House.

Hon. Mr. PALMER.—It is very evident that the hon. members on the opposite side of the House have as much hostility to this measure as they had last year. It is not, however, my intention to enter into the expediency or policy of this Bill at present. The hon. Col. Secretary says the present Bill is of too sweeping a character. Now, the principal objection to the former one was that it was not sweeping enough in its character. It would be extremely difficult to please some hon. members; indeed, it would be labor thrown away to try to give them satisfaction, and our efforts would have the same result as those of the Irish drummer, who exclaimed, "If I strike high, it won't please ye, and if I strike low it won't please ye; and even if I strike on one side or the other, it will not please ye." I do not, therefore, intend to enter into any arguments in support of the Bill; but will merely content myself with discharging a duty imposed upon me by many persons who feel an interest in the measure, and whom I have the honor to represent. If the objection that the Bill is of too sweeping a character were the only one against it, there is nothing more easy than to remove that objection. If the Bill were committed, it could soon be decided as to what officers should be retained in the House, and how many rejected. I think it is un-

necessary to follow the hon. member in his eulogiums on Responsible Government, nor can I indorse the assertion that the present state of the Colony is owing to it. On the contrary, we do not owe a particle of our prosperity to it, and it would be much better if there was no Responsible Government. What is there to show for the great change said to be wrought by Responsible Government? The Public business is not done cheaper, neither are office-holders honest, than formerly. What then, I ask,—what great change for the better has been wrought by the introduction of Responsible Government into this Colony?

Hon. Mr. WIGHTMAN.—There is nothing before the House to induce us to consider a measure of the character of this Bill. We have had no petitions presented to the House on the subject; and it is a significant fact, that every member who has accepted office under Responsible Government, has been re-elected by his constituents. Until I hear better arguments in favor of this Bill than have been adduced, I will not support it.

Mr. COOPER.—The change proposed by this Bill would not answer well in this Colony. I do not approve of that long-standing system of corruption which has prevailed in this Island, where the public offices descended from father to son; and the only party which has done anything for the good of the country is the party at present in power.

The question was then put on the Col. Secretary's motion, that the Bill be read "this day three months," which was carried on the following division:

Yeas—Hons. Col. Secretary, Col. Treasurer, Wightman, Whelan, Mooney, Lord, Messrs. Macdonald, Munroe, Perry, Dingwell, Cooper, Muirhead, Clark, Macintosh, and Laird.—15.

Nays—Hons. Palmer, Haviland, Longworth, Montgomery, Messrs. T. H. Haviland, and Yeo.—6.

ELECTIVE LEGISLATIVE COUNCIL.

On motion of Mr. T. Heath Haviland, the second order of the day, viz: The Bill to extend the Elective principle to the Legislative Council, was taken up.

Hon. COL. SECRETARY.—If this Bill had been introduced at an earlier period of the session, I might have given it my support; but at this late stage of the proceedings, it is not likely that hon. members will give it the attention it merits. I am favorable to a moderate change in the constitution of the Legislative Council. I am of opinion, however, that an alteration, compelling all the members of that honorable body to go out of office at once, would not work well. I am aware that an alteration has been made in the constitution of the Legislative Council of Canada, which I will explain: The Act says that the names of forty-eight members, as candidates for the Legislative Council, shall be put in a hat, and drawn by the President. Of these there are four classes, to be elected at different periods,—the first to be elected one year; the second class in two years; the third in four years, and the fourth in six years. We have now twelve members composing our Legislative Council, and of course they would not agree to go out all at once; but if we add three members,—one for Prince, one for Queen's, and one for King's County,—to be elected for eight years, this would give the whole Island an Elective representation, and give the people a chance to test the claims to popular confidence of those who might be elected, and as vacancies occur in the present number they can be elected:—the first vacancy to be filled up by an Election for Prince County, the second for King's, and the third for Queen's, and so on, until the whole are elected; thus the first nine could be elected at the end of eight years from the first election, and the remaining

six could be elected four years from that time, so as to have an election of a portion of the Council every four years. I hope the time is not far distant when all men holding offices of trust or emolument will be elected by the people. I am in favor of extending the elective principle to the Legislative Council, and it may be said it is an innovation on the principles of the British Constitution; but it has been tolerated in Ireland and elsewhere, and why not here? If the system I have laid down be adopted, it will be a long time before the Legislative Council will be wholly composed of men elected by the people, and in the meantime we will have an opportunity of observing how the elective principle works. But I would not be in favor of all the members composing that body going out of office at once. Even only one-half going out of office would be better; but it is now too late in the session to enter fully into the merits or demerits of the Bill. I am sorry that some of my friends are not in favor of any alteration in the Constitution of the Legislative Council; but I must confess I am partly wedded to the change, and have a Bill prepared to carry out my views. As it is so late in the session, however, I move that the Bill be read "this day three months."

Mr. COOPER.—I am favorable to the extension of the elective principle to the Legislative Council, and did intend to propose a way of my own for carrying out that measure; but as the hon. Col. Secretary has given, I think, a very feasible plan for carrying out such a measure, and has embodied his views in the shape of a Bill, which I hope will receive a favorable consideration, not, however, with the intention that such should become law, but for the purpose of having it published and sent to the people. We have already sent two Bills to the people, and this one ought to be sent too, before any definite action be taken upon it.

Hon. Mr. MONTGOMERY.—I agree with what has been said by the hon. member (Mr. Cooper); but I think the session is too far advanced to take up a Bill of this nature, as it would necessarily involve the expenditure of much time and discussion. As to the plan of making the Legislative Council an elective body, I think it is good, and the time is not far distant, I trust, when such a change will become general in all the Colonies of Great Britain. As the provisions of the Bill is comprised in a very small space, the better way would be to publish it for general information, and it can be taken up at an earlier day next session. This course, I think, it would be preferable to pursue, than to reject it summarily. I am convinced the country generally, judging from the opinions of the people of that part of it in which I am acquainted,—is decidedly in favor of a measure of this kind.

Hon. Mr. WHELAN.—The hon. member, Mr. Montgomery, ought to have said that both bills (Mr. Haviland's and hon. Col. Secretary's) should be published. I am opposed, however, to any measure of this nature, and would oppose both bills, or a dozen of them if presented. I question very much if it be our province to interfere with the constitution of the Legislative Council. I have expressed my opinion to the Col. Secretary on this subject years ago, and then urged the same arguments against it I shall now use. The hon. member, Mr. Montgomery, said it was generally acceptable to the country at large; but I do not believe there is a single constituency in this Island—no, not even ten or fifty individuals in any constituency, who are in favor of such a change. If the public opinion demanded such a change,—and a change of this nature has been agitated for several years,—at the very least we should have seen some marked indications of the public opinion. A few printed petitions, sent out of Charlottetown, signed very

sparingly in a few localities, at the request of some of the Conservative party—are no index to popular feeling on this important subject. I repeat that it is not the province of one branch of the Legislature to interfere with the constitution of the other. The question at issue is not affected by what may be adopted or carried out in another country,—not whether this or that mode of government, because it prevails elsewhere, is worthy of imitation; but, whether a system of this nature is required,—whether it be consonant with our rights as British subjects,—demanded by the popular voice,—called for by necessity and a want of harmony between the two branches of the Legislature,—whether, in fact, it constitutional or unconstitutional. Let us look at the question more closely. What would hon. members say, if a message were received from the other end of the building, to the effect that their honors had passed a Bill to alter the Constitution of the House of Assembly? If such a message were received at all, it would not be read a second time. It would be treated probably with disrespect. How, then, would their honors receive a similar message from this House? Would they not view it in the light an infringement on their most sacred rights? It may be said that the people's representatives in Parliament have power to alter the constitution of the country. Yes—if the other branches of the Legislature—the Legislative Council and Lieut. Governor—will concur with them in making the alteration; but the House of Assembly is powerless by itself to change or alter the constitution of another branch, quite as independent as themselves. Even if we had the right to interfere with the constitution of the Upper House, we ought at least to have the delicacy of first ascertaining their opinions in the matter. Recollections of the past, too, ought to deter a liberal House like ours from seeking to force a change upon a body who desire no change—a body to which we are indebted for the preservation in the most difficult times of our constitutional rights. It is from a thorough conviction that Responsible Government cannot be carried out, if the two branches of the Legislature are dependent on and swayed by the popular will, that I oppose such an innovation. Make the Legislative Council an elective body,—and I have no doubt hon. members will say they will be more independent; but they will not be so. They would be as dependent on the will of their constituents as we are. If a measure were originated in this branch, and sent up to an elected Legislative Council, they might say, "Our constituents do not wish the enactment of this measure, and we cannot therefore give our assent to it." What would be the cause of such action? It would spring from a fear that if they passed a measure of any particular kind, contrary to the wishes of a majority of their constituents, they would not be well received by them. If the hon. and learned member, Mr. Haviland, were convinced that every one of the people were opposed to it, would he bring forward this measure? But he knows they are indifferent, and this indifference he presumes upon. If we introduce the elective principle into the Legislative Council, we place it in the same position as ourselves,—we would make them creatures of the popular will; and not only that, but we would place in their hands a power, that might often prove dangerous to our rights and interests. If they are to be elected, they will represent the same, or nearly the same, constituents as we do,—will be swayed just as much by the same popular voice as we are, and therefore will be but a reflex of this branch of the Legislature, and consequently a useless appendage—a trammel on our actions. Why, it would merely be the multiplying of the members of this House, from 30 to 42. Even admitting that as their qualifications are different from ours, they would still preserve the august and independent character

they now sustain, yet parties may be sent to the upper branch representing a different class of opinions from those entertained by the Lower House. A clash, in such a case would be inevitable; for, they would say, do we not represent constituents, and knowing what they expect of us, we will maintain our independent character, and never succumb. A step of this nature would embolden them to assume more license, and the next thing they would claim, would be to have a finger in the public purse. If, then, the Legislative Council be made elective, they being the people's representatives as we are, would be continually opposing the acts of the Lower House, and encroaching upon its rights and privileges; and taking whatever view I will of such a change I can see nothing in it but confusion, dissatisfaction, discontent, and interruption in the harmony which has hitherto so happily prevailed between the two branches of our Legislature. I am perfectly satisfied with the working of the two branches under the present system; and I am surprised at the remarks offered by the hon. Col. Secretary. I never heard of a successful party in power, Legislating for their successors. If the majority are under obligation to them, this is not the way to discharge it. I think such remarks come with very bad grace from any hon. member on this side of the House.

Mr. T. HEATH HAVILAND.—I did not anticipate, when I entered the House this afternoon, that I would be so soon engaged in a debate on the Elective Legislative Council Bill; but there is at least one thing I have to congratulate myself on, and that is the conversion of the Leader of the Government to the principles of the Bill. It appears, however, that the Queen's Printer (Hon. Mr. Whelan) is opposed to it. I am surprised at the doctrine which comes from the mouthpiece of Responsible Government, that the House of Assembly has no right to tinker with the Constitution of the Legislative Council, and also the assertion that there were not ten persons in any constituency in this Island who were in favor of the proposed change. My constituents are all advocates of a responsible Council, and I might appeal for proof of this assertion to Mr. Wightman, who at one time was in favor of it; but a change has come "o'er the spirit of his dream," and he is now as much opposed to it as he was then its advocate. The hon. member (Mr. Whelan) asks what right have the House of Assembly to interfere with the Constitution of the Legislative Council. It is true that the House of Commons are the sole judges of the Constitution of their own body; but the same usage can not be pleaded for the Legislative Council of Prince Edward Island. (The hon. member then cited an instance of the House of Lords passing a Bill not to increase the representatives in the Lower House, which was rejected by the latter; who said that they were the sole judges in the event of the Constitution being altered.) The hon. member further says, that the public business could not be carried on if both branches of the Legislature were dependent on the popular voice; but the politicians of Canada have arrived at quite an opposite opinion on that point. In their Resolution [which the hon. member read] to the Queen, they state that they have come to the conclusion that it is impossible to work Responsible Government with a nominated Chamber or hereditary councillors. Many of the British Colonies have already adopted this system, and it is now in force in Australia, Cape of Good Hope, and Canada. Who are the Legislative Council? They are merely the nominees of the Government of to-day; and no matter how they are selected, they can not possibly attain to the same amount of influence which they would possess were they elected by the people. It has been affirmed by eminent statesmen, in the House of Lords, of Great Britain, that there are only two systems upon which they could be founded: They must be either an hereditary or an elective body. The nominee system has failed. It was advocated in Prussia and Belgium, has been tried, and has been found not to work well. The Hon. Col. Secretary deserves, and I accord him, credit for more liberal and enlightened views on this subject than the Queen's Printer. The hon. member (Col. Secretary) has looked upon the question in the true light, and if all other hon. members on that side of the House looked

upon it in the same light, they would be willing to go into Committee on the Bill. It is better to get half a loaf than no bread. With reference to the debt of gratitude which the hon. Queen's Printer said we owed to the Council, I wish it could be paid, if it cost us £5000. If the hon. member will make out the bill for the debt of gratitude we owe the Legislative Council, and present it, next session I will vote for its being paid.

Mr. COOPER.—The House of Lords, I believe, are chiefly hereditary; but by whom are our Legislative Councillors appointed? By two or three individuals. Another thing, the members of that branch of the Legislature, having accepted pay from the people, are, in my opinion, no longer the independent body they once were.

Mr. YEO.—I am certain that in nineteen out of every twenty of the people of this Island are in favor of an elective Legislative Council. The hon. member (Mr. Whelan) said if they were elected by the people, they would be so many more members—a mere reflex, &c.; but at present they are nothing more to the House of Assembly than the Clerk is to the Minister, and merely respond "amen!" to all we do. In my opinion the Legislative Council, as at present constituted, is not of the slightest service to the public.

Hon. Mr. WIGHTMAN.—The Legislative Council pass measures originated by this Assembly because they agree to the principles therein enunciated. The hon. member (Mr. Haviland) says his constituents are in favor of this measure; but I can inform him to the contrary. When the petition from the inhabitants of Georgetown, &c., in favor of a measure of this kind, was formerly presented to the House, it did not contain more than thirty signatures, from Georgetown to the White Sands. The hon. member is mistaken about the sentiments of his constituents in regard to this measure, and he may find my words verified at the next general election, when he gets the "cold shoulder" from many who have been his supporters heretofore. I do not see any necessity, at the present time, for any alteration in the Constitution of the Legislative Council. If the Constitution of that body were altered, they would claim the privilege of interfering with the management of the public purse. In short, they would assert the same privileges, with regard to that matter, as the House now possesses. As I can see no necessity for any change, I will support the motion of the hon. Col. Secretary.

Hon. Mr. MOONEY.—The people of Georgetown must be a very ungrateful set, as they had rejected their former representative (Mr. Macaulay) the father of this scheme of an elective Legislative Council. This was and is still the "forlorn hope" of the minority, who, having lost the confidence and the votes of the people at so many elections, wish to place an aristocracy in the other end of the building.

Mr. MACINTOSH.—I have been favorable to an Elective Council since the year 1848. The reason why no petitions in favor of the proposed change had been presented during the present session is this: the people believed the measure would be favorably entertained by the House of Assembly. I am well aware of the opinion of the people of my district on this question. Their wish is to have an elective Legislative Council. I was instructed, last year, by my constituents, to support this measure; and they reminded me of the same thing this year. As, however, it is brought in so late in the session, it may be better to let the matter stand over. Whenever it is brought up, it shall have my support.

Mr. CLARK.—I will vote against that Bill in whatever shape it may be presented, for I think the principle upon which it is based is unsound. I do not believe, either, that it is generally acceptable to the people; and fully agree with Mr. Whelan, that it is out of our province to alter the Constitution of the Legislative Council.

Hon. Mr. LORD.—I must confess, I am undecided in my opinion as regards this measure; but I would be opposed to its being passed this session. However, if it were brought up next session, I might be in favor of the proposition of the hon. Col. Secretary.

[Hon. Mr. Whelan rose to speak again, but was met with cries of "spoken! spoken!" The hon. member, however, persisted in addressing the House, saying that he had a motion to make, when the hon. Speaker said the hon. member must sub-

out his motion before he could speak on it. Mr. Whelan then resumed his seat.]

Hon. Mr. PALMER—I think that were we to analyse the principles put forth by hon. members in the course of this debate, we must come to the conclusion, that at present, we have no second branch of the Legislature,—that the Council is nothing more nor less than the hump on the dromedary's back, so to speak. It has been said that the Council should harmonize with the House of Assembly,—that the two branches should work in unison. If so, where is the necessity for that body at all? Why not have one individual in the other end of the building, to receive and record bills, and pay him a salary for so doing? Such an arrangement would answer all the purposes as well as a Legislative Council, of the character described. The hon. member (Mr. Whelan) asserts that the House of Assembly possessed no right to interfere with the Constitution of the Legislative Council,—that it was not the province of this House to interfere, to “tinker” with it. Under whose authority then should it be done? (Hon. Mr. Whelan—Under their own.) He admits then that it can be done. The Hon. Col. Secretary, however, admits that there is some cause why this House should tinker with it; and circumstances may yet arise when it would, even in Mr. Whelan's opinion, be necessary to tinker with it. (Hon. Mr. Whelan—No!) Then that hon. member must imagine the Council to be infallible. But if, nevertheless, such a contingency should arise, who are to be the tinkers? Can the Council themselves pass such a law, and is it to go into operation without the concurrence of the lower branch of the Legislature? I think not. The tinkering must be done by the whole Legislature, and in neither branch could the initiatory steps be more properly taken than in the House of Assembly. If the House waited until the Council thought fit to move in this matter, they would, I fear, have to wait a long time indeed. Is the change then to be effected by the Imperial Government? (Hon. Mr. Whelan—Yes.) Some persons imagine that the people of this Colony possess the powers of self-government; but this, it appears is not the case, for if they wish to effect an alteration in the Constitution of their Legislative Council they must, according to Mr. Whelan, apply to the Home Government to do it for them. In my opinion, they might just as well apply to the Home Government to alter the Constitution of the House of Assembly. They might as well surrender their civil and political rights at once, for on such a supposition their boasted self-government is a phantasy! Are we to apply to the House of Commons? No. I take it, that being favored with self-government,—or that which we take to be self-government,—the power to effect all necessary reforms in our local institutions is vested, not in the House of Commons, but in our own House of Assembly; and I really did suppose that the hon. member (Mr. Whelan) would have exhibited more shrewdness than to assert, that it is out of the province of the lower branch to alter the Constitution of the Council. One principal advantage will, in my opinion, result from the proposed change. The members of the Council will be enabled to exercise their rights with some show of independence, which is not the case at present. It has been objected that no petitions have been presented in favor of this measure during the present session; but an Act was passed a short time since to increase the number of representatives in the House of Assembly from twenty-four to thirty; although no petitions had ever been presented in favor of such a measure. Nevertheless, this House took upon itself to say to the people, that if they did not like it, they ought to do so for it was good for them. That must be his argument in this case. An hon. member has remarked, that pay had been offered to the Council in 1848; but this attempt to bribe that hon. body failed. He should, however, have gone on to say, that a similar attempt had not failed in 1855, when the bribe was offered by the present House. The members of the Council,—now that they are paid for their services from the public purse,—ought certainly to submit themselves to the popular will. The hon. member from Queen's County (Mr. Mooney) thinks that hon. members on this side of the House wish to fill the Council with an aristocracy. This would, no doubt, be a dreadful shock to that hon. member's feelings. Nothing could give him greater offence than to see gentlemen of independent means—who are under no necessity

of resorting to dishonorable measures for the accomplishment of their purposes—occupying seats in the Legislative Council. Were the members of that body placed there by the suffrages of the people, I should be satisfied. The country ought to see that they are possessed of a more independent spirit; and now that pay has been granted to them, it is the more necessary that they should be elected. In making this statement, however, I have no wish to detract from their merits as individuals; but I do not hesitate to pronounce the Council, as at present constituted, a perfectly useless body. I possess no hostile feeling towards them individually; but I confess that, looking upon them as a body, I cannot help viewing them with superlative contempt; and I think the country at large looks upon them in the same light. I have arrived at the opinions I entertain with respect to the Council, by very slow degrees, for at one time I was in favor of allowing the constitution of that body to remain, as near as possible, a copy of that of the Upper House in England. Experience, however, has since shown me that Colonial Governors generally have no disposition to take upon themselves one grain of responsibility more than they were obliged to do—that they were continually shirking the responsibility which they ought to assume—and were but too much inclined to surrender everything to party. When, therefore, I reflected upon these things, I could not but admit that a change in the Constitution of the Council was imperatively demanded.

T. KIRWAN, Rep.

Mr. LAIRD said, the question respecting the Bill before the House was no new one, as it had now been before them two sessions; and he thought the minds of hon. members were pretty well made up on the subject. As far as he was acquainted with the people of the Island, he thought a large majority of them were in favor of the principle of an elective Legislative Council. As long as the members of that body accepted pay, they ought to be elected: and since there now was Responsible Government in the Colony, the Legislative Council ought to be responsible too. He would support the motion for going into committee on the bill, even though it was late in the session.

Hon. COL. SECRETARY said, he would say a few words, which he only did because he wished to put hon. members right. He could not agree with the hon. member for Charlottetown, when he said, that the Legislative Council was like the hump on a dromedary's back, which he (Hon. Col. Secretary) did not receive as if the hon. member meant any disparagement to that body; but hon. members knew well that they sometimes passed measures through the House in the heat of debate, that would clash with one another, but which the Legislative Council were the means of correcting. The hon. member for Charlottetown (Hon. Mr. Palmer) had said that on account of the Members of the Legislative Council receiving pay, they ought to be elected and to become responsible to the people; and the hon. member, Hon. Mr. Mooney, had said that they were offered pay by the party to whom the hon. member for Charlottetown belonged. But how had it been offered? It had only been offered to certain country members, which was thus a partial measure, and as such had been rejected, the members of the Council from the country having opposed it too, he believed; yet at that time the principle of paying the Legislative Council had been acknowledged by the party to which the hon. member for Charlottetown belonged. He (Hon. Col. Secretary) repudiated the principle of making the Legislative Council elective merely because they received pay: but he had thought much on the subject, and he was of opinion that perhaps it would be necessary that there should be some means of changing that body; because members appointed to it for life might adopt different views from those of members of the House of Assembly, and thus be the means of stopping the supplies. He differed from his friend on his right (Hon. Mr. Whelan) when he said that the Legislative Council was to be a reflection of the views of the House of Assembly; but a member of the Council must be a person of some weight in the community and free from local influence. He could not agree with the hon. member for Charlottetown that the present Legislature Council were bound to vote just as the House of Assembly pleased; for the members of that body were as independent as they had been in former times. Respecting appointments to the Legislative Council, he said he felt a delicacy in

naming gentlemen of his own political views; but other gentlemen would have nothing to do with it, and should they be appointed, it would be said at once that the Government wanted to buy them over. In this manner it was scarcely possible to get gentlemen there opposed to the liberal policy of the day; but he thought if there were gentlemen of different views in the Council, it might work well, if elected in a gradual way. He differed from his friend on his right, Hon. Mr. Whelan, that the House had no right to interfere with the constitution of the Legislative Council; for a change had already been effected in the constitution of that body, when the Legislative and Executive Council were constituted separate bodies. Perhaps no petitions had been before the House praying for a change in the constitution of the Council; but he thought the people had not had an opportunity of discussing the matter; and they sent hon. members to the House to concoct measures, and not to wait till the people brought them before the House. Upon mature consideration he did not doubt that it would have been better to have moved that the further consideration of the subject be postponed till next session. With the leave of the House, the hon. member then withdrew his former motion, and made a motion in accordance with the opinion he had just expressed, which was agreed to without a division.

The order of the day for the second reading of the bill to define the boundaries of the streets and squares of Charlottetown having been read, Mr. Perry, who thought the bill wholly unnecessary, moved that it be read "this day three months," which was carried without any discussion. Yeas 14—Nays—Hons. Palmer, Longworth, Col. Secretary and Lord, and Mr. Cooper—5. So the bill was lost.

PUBLIC ACCOUNTS.

On motion of Mr. Perry, the House went into committee of the whole on the further consideration of the Report of the Special Committee on Public Accounts. Mr. Muirhead in the chair.

The Hon. SPEAKER said it would be rather a satisfaction to the public to know the consumption of the various principal articles which were imported into the Colony the past year. He had prepared a statement of the several articles on which the consumption was the greatest, which, by permission of the Committee, he would submit as an addition to the report. The consumption of tea, which was the principal article, was 300,659 lbs. Many persons who consumed it, could form very little idea of the sum raised from the duty on it. He regretted very much that a few years ago there was a reduction made of 1d. per lb. on tea; for his maximum was, that if duties were reduced, they should be reduced largely, otherwise it would be no benefit to the consumer. Some years ago they had anticipated that the school fund would be increased; and this year they had to increase *ad valorem* duty, which was rendered necessary on account of the increase in the number of schools. They had then also taken off the duty on molasses to the extent of 1d. per gallon. The quantity of that article on which duty had been paid the past year, was 106,549 gallons; besides which it was likely that a large quantity had been smuggled. The quantity of tobacco on which duty had been paid amounted to 90,685 lb., wine 3,100 gallons gin 20,279, a very great increase in that article; brandy 3,853 gallons, and home distilled 3,197 gallons. Adding the quantities of the several kinds of spirits together, there had been a consumption of the rate of one gallon to every inhabitant of the Island; but he was pleased to see that the consumption of tea was about 4 lbs. to each individual, showing a vast increase in that article. As he had said before, he thought it might be satisfactory to the public; and therefore he submitted that as an amendment to the report.

The amendment was then adopted.

Hon. COL. SECRETARY offered some explanations respecting the charges for coal to which allusion had been made when the subject was previously discussed, showing that the auditors had not carried out the full explanation of the different items, and that the amount charged for hauling the coal also included payment for claiming out the cellar and stowing away the coal.

Hon. T. H. HAVILAND directed the attention of the Committee to several items in the accounts exhibiting a discrepancy

between the different amounts, and yet the auditors had given no explanation respecting the way in which the discrepancy occurred. The only way to arrive at a correct knowledge of the facts as stated by the Committee on public accounts, was to request that the documents referred to might be laid before the House in order to prove if there was so great a discrepancy as there appeared to be. He moved a resolution in accordance with the opinion he had expressed.

Hon. COL. SECRETARY entered into some explanations respecting the items referred to by the hon. member, Hon. T. H. Haviland, showing the manner in which the apparent discrepancy had originated in not carrying some of the balances to their proper places; but not blaming the auditors for any neglect of duty. At his suggestion the items in question were changed in a satisfactory manner.

After Hon. Mr. Palmer had offered a few remarks on the subject, only wishing to see the accounts corrected, and Hon. Col. Secretary had made some further explanations, Hon. T. H. Haviland withdrew his resolution. R. LAIRD, Rep.

Mr. PERRY.—The amount paid to the Surveyor General is large. Would it not be as well to embody a paragraph in the report, that if in want of the Surveyor General's services the commissioner should be instructed to notify him of the same; but not to employ him unless his services are actually required.

Hon. Mr. PALMER said the views of the hon. member who spoke last were good, and it would be well to abolish the office of Surveyor General altogether, for, he said, would not one Surveyor be enough; and even his services would not be required all the time if more land was not added to the public estate. He stated the fact that many land proprietors, employ only Surveyor, and then only for a portion of the time, as they should need his services.

Hon. COL. SECRETARY said the hon. member should bear in mind that many who had farms before the Government became possessed of the Public Lands, were found to be in possession of more land than they were entitled to, not to speak of the constant applications of purchasers, whose lands required to be surveyed. The Surveyor General had been employed in re-surveying the Worrell Estate, and laying out new roads, the making out of plans and surveying, which has kept him employed for over two years. He agreed with the Hon. Mr. Palmer that there was no need of employing a Surveyor all the time, and thought if his services were required twenty shillings a day would pay him well enough; and when the new roads were completed there would be no necessity of paying him a fixed salary; but employ him by the day.

Hon. Mr. PALMER alluded to the accounts of the Road Commissioner for the twelfth district of Queen's County (Charlottetown and Royalty) from which it appeared that the Commissioner (Mr. John Williams) charged for the hire of his own horse and servant man for the period of 123 days, at 10s. per day, for which there was no other voucher than the team-driver. He (Hon. Mr. Palmer) thought that labor on the roads might and ought to be put up at public contract. The hon. member then proceeded at some length to disapprove of the mode of working his own team on the public roads to the exclusion of others, as pursued by the Commissioner, and submitted a resolution censuring, in view of these facts, the Commissioner for so doing.

Hon. Mr. LORD did not see why the Commissioner had not a right to employ his own team, as to hire others; besides, it had this advantage, that his team was always on hand. If, however, Mr. Williams charged more for his team than was paid by the City Corporation of Charlottetown, it ought to be deducted from his account, because fixed prices are brought in by the City.

Mr. YEO said the general rule was for the Commissioner to let the work out on contract; but if he were allowed to keep his own accounts, how was it known that they were correct? Who was to keep an account against him?

Hon. Mr. LORD thought that complaints were brought in by the minority against persons, on no other grounds than that they were liberals. He mentioned a case where a former Commissioner was compelled to turn out his own teams on account of the party tendering failing to appear.

Mr. T. H. HAVILAND did not care whether the Commissioner were a liberal or "what-not." He only wished to see that the Commissioner was justified, and if so, in what way, in employing his own team in preference to others. But he thought the present way, was like Cæsar appealing to Cæsar.

Hon. COL. TREASURER opposed the motion of Hon. Mr. Palmer, and cited some incidents to prove how much more efficiently the road work was done by the present Commissioner than by former ones.

Hon. Mr. LONGWORTH was opposed to the method pursued by Mr. Williams employing his own team, not because he supposed there was any sleight-of-hand dealing in the matter, but upon the principle, which he considered was wrong.

Mr. CLARK thought if two competent men as Commissioners could be obtained who would do the work, without trusting to contractors, it would be better. In extenuation of what was charged against Mr. Williams for employing his own team, he (Mr. C.) said it was a difficult thing to get trucks or teams at all times, when required. The hon. member also bore testimony to the excellency of Mr. Williams, management, and improvements on the streets of Charlottetown and the Royalty Roads.

Mr. T. H. HAVILAND said that Mr. Clark's idea might be a good one after all. If there were two Commissioners they could watch each other.

Hon. Mr. MOONEY said that there were never good roads until Mr. Williams was made Commissioner. He did not think it just or manly for the minority to persecute one individual because of his political creed—to make him the scape-goat for all offenders.

Mr. PERRY thought ten shillings a day very high to charge; as, in the country a team could be had for six shillings per day; but in Charlottetown the case might be different. He did not think Mr. Williams was so much to blame for employing his own team; perhaps he could get no other at the time.

Mr. MACINTOSH said it was not Mr. Williams, but the system that should be persecuted,—a system which, if carried out, would, he thought, be establishing a wrong precedent. He hoped the public money would be better applied in future.

Mr. COOPER agreed with the remarks made by Mr. Macintosh.

Hon. COL. SECRETARY defended the conduct of the Commissioner at some length, and showed plainly that Mr. Williams was justified in employing his own team.

Mr. LAIRD thought the resolution was unnecessary.

Hon. Mr. PALMER said he would not press it.

And so the motion was withdrawn. T. KIRWAN, Rep.

After Hon. Col. Secretary had made a few remarks respecting a small deficiency in the accounts, resulting he considered from a mistake of £3 in some place, Mr. Macdonald moved that the Speaker take the chair, and the chairman report the report of the Special Committee agreed to with certain amendments. The Speaker then took the chair, and the report of the chairman was agreed to by the House.

Hon. Mr. Palmer moved that the resolution which he had submitted in Committee be added to the report. [See debates of Thursday, evening, April 9th, for Mr. Palmer's Resolution.]

Hon. T. H. HAVILAND seconded the motion. He considered the resolution of very great importance; because if the loan were effected which had been agreed to by the House, the Commissioner of Crown Lands would have a large sum of money in his hands; and other cases might arise similar to those which had already occurred; and therefore he thought that the law on the subject should be strictly adhered to.

Hon. Mr. LORD said, as he had stated before, that it was impossible for the Commissioner of Crown Lands, in going to the country, to employ men there, unless he paid them at the time. Was it likely that he could employ them, unless he paid them when the work was done? He had voted against the resolution before, and would still vote against it.

Hon. COL. SECRETARY said, he had stated already that the Commissioner of Crown Lands had paid the money in question by the authority of the Government. He then entered into an explanation of the accounts of the Commissioner similar to what he had before made. That gentleman also had vouchers for the sums he had expended. He hoped the House had a better opinion of the Commissioner than pass the resolution; and he did not think that the hon. mover and the seconder of the resolution doubted his honesty, yet they said there were no vouchers; and the resolution was to the effect that he had paid that money. As to that part of the resolution which stated that he should not have paid the money without the authority of Government, he (hon. Col. Secretary) had already stated that the Government had authorized him to pay those small sums. Still there must be some discretionary power in the hands of the Commissioner, as was the case with the Commissioners of Roads, for the warrants required to be drawn from the Treasury. He did not think it was worth cavilling about those small sums; and he thought the hon. member had better withdraw the resolution.

Mr. T. H. HAVILAND did not see the matter in the same light as the Hon. Col. Secretary. He considered the resolution of great importance; because why should the House pass acts from time to time, if the Government could say they were not to be carried out. The Hon. Col. Secretary had said it was understood that the law would be dispensed with; but he (Mr. H.) said it was not the practice of the Imperial Government to dispense with law. If the Government could not keep the law, could the House expect that the public would do so?

Hon. COL. TREASURER would merely state the fact that the auditors of the public accounts had seen the vouchers alluded to. He himself had applied to the Commissioner for information on the subject; and he stated that they had seen every one of them.

Mr. COOPER said, there was no person but must acknowledge that the money had been drawn contrary to law; and the law ought to be a guide for the Government, nor should they deviate from it. Certain hon. gentlemen on the opposite side of the House had paid a great deal of attention to the public accounts; and if there was anything of importance astray, it would be worth while to pass the resolution; but there would be no occasion to do that, if any error had occurred merely from the want of consideration on the part of the Commissioner, and if there was nothing criminal in it he did not think it necessary to push the matter so far as was contemplated by passing the resolution.

Hon. Mr. PALMER, from what had been said respecting vouchers, was willing to have that part of the resolution which related to them, struck out; and that being done, he did not think the resolution contained any such censure on the Commissioner of Crown Lands as the Hon. Col. Secretary thought it did. It was found that an officer had deviated from the Act of the Legislature in expending money. The first year it had been done by statute, and then by warrant, and as the money increased in his hands, they gave a dispensing power not to require it. He saw many reasons why the House should not permit proceedings of that kind to pass unnoticed. The resolution contained no censure upon the officers; it merely stated that the Act had not been carried out.

Hon. Mr. LORD would move that the hon. member have leave to withdraw his resolution; for it contained a direct censure upon the officers.

It was then agreed that the part of the resolution which related to vouchers be struck out. R. LAIRD, Rep.

The question was then put on Hon. Mr. Palmer's resolution, as amended, and was lost on the same division, as in Committee, with the exception that Messrs. Clark and Muirhead voted against it instead of the Speaker, who was in the Chair.

Then the House adjourned.

[The following is an abstract of the Report of the Committee on Public Accounts, as agreed to by the House:]

"Your Committee appointed to examine and report on public accounts for the past year, have to submit that after examining the different accounts to them referred, they find the financial affairs of the Colony to stand as follows:

Government of Prince Edward Island.

Dr.

Warrants unpaid, 31st January, 1857,	£22,687 7 0 $\frac{3}{4}$
Treasury Notes,	11,500 0 0
Debentures,	21,450 0 0

£55,637 7 0 $\frac{3}{4}$

Cr.

By assets in Treasurer's hands, 31st January, 1857,	£32,833 13 0 $\frac{3}{4}$
Balance,	22,803 14 0

£55,637 7 0 $\frac{3}{4}$

Dr.

To balance against the Colony, 31st January, 1856,	£18,101 18 1 $\frac{1}{2}$
Expenditure during year 1856, ended 31st January, 1857,	50,364 12 8 $\frac{1}{2}$

£68,466 10 9 $\frac{3}{4}$

Cr.

By receipts at Treasury for 1856,	£40,602 16 9 $\frac{3}{4}$
Balance, including all Debentures and Treasury Notes.	22,803 14 0

£63,406 10 9 $\frac{3}{4}$

"The revenue for the year ended 31st January, 1857, is £1418 5 4 $\frac{1}{2}$ less than that of the previous year.

"Your Committee have examined the accounts of the Commissioner of Public Lands, and from their sales they find that the sum of £1,086 1 4 $\frac{1}{2}$ has been paid into the Treasury, and there is yet to be paid, for Lands sold, £10,641 14 4 $\frac{1}{2}$, exclusive of interest.

"The Committee remark that although the revenue for the past year is £1418 5 4 $\frac{1}{2}$ less than that of the previous year, yet the deficiency on the Impost duty is but £20 17 6 $\frac{1}{2}$, while they understand that £730 of Impost duty has been paid since 1st January, at Three Rivers, on goods for this winter's consumption, and which amount does not appear in the accounts reported on. This they can not but consider as an indication of a more prosperous state of commercial business than was generally anticipated by the members of this House last session, when the opinion was generally expressed that the revenue for 1856 would be from three to five thousand pounds less than that of 1855.

"By order,

"ANDREW A. MACDONALD,

"Chairman."

MONDAY, April 13.

The House was engaged during the whole of this forenoon in conferences with the Council, and sitting with closed doors. T. KIRWAN, Rep.

AFTERNOON SITTING.

A Message was received from the Legislative Council informing the House that they had passed a Bill to incorporate the denomination of Christians called "Bible Christians," and to repeal a certain Act therein mentioned; also a Bill relating to the Office of Surrogate, and to other purposes—to both of which Bills they desired the concurrence of the House.

The last mentioned Bill was then read a first time;—second reading to-morrow.

The Bill relating to the denomination of Bible Christians having been read a first time, and the rule of the House relating to Bills suspended, it was read a second time, committed to a Committee of the whole House, and reported agreed to without amendment. It was then read a third time and passed.

Hon Mr. Whelan, from the Special Committee appointed to examine and report on the petition of inhabitants of Head of St. Peter's Bay, in reference to the establishment of a school, presented the Report of the Committee, which Report was adopted and the same Committee were appointed to prepare an Address to His Excellency in accordance with it.

Hon. Mr. Whelan, from the Committee appointed on the part of this House to join a Committee of the Legislative Council to prepare an Address to Her Majesty respecting the Fishery Convention relating to Newfoundland, presented the draft of an address on the subject. It was then received, and the consideration of it made an order of the day for to-morrow.

House adjourned.

TUESDAY, April 14.

A message was received from the Council, informing the House that they had passed a Bill to explain and amend the Land Purchase Bill, to which they desired the concurrence of the House. Bill read a first time.

Hon. COL. SECRETARY, in moving that the rule of the House relating to Bills be suspended, and that the Bill be read a second time, explained some of the provisions of the Bill. The purport of the Bill was to remove doubts which had been expressed respecting the power of the Commissioner of Crown Lands to convey more than 300 acres of land, which was necessary where the proprietors could not give good titles for the land, and were then required to take it back again. In cases in which parties settled on land would not attain, the only way was to hand them back to the proprietors, and allow them to deal with the parties.

House in Committee on the Bill.

Hon. Mr. PALMER remarked respecting one of the clauses, that there was a part of it which he did not exactly comprehend relating to various contingencies that might exist in the agreements made under the Land Purchase Bill. It was a retrospective and prospective clause; and therefore legislation on the subject should be approached with extreme caution. He moved that it be struck out.

Hon. COL. SECRETARY offered some explanation on the subject, that the Bill would not place the people in a worse position than they would have been, provided the property had never been conveyed to the Government.

After a few additional observations had been made, progress was reported, and leave granted to sit again.

The chairman of several Committees presented the drafts of addresses to His Excellency on subjects on which they had previously reported, which were agreed to by the House, and the same Committees appointed to wait on His Excellency with them.

House adjourned for one hour.

R. LAIRD, Rep.

AFTERNOON SITTING.

House in Committee of the whole on the Bill to amend the Land Purchase Act. Mr. Clark in the Chair. After a short but unimportant discussion, the House resumed. The Chairman reported the Bill agreed to without amendment, which report was received.

Mr. T. H. Haviland then moved the Bill be referred back to Committee, which, after some further discussion, was rejected on the following vote, viz:—Ayes, 4; Nays 11. The Bill was then read a second time and engrossed.

Hon. Col. Secretary moved the standing order be dispensed with, and the Bill be read a third time.

Hon. Mr. Palmer moved an amendment to the first clause of the Bill, that the words "or in the event of the occurrence or contingency," be struck out, which was also rejected after a good deal of discussion, on the same division as Mr. Haviland's motion was lost on.

The Bill was then read a third time and passed.

The first order of the day was then taken up,—the Bill relative to the Office of Surrogate, &c.,—and referred to next session.

The House then went into Committee of the whole on the report of the address in reference to the late Treaty between England and France in reference to the granting to the latter certain important fishing privileges on the coasts of Newfoundland and Labrador.

Mr. T. H. Haviland in the Chair. After some time spent therein, the House resumed. The Chairman reported that the Committee had gone through the report without any amendment. Adopted.

WEDNESDAY, April 15.

Hon. Mr. Whelan moved the petition of James Douglas, Bay Fortune, be taken up, read, and referred to a Select Committee to report on the same next session, which, after some modification in the wording of the same, was passed, and Hons. Col. Secretary, Mr. Lord, Mr. Whelan, Messrs. Cooper and McIntosh appointed as the said Committee.

Adjourned for one hour.

AFTERNOON SITTING.

And being met, some unimportant routine business was transacted, such as receiving reports of Special Committees, respecting the delivery of addresses to His Excellency on various subjects. A message was received from the Lieut. Governor, requiring the attention of the members of the House at the bar of the Council Chamber; and they having attended accordingly, His Excellency closed the Session, after giving, in Her Majesty's name, his assent to the twenty-one Acts passed during the Session.

T. KIRWAN, Rep.