

THE

PARLIAMENTARY REPORTER;

CONTAINING AN ABSTRACT OF THE

DEBATES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL AND HOUSE OF ASSEMBLY

OF

PRINCE EDWARD ISLAND,

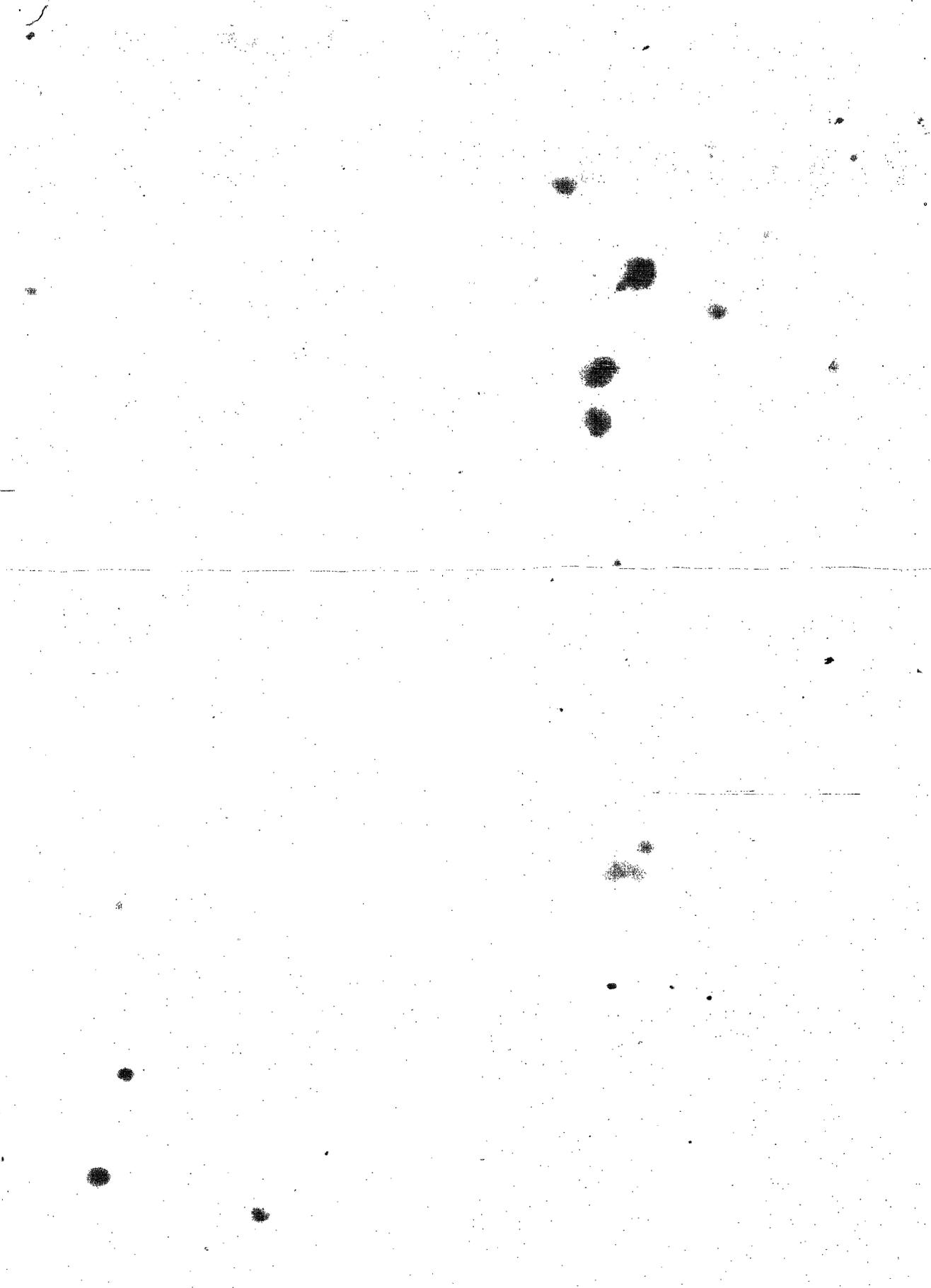
FOR THE SESSION ENDING 14th APRIL, 1856.

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THE

PARLIAMENTARY REPORTER.

CHARLOTTETOWN, P. E. ISLAND, FEBRUARY, 1856.

Issued from "The Examiner" Office.

MEETING OF THE LEGISLATURE.

On Thursday, the 14th February, 1856, His Excellency the Lieut. Governor came down to the Council Chamber, and with the usual formalities, opened the Second 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 called you together at the period which experience has shown to be most convenient for the ordinary course of public business.

Under the blessing of Divine Providence, the late harvest has proved abundant, and will, no doubt, stimulate those engaged in agricultural pursuits to perseverance in the habits of industry and order which have marked their course during the past year, and which cannot fail to produce the happiest results.

I am happy to be enabled to inform you that the decrease which I anticipated in the Revenue of the past year is unimportant, and that in this slight fluctuation, which may be easily accounted for, there is nothing to apprehend for the stability and soundness of the resources of the Island, the Revenue being more than equal to the ordinary expenditure.

Mr. Speaker and Gentlemen of the House of Assembly:

The Public Accounts shall be submitted to you as speedily as practicable, and I rely upon your readiness to make provision for the efficient support of the public service.

The Laws for the collection of the Revenue, as well as for its protection from the baneful effects of illicit traffic, appear to me to be liable to serious objections; to remedy which their careful revision and consolidation has become necessary; and in directing your attention to this important branch of the public service, I cannot doubt that it will receive all the consideration which the extended commercial relations and increasing importance of the trade of this Island demand.

Mr. President and Honorable Gentlemen of the Legislative Council:

Mr. Speaker and Gentlemen of the House of Assembly:

I feel assured that the interest you have manifested in the events of the War is undiminished, and that, although exempted from the great sacrifices which it entails, you are not the less solicitous for its early and satisfactory termination.

The Act of the last Session "to impose a rate or duty on the Rent Rolls of the Proprietors of certain rented Township Lands in this Island," and also the "Act to secure compensation to Tenants," have not received Her Majesty's confirmation.

The grounds upon which the decision of Her Majesty's Government regarding those measures is founded, shall be communicated to you.

I am happy to inform you that the transactions respecting the sale of Public Lands, which will, in due course, be submitted to you, have, in their progress, fully justified the expectations formed of the effects to be derived from the Land Purchase Bill, in the desired conversion of Leaseholders into independent Freeholders, advantages which are only limited by the small amount placed by that measure at the disposal of the Government.

The great advantages, moral and social, which are derived from the constant extension of Free Education, are appreciated to a very gratifying extent, as the rapidly increasing number of schools, already amounting to 268, and attended by above 11,000 pupils, fully testifies.

The agricultural portion of the community continue to derive substantial benefits from the operations of the Royal Agricultural Society, whose judicious importations supply those necessary articles, which could not be rendered available by unassisted private enterprise.

Closely bound up with the success of Agriculture and Trade, is the state of the Island communication with the neighbouring Colonies; and no more judicious application of the public resources can be devised than such as may be required to render this communication more secure, as well as frequent and expeditious. Any expenditure with this very important object, cannot fail to be repaid by the increased benefits which it will confer on every class of the community.

These, and all other objects affecting the public interests, will, I doubt not, receive your fostering care and attention; and you may always rely upon my cordial co-operation, in every well directed effort, to promote the welfare of the people and the prosperity of Prince Edward Island.

LEGISLATIVE COUNCIL.

DEBATE ON THE ADDRESS IN ANSWER TO THE GOVERNOR'S SPEECH.

Monday, February 18.

The Address in answer to the Speech of His Excellency the Lieutenant Governor being reported from the Committee by the Hon. Attorney General, who moved that it be referred to a Committee of the whole House—

The Hon. Colonel SWABEY, in seconding the motion, said—It has often fallen to my lot, to make a similar motion, but never did I on any previous occasion feel more sincere gratification in doing so, than I now experience. It is not my intention to allude to any topic calculated to excite angry feelings, or provoke a protracted discussion; but I shall confine my observations to one or two subjects alluded to by His Excellency. With reference to that part of the Speech which alludes to the Bills of last Session, which did not receive the Royal assent, I think that any discussion on that question would be premature, as His Excellency states that the reasons which led to their disallowance will be submitted to your Honors. But that part which alludes to the operation of the Land Purchase Bill, as it is a subject more particularly within the sphere of my own knowledge, from my official position,

Justified in directing the attention of your Honors for a few moments to the subject, and I am happy to state that when the returns from my office shall have been submitted, your Honors will recognize the wisdom of the Government in introducing and carrying into operation the Land Purchase Bill. The amount of the purchase money for lands already sold is between £11,000 and £12,000, and the remainder will probably realize some £30,000, after deducting all expenses connected with the management of the property. I believe that proprietors are more anxious now to dispose of their lands than they were before the passing of the Bill. The object of the originators of that Bill was to remove the angry feelings which subsisted between landlord and tenant. It was a bold experiment; but it has met its reward in the result. His Excellency has directed our attention to the defect in the Revenue Laws which require to be more stringent. The Address declares the opinion of your Honors that improvement is necessary. On the subject of Education, it is unnecessary for me to dilate, as its benefits are universally acknowledged; but I must say that it is highly creditable to the Colony, that one-fourth part of its revenue should be appropriated to Education. His Excellency's extended colonial experience, renders him peculiarly sensible of the benefits accruing from increased facilities for communication with other countries; and in this connection, I must say, that I have often heard with surprise, from people who ought to know better, the question, what benefit would improved communication confer on the farming population? Why, your Honors, if a farmer in this Island receives a telegraphic despatch from Shediac, announcing the price of agricultural produce, is it no benefit that he should be in a position to know what he may receive for the property he may have to dispose of? The telegraph will bring us into close connection with the United States, between which and this country, there are most intimate and important commercial relations. Our Steam Packet communication has hitherto been conducted under contracts extending but for one season. This system necessarily rendered the business vague and uncertain. Now, however, advertisements are issued, calling for tenders for a period which will place the business on a more permanent footing. A Telegraph Company is in communication with the Government, and I have reason to believe that another will shortly submit some propositions with reference to our communication with other countries. With reference to the paragraph alluding to the Agricultural Society, as my honorable friend, Hon. Mr. Haythorne, is absent, I shall not trouble your Honors with any remarks further than the expression of my opinion, that although I have doubted the wisdom of importing large horses, I have always recognized the benefits resulting from the introduction of the most improved seeds and agricultural implements, which could not be obtained by private means.

House in Committee of the whole—Hon. Colonel Swabey in the Chair.

His Honor the PRESIDENT.—It is indeed a matter of thankfulness that God has been pleased, during the past year, to bless the labors of the husbandman; and it is also a matter of congratulation that the trifling decrease in the revenue is so unimportant.

I have carefully examined the Public Accounts as made out by the auditors, and have made some calculations therefrom, which will, I think, prove to your Honors that the monetary affairs of this Colony are in a very satisfactory state; and that its financial condition is much more healthy than either that of Nova Scotia or New Brunswick.

The revenue for the fiscal year, which terminated on the 21st January last, amounted to £42,081, Island currency—showing a decrease of some £3952 from that of the previous year. This decrease has principally arisen from the imports, arising first, from the action of the reciprocity principle; and secondly, from the depression of the shipping and timber trade, on account of the war. But let peace, now so confidently spoken of, be again established, our revenue will then

attain the usual standard. The following are the items of decrease, viz:—

Imposts,	-	-	£6300
Land Assessment,	-	-	330
Crown Lands,	-	-	127
Book Sales,	-	-	209
And other small items,	-	-	140
			£7106

The items of increase are as follow:—

Post Office,	-	-	£127
Public Lands,	-	-	2120
Interest on Bonds,	-	-	135
Other items,	-	-	772
			£3154
			£3952

Making the total as stated the real decrease. His Honor then entered into some minute explanations, as relate to the causes of the decrease and increase, and gave a most satisfactory statement of the financial position of the present Government, and exonerated it fully from the charges of lavish expenditure and recklessness so freely made against it in other places. I have also, his Honor continued, made a calculation of the permanent expenditure of the Government for the past year, and find it to be as follow:—

Roads and Bridges, &c.	-	-	£9000
Education,	-	-	12,000
Legislature,	-	-	800
Salaries,	-	-	4000
Mails,	-	-	2400
Post Office,	-	-	680
Province Building,	-	-	240
Government House,	-	-	100
Lunatic Asylum,	-	-	350
Jails,	-	-	900
Crown Prosecutions,	-	-	350
Lighthouses,	-	-	840
Buoys and Beacons,	-	-	140
Public Printing and Stationery,	-	-	1000
Agriculture,	-	-	200
Public Lands,	-	-	11,600
Markets,	-	-	50
Poor,	-	-	650
Interest on Warrants, &c.	-	-	850
Miscellaneous, &c.	-	-	2681

£38,831

Making the permanent expenditure some £39,000, from which may be deducted expenses of Public Lands, interest and drawbacks, £2000—making the whole some £37,000 per annum. That during the last year there were casual expenses that will not again occur, for some time at least; such as £2000 for the Patriotic Fund—a vote for which all parties were agreed—and other contingencies, including the Census, amounting altogether to some £6500. On reference to the Public Accounts, I find that the public debt consists of—

Treasury Warrants,	-	-	£10,663
Debentures issued to pay off Warrants,	-	-	10,000
And Debentures issued on account of Warrell Estate,	-	-	18,000

£38,663

which bear interest at five per cent. per annum. Then add the Treasury Notes, which do not bear interest, amounting to £11,500; and you have the whole debt of the Colony amounting to £50,163. To meet this, there are assets in the Treasury,

£37,061

Value of Worrell Estate, as shown by report of Commissioner of Public Lands, after deducting £6000 yet to be paid,

23,000

Assets, £60,061

making £10,000 in favour of the Colony, besides all the public buildings, works, &c., and a full Treasury. The balance against the Colony when Responsible Government was introduced in 1851 was about £27,000; in the course of two or three years that balance was paid off, with the exception of the Treasury Notes. The balance last year was £9893, and by the above decrease in the revenue, it has amounted last year to £13,100, less than one-third of the revenue; and should the blessing of peace be established, then the revenue would so increase as to make the debt about one-fourth part thereof. On referring to the journals of Nova Scotia and New Brunswick, it will be found that the public debt of Nova Scotia is two-thirds of the revenue; and in New Brunswick it is four-fifths; which, by comparison with our own, places the financial affairs of this Island in a most satisfactory and highly creditable position. I cannot conclude my observations without a passing reference to the subject of Education—on which subject I shall call your Honors' attention to the fact, that under the fostering care of the Government, the number of schools has increased from about 100 to 268, and they are attended by upwards of 11,000 pupils. Our appropriation for this service is far beyond that of Nova Scotia or New Brunswick, regard being had to the difference in revenue and population. I do not consider it necessary to enter at greater length into the details of His Excellency's Speech, as it would be but occupying the time of your Honors in dilating on matters on which, I think, no difference of opinion exists.

TUESDAY, February 19.

The Address of the Legislative Council was adopted as follows:—

To His Excellency Dominick Daly, 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.

MAY IT PLEASE YOUR EXCELLENCY:

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

We are grateful to Divine Providence for the blessing of an abundant harvest, and are happy to learn that the anticipated decrease in the revenue of the past year is unimportant.

We assure your Excellency that we take a lively interest in the events of the war, and rejoice at the successes which under the blessing of Providence, have attended the Allied Arms, which we trust will lead to the re-establishment of peace upon a firm, honorable and satisfactory basis.

When the grounds upon which the decision of Her Majesty's Government, relative to the Act of the last Session, "to impose a rate or duty on the Rent Rolls of the proprietors of certain rented Township Lands in this Island," and also, the Act "to secure Compensation to Tenants," shall be communicated to us by your Excellency, they shall receive due consideration.

We are gratified to be informed by your Excellency that the expectations framed of the advantages to be derived from the Land Purchase Bill have been fully realised, and trust that the Government may be enabled to extend to all parts of this Island the benefits of that measure.

We fully appreciate the advantages of Free Education, and have no doubt that the constant extension of that admirable system, which has been brought to our notice by your Ex-

cellency, will be productive of great benefits to the inhabitants of this Island, and promote their social happiness.

We are happy to learn from your Excellency, that the operations of the Royal Agricultural Society have been satisfactory and beneficial to the agricultural community, and that their importations have been judiciously made.

We heartily concur with your Excellency, as to the importance of rendering the communication between this Island and the neighboring Provinces secure and expeditious, and will give to any measures which may be submitted to us for the promotion of that or any other object affecting the public interests, our careful and serious attention.

We thank your Excellency for the assurance of co-operation in every well-directed effort to promote the welfare and prosperity of Prince Edward Island, and we beg to express our full confidence in your Excellency's administration of its Government.

WEDNESDAY, February 20.

The Council having presented their Address to His Excellency, the following Reply was reported and read—

Mr. President and Honorable Gentlemen of the Legislative Council:

I beg you to accept my best thanks for your Address, and for the assurances of co-operation and confidence, upon which I place the fullest reliance.

BILL RELATING TO BILLS OF SALE.

After which the Hon. Attorney General moved for leave to introduce a Bill for preventing fraud by secret Bills of Sale of personal property; and in doing so, explained the principal features of the measure and the evils which it was intended to remedy. It was proposed to authorize the holder of a Bill of Sale to file it in the office of the Prothonotary of the county in which the grantor resides, a book to be kept for such purpose. The document to be proved by oath of witness. The expense of proving and filing would not exceed three or four shillings. The attesting witness to be allowed his reasonable expenses for attending to prove the instrument. A certain time allowed for Bills granted before this Act coming into operation, to retain their precedence. The Hon. Attorney General explained the necessity which existed for such a measure, as at present there is no security that a dishonest debtor may not defraud his creditor, who, relying on a Bill of Sale executed to himself, frequently finds on attempting to realize his security, that a third party has received the property previously made over to him. The Act would not interfere compulsorily between parties, as if it passed into a law, individuals could still base their transactions in mutual confidence.

The Hon. Mr. HAYTHORNE, in seconding the motion, stated that, while he admitted the principle of the Bill, there were some matters in the statement just delivered which would form matter of discussion, when the Bill should come up in Committee. The Bill was introduced and read a first time.

House adjourned till Friday next.

HOUSE OF ASSEMBLY.

THURSDAY, February 14.

The Members of the Assembly having returned to their own Chamber, the Hon. Speaker informed the House of the vacancy which had occurred during the recess in the office of Assistant Clerk; whereupon the Hon. Mr. Warburton moved that Mr. F. W. Hughes be chosen to fill the vacant office; the motion being seconded by Mr. Clark was about being put, when—

Mr. Douse moved in amendment that the name of Mr. Alex. McNeill be submitted for Mr. F. W. Hughes. The House divided—For the amendment, 3; Against it, 18.

Mr. Charles Dalgleish and Mr. Robert Hyndman were then severally put in nomination, but both amendments were negatived. The original motion was then put and carried, and Mr. Hughes was shortly after sworn in at the Clerk's table.

Mr. Clark moved for a Committee to receive Tenders for printing the Journal of the House.

Hon. Mr. Coles suggested that the same Committee receive tenders for printing the Debates.—This gave rise to a somewhat lengthy discussion, in the course of which the Hon. Mr. Palmer moved the following resolution in amendment to Mr. Clark's:—

"That a Committee be appointed to secure a speedy and more extensive circulation of the Debates of the House; and that an additional Reporter to the House be appointed, and that said Reporter be instructed to furnish to the several Newspaper Proprietors in Charlottetown manuscript debates from time to time, as they shall be ready; and that such manuscripts be delivered impartially to each Printer in the order of time at which his paper issues."

The House divided on the motion of amendment—In favour of it—7; Against it—14.

Mr. Robert Laird was appointed Reporter to the House for the present Session.

The following Committees were then appointed:—

To prepare the Address in answer to the Governor's Speech—Hon. Mr. Whelan, Messrs. Muirhead, McGill, McDonald, Munro, Laird and Perry.

To provide Stationery—Hon. Messrs. Warburton, Mooney and McGill.

To keep up a good correspondence between the two branches of the Legislature—Hons. Messrs. Coles, Wightman, Longworth, Messrs. Dingwall, H. Haviland and Clark.

A Committee was appointed to revise the journal of each day after the adjournment; also, a Committee to report on Public Accounts; a Committee on Private Bills; and a Committee to examine what laws have expired or are about to expire.

The usual orders respecting the transmission of a copy of each day's journal to His Excellency the Lieut. Governor; and the order for charging the postage on letters and papers of members, being agreed to—the House adjourned.

FRIDAY, February 15.

The Hon. Treasurer presented the following documents—Treasurer's Account to 31st January, 1856; list of Bonds to same date; Debentures issued under 14th Vic. cap. 20; Do. under 16th Vic. cap. 18; Return of cultivated and uncultivated land on Townships on which Assessment has been paid; Account of Land Assessment for 1855; Small Disbursement Account to 31st January, 1856; Abstract of Public Land Sales to 31st January, 1856. Those Papers were referred to the Committee on Public Accounts.

The Hon. Speaker laid before the House the Impost Account for Colville Bay. Referred to Public Accounts Committee.

The following resolution was passed and ordered to be published in all the papers:—

"That no Petition for Roads, Bridges and Wharfs, or for any object of a public or private nature, be received after Tuesday, 4th March."

Mr. Clark, from the Committee on Printing, reported that three tenders had been received; one from Mr. G. T. Hazard, one from Mr. John Walsh; and the other from Mr. Inga. The latter being the lowest, the House approved of it.—Adjourned.

SATURDAY, February 16.

Mr. Clark presented to the House the following Papers: Impost Account for Charlottetown and Outports for year ending 31st December, 1855; Light Duties collected at Port of Charlottetown for year ending 31st December, 1855; list of Immigrants arrived at Port of Charlottetown for year ending 31st December, 1855; amount of penalty received on schooner "Dragonet."

Ordered, that said Accounts be referred to Special Committee to examine and report on Public Accounts.

Hon. Col. Secretary moved that a Committee of seven members be appointed to report, by bill or otherwise, on the expediency of making provision for schoolmasters under the Free Education Act, when rendered unable to attend to their duties by sickness or old age. Committee—Col. Secretary, Mr. Warburton, Mr. Perry, Mr. McDonald, Mr. Whelan, Mr. Mooney, Mr. McGill.

Order of the day for receiving report of special committee appointed to examine on the expiring laws being read, House resolved itself into Committee; Mr. Perry in the chair. Mr. Speaker having resumed the chair—chairman reported that the Committee had gone through same, came to several resolutions thereon, which being again read at the Clerk's table, were agreed to:

Resolved, that it is expedient to continue Act 8 Vic. cap. 20, entitled an Act for regulation of Mackerel Fishery; Act 15 Vic. cap. 15, relating to Light and Anchorage Duties; Act authorising Harbor Masters to superintend the erection and laying down Beacons and Buoys in the several harbors and rivers; Act to continue and amend the Revenue Act; Act to continue the appointment of Coal Meters.

The following Committee were appointed to prepare and bring in Bills pursuant to the above resolution—Messrs. Clark, McIntosh, Wightman, Haviland and Dingwall.

On motion of the Hon. Col. Treasurer, that a Special Committee be appointed to revise the laws now in force relating to the retail by license of spirituous liquors, and report thereon, the hon. member remarked, the system of granting licenses under the present Bill gave much dissatisfaction, and was looked upon by persons in the trade more an obstruction than a protection to the fair trader; it was well known that both in town and country the number of unlicensed houses was considerably on the increase.

The following Committee was then appointed—Hon. Col. Treasurer, Messrs. Perry, Wightman, Dingwall and Montgomery.

The House then adjourned until Monday.

MONDAY, February 18.

TEACHERS' PETITIONS.

Mr. CLARK thought it would be expedient to appoint a Committee of seven members to examine Petitions from Teachers and report thereon; it was therefore "resolved, that a Special Committee be appointed, to whom shall be referred every Petition praying for grants to Teachers, to examine the same, and report thereon."

Ordered, that Messrs. Perry, Dingwall, Muirhead, H. Haviland, Montgomery, McGill and Laird, do compose said Committee.

The following Petitions were then presented to the House and read, viz:

By Mr. Clark, Petition of Letitia Muirhead, Township No. 16.

By Mr. Muirhead, Petition of Mary Ann Murphy, Township 16.

By Mr. Yeo, Petition of Arch. C. Beckford, Township 8. Mr. Yeo stated that petitioner complained that he had lost or mislaid the certificate which he had received from the Board of Education, and upon that ground was refused compensation. The hon. member knew petitioner for a long time, and felt bound to support the prayer of his petition.

Mr. Clark and Mr. Warburton supported the petition, and thought petitioner entitled to compensation.

The three foregoing petitions were referred to the Special Committee.

Mr. Muirhead presented Petition from certain inhabitants of Township 25, praying for aid to complete a road leading from Bedeque harbor to county line. Petition laid on the table.

LEGISLATIVE LIBRARY.

The COLONIAL SECRETARY wished to call the attention of the House to a custom which prevailed in removing Books from the Legislative Library, and which was productive of great inconvenience to the House. Members of the Bar were in the habit of taking away Law Books, and often retaining them for an almost indefinite period. He did not see why this custom should be allowed to continue, particularly during the sittings of the House, as members had frequent occasion to refer to them, and when sought for, it was discovered that some member of the legal profession had got possession of them.

Mr. H. HAVILAND thought it was invidious to attribute to the members of the Bar the custom of taking Books from the Legislative Library, and felt that the Hon Col. Secretary was actuated by private pique against a certain individual. In taking Books, he did not infringe upon the rules of the Library, and produced a minute of the Committee of the Library in support of the privilege.

The COLONIAL SECRETARY assured the hon. member that he was not actuated by private pique against any one, or disposed to take a narrow view of the subject, but contended that during the sitting of the House the custom should not be adhered to. He would be disposed to grant permission to the public to have access to the books of the Library. There were a numerous body of mechanics in Charlottetown to whom the perusal of works upon mechanics would be a great boon, and such persons should be permitted to have recourse to them. We owe to their skill the construction of our houses and the perfection of machinery used in our mills and manufactures.

The COLONIAL TREASURER thought that all persons holding office under the Government should enjoy all the privileges granted to members of the Legislature.

Mr. COOPER agreed with hon. members as to the free use of the Library by the public, but was opposed to the removal of books therefrom. He thought more care should be taken of the books, for if persons were indiscriminately permitted to take them off the shelves of the Library, they would very soon find themselves without them.

ADDRESS IN ANSWER TO THE GOVERNOR'S SPEECH.

House then adjourned for one hour. Having met, on motion of Mr. Whelan, 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. Perry took the chair of the Committee.

Hon. Mr. WHELAN.—As Chairman of the Committee who prepared the Address now before you, I trust I will be allowed the privilege of offering a few remarks on the general tone and character of the Speech to which it purports to be an answer,

before proceeding in the usual way to take the question of concurrence or non-concurrence on each paragraph of the Address. And permit me, Sir, in the first place, to observe that a more straightforward and unpretending Speech has seldom, if ever, been delivered to the Houses of Legislature in this Colony. It is certainly one that involves no difficulty in framing an answer to it, for it does not surprise us by the enunciation of many questions in the contemplation of the Government, nor requires at our hands any pledges in support of measures affecting the policy of the Administration. It nevertheless suggests, in a brief and explicit manner, a variety of the most important and interesting topics for our consideration: and I have no doubt they will command the most careful attention with both branches of the Legislature. The absence of a long array of Government measures is not to be regarded, I trust, as an indication that the Ministry have no work to bring before the Colonial Parliament. Although they have perfected many very useful measures, there is no doubt that the circumstances of the country will be every session demanding new ones; and such measures may be introduced and carried through the Legislature, without staking the existence of the Government on their adoption—not that there would be any ground for apprehension, if the Government did so stake their existence. But I am inclined to think that our deliberations are always more free, or at least have less appearance of constraint, when the questions which come before us are open questions, and not what are called Government ones.—With these remarks on the general character of the Speech, I beg now to direct the attention of the Committee to several subjects which His Excellency has brought to our notice. The fluctuation in the revenue of the past year is alluded to, and His Excellency has justly observed that the decrease may be easily accounted for. The revenue for 1854 amounted to £46,000; that for 1855 reached £42,000, exhibiting a deficiency of only £4,000; and that deficiency is mainly attributed to the limited amount of importations in the spring of last year. In 1854 there was great activity in the shipbuilding trade—merchants speculated or traded extensively, and in the fall of that year so heavy were the importations made, that large stocks of goods remained on hand in the spring of 1855. This circumstance will account, as well for the large revenue in 1854, as for the falling off in the Impost duties in 1855, which amounted to £6275 10s. 11½d., which was principally in the first quarter of last year. Again, the reciprocity established last year with the United States helped to lessen the amount of revenue. Too much importance cannot be attached to that measure, for there is no doubt that an extension of our commercial relations with the great Republic in our neighbourhood will advance the material prosperity of the Colony; but it was only perfectly reasonable to expect that for a year or two at least the amount of revenue would be diminished by it; yet whatever losses will be sustained by the Treasury in this respect, must be a gain to the pockets of the people. Another circumstance which contributed in no small degree to lessen the amount of our Impost duties for the past year was the scarcity of West India produce and liquors in the American and Colonial markets last fall, which rendered it impossible for our merchants to get their usual large supplies of those articles,—the price of, and demand for West India produce and spirits, being unprecedented, owing to the war in Europe. Well, then, there was a falling off of £329 10s. 5½d. in the amount of Land Assessment collected, which is easily accounted for by the fact of the Worrall estate having fallen into the hands of the Government, and, therefore, of course becoming exempt from the payment of the Assessment. There was likewise a decrease to the amount of £127 5s. 2d. in the sale of Crown lands, from that of the previous year, which was owing to the very large quantity of public lands thrown into the market by the purchase of the Worrall property. The miscellaneous items exhibiting a decrease show a falling of only £368 12s. Now as the revenue of the past year was only £4000 less than that of the previous year, there must have been a very considerable increase in some things. Well, there were £127 1s. 1½d. more collected at the Post Office last year than during the previous year, which is somewhat indicative of the growing intelligence of the country, and the interest on Bonds in the Treasury exceeded £154 15s. 8d. over that of 1854; while from the sale of public lands a sum of £2120 11s. 2d.

was realised. His Excellency recommends a revision and consolidation of the revenue laws, with the view of checking illicit trade—not that illicit trade is carried on to a greater extent now than has been the case in previous years, but because the Acts on the Statute book, bearing on the collection of the revenue, have become so numerous from repeated amendments, that it is not without some difficulty a thorough knowledge of them can be acquired. In consolidating those Acts into one, it will be the duty of the Legislature to revise them, in the hope that smuggling, which prevails in every country to a greater or lesser extent, may be checked. With a sea coast so unguarded as ours is—while the neighboring colonies are so easy of access, and while large bodies of American citizens can and do come, during the summer season, into our out-harbors, where revenue officers are not always at hand to watch their movements—it is folly to suppose that smuggling is not practised. We cannot hope that it will be completely put down, but still a careful revision of the laws may suggest some mode for lessening the evil.—With regard to that part of the Speech which makes allusion to the war, I shall not trouble the Committee with many lengthy observations. I think, however, we may safely assure His Excellency that we still watch with deep interest the varying aspects of the stupendous conflict in which Her Majesty's Government is engaged. About this time last year we evinced our sympathy with the sufferings of the many poor widows and orphans who had been thrown on the bounty of the British public through the calamities of war, by appropriating a very liberal sum towards their relief. The gallant exploits of the Army and Navy eminently justified such an expenditure of the public money. But what was the condition of that Army and Navy about this time last year? The Army especially was in the most hopelessly wretched condition—so dispirited—so shattered, so diminished in number by disease and want, rather than by the sword, that few persons, who could witness from a nearer point of view than ours the process of annihilation which was taking place—ever hoped or imagined that that Army would be ever capable of performing the deeds of valour which signaled their movements in the Crimea a few months later. It must have been a melancholy spectacle to witness a great Army—the most powerful, the most imposing that had left the shores of England during a period of forty years—so reduced and disorganised through neglect and incapacity on the part of those entrusted with its care, that its presence before Sebastopol was almost deemed a mockery. It was no wonder that the public mind in Britain was aroused, and the Government which tolerated such a state of things was made to feel the just resentment of the nation. The House of Commons at length ordered an investigation into the state of the Army in the Crimea. The facts, as first disclosed by the press, were made painfully apparent on enquiry, and so complete was the exposure of the Government, that even a Minister of the Crown—one of those who planned the campaign in Southern Europe—was obliged to fly before the storm of public indignation, confessing as he did so, that the state of the Army was “horrible and heart-rending in the extreme.” But no sooner did Lord Palmerston succeed the Earl of Aberdeen in the direction of public affairs, than a new spirit was infused into the camp at Sebastopol—the rigours of winter, too, had given place to the soothing and balmy airs of spring, and ere the summer's sun had again given bloom and fragrance to the earth, the British Army, in conjunction with their noble allies of France and Sardinia, gave abundant proof that the old martial fire burnt as brightly in their breasts as it ever did. Indeed, with the exception of the disastrous attempt at the taking of the Redan, on the 18th June, every engagement with the Russians (and there were many) terminated in favour of the Allies; and the summer's work was gloriously crowned by the capture and destruction of Sebastopol in September. Since that event nearly every mail from Europe held out some promise of renewed negotiations for the restoration of peace. Peace is once more upon the lips of the Czar—peace is echoed by the German Cabinets, the ready and subservient tools of Russia; but if the Russian eagles still waved from the towers of Sebastopol—if the Allies had been vanquished or foiled,—there would be no present speculations as to the prospects of peace.—Now, Sir, to descend from a great to a little subject, let us enquire what influence the

war has had in relation to ourselves. His Excellency truly says that we are exempt from the sacrifices which it entails. Unlike our fellow subjects at home, we have no taxes to pay for the support of a vast naval and military force—it is not in the power of any Minister to call upon us for such support; but unfortunately, like every other part of the Empire, we feel the effects of the war in a crippled trade and generally restricted commercial transactions, and in the continuance of famine prices for many of the necessaries of life. We have been made also to feel the effects of the war in the withdrawal of the small detachment of troops formerly stationed in this garrison. Her Majesty's Government assured us that their withdrawal was necessary to the augmentation of the Crimean army; but sixty soldiers constituted a very small addition to the ranks of the besiegers. The other Provinces were not deprived of their military force, although the same reason would apply as strongly to them as to us. The numbers in garrison in the other provinces were no doubt diminished, but still respectable bodies of troops continued to be stationed there, while not a soldier was left with us. I do not regret the absence of the military from any apprehension for the internal peace of the Colony. Our population, we are all happy to know, possess too orderly, loyal and peaceable a disposition to require an armed force to maintain the supremacy of the law; but if our republican neighbors—who have such a fondness for illibustering, and who sometimes make an inconvenient display of their physical force, as they did a short time since at Georgetown—were disposed to commit infractions of the law, a military force, no matter how small, might be of considerable service in bringing them to their senses. Her Majesty's Government having thought proper to deny us the same privilege in this respect as the other Colonies enjoy, we were thrown upon our own resources for the organization and maintenance of an armed force. A company of Newfoundland pensioners—whose services, in a military point of view, were specially recommended to us by the Duke of Newcastle—were enrolled here, and paid, for some months, out of the Island Treasury. But our revenue was too small to continue to support a military establishment, even on the most limited scale; and in order to meet the necessary outlay, a Bill was passed imposing a very moderate tax on the rent rolls of the land proprietors—they being a class deeply interested in the preservation of law and order, and contributing comparatively nothing towards the support of the institutions of the country, excepting their proportion of the assessment for education. His Excellency informs us that that Act, together with the Act to secure compensation to tenants in cases of ejection, has been disallowed by the Queen, and we are told that the despatch of the Colonial Minister, conveying the reasons for the disallowance, will shortly be laid before us. It is to be regretted that we are not at present in possession of the correspondence; but as we know that the proprietors petitioned Her Majesty to disallow the Acts I have mentioned, there is no doubt that through the force of their representations the Acts were rejected. It is degrading and humiliating to the Colony that the proprietors—most of them, or many of them absentees, and quite irresponsible—should exercise so arbitrary an influence at the Colonial Office as to render nugatory the deliberate action of our Legislature. This is a species of despotism that strikes at the root of one of our most valued privileges—that of self-government. What good purpose can be served by our sitting here to frame laws for the regulation of our internal affairs, if a secret and irresponsible cabal of land proprietors can successfully interpose between us and the Sovereign? Legislation, in such a case, is only an expensive mockery, and we should be quite as well, if not far better, without it. That our proceedings, as a representative body, should be thus frustrated, is a melancholy proof of our weakness as a dependency of the Crown. The powerful Province of Canada is exempt from such an intolerable despotism,—even the far less powerful provinces of Nova Scotia and New Brunswick are happily free from an *imperium in imperio* like that exercised over us by a proprietary junto. Weak and insignificant as we may be, I trust we will not quietly submit to the indignity offered and the injustice done us, but that we may have spirit enough to address such a remonstrance to Her Majesty's Government and to the Imperial Parliament as will have the effect of securing to us unfettered action in all legis-

lation that immediately concerns our domestic affairs, and thus enjoy, as far as a dependency of the Crown can, all the privileges of self-government in reality as well as in name.—I shall not make any observations on that part of the Speech relating to the sale of public lands, further than to say—that a report has been prepared by the Commissioner, and will, I presume, be shortly submitted by the Government, which exhibits, as I understand, the most satisfactory statement regarding the quantity of land sold—the amount realized—and the value of the land still in the possession of the Government.—But the next topic brought to our notice by His Excellency's Speech, is one on which the House possesses positive information, and regarding which it may not be out of place to offer a few remarks. The progress made under the free system of education has been so rapid and conspicuous, that the Lieut. Governor could scarcely fail to notice it, as a subject of general congratulation, on the occasion of the annual meeting of Parliament. His Excellency informs us, that there are at present 268 schools in operation, attended by 11,000 pupils. These figures exhibit an extraordinary increase over the numbers of schools and pupils under the old defective system. On reference to the School Visitors' reports, for the year previous to the introduction of the present free system, I find that there were only 126 schools in operation—not half the present number—and that during the periods of the year most favourable to a regular attendance of scholars, there were only 4735 pupils in attendance throughout the Island—very considerably less than half the number who now regularly attend our public schools. But it is only by a comparison with the resources and population of the other Provinces, and by reference to the provision made by them for the support of education, that the importance of our efforts in this direction can be fully appreciated. Nova Scotia, for example, has a population of about 300,000, and a revenue of £133,000. She pays for the support of education out of this large revenue only £16,280. New Brunswick has a population of about 200,000, though the Province is greater in area than that of Nova Scotia, but not near so densely settled; while her revenue amounts to the comparatively enormous sum of £203,000. The reason why the revenue of New Brunswick so much exceeds that of Nova Scotia, is owing to the peculiar nature of the business transacted in the former province. The lumbering business is its great staple, and the supplies of dutiable articles consumed in a tent where that business is carried on, are far more extensive than would be requisite in any manufacturing establishment in the sister province, with the same number of hands employed. Now, I find that New Brunswick limits her expenditure for education to the insignificant sum of £9,435. Here then, we perceive that Nova Scotia pays nearly double as much for education as New Brunswick, while the latter has a revenue of £70,000 more than the former. But Prince Edward Island makes a larger appropriation for education than either of them, aye, or both put together, in proportion to her means and population. By the last census, the total number of our inhabitants was 71,000,—our revenue last year was £42,000, and our expenditure for education for the same year was £12,000, nearly one-fourth of the whole revenue of the Colony. Well, then, our population is about one-fourth that of Nova Scotia—our revenue about one-third, and we give for education only a little over £4000 or one-fourth less than she gives. New Brunswick has more than four times our revenue—has about three times our population, and we give for education nearly £3,000, or nearly one-third more than she gives! Now, have we not great reason to be proud that with regard to an institution so essential to our moral, social and material progress, as that of education, we are so immeasurably ahead of two very important—two great Provinces like Nova Scotia and New Brunswick—placed, as they are, in the highway of nations, between the Old World and the New?—Only one other topic in the Speech remains for me to notice, but it is certainly one to which our best attention should be given, as it concerns, as much as any other, the best interests of the country. His Excellency directs our attention to the necessity of making provision for keeping up a regular communication with the neighbouring Provinces. We do not require to be reminded of the importance of such a subject. Our farmers and merchants, and through them every class in the community, are deeply inter-

ested in the maintenance of a close, regular and constant inter-communication between us and the neighbouring Provinces of Nova Scotia and New Brunswick, and through them with more distant lands. It must be admitted that this service was very fairly attended to during the past season. The provision made for mail communication last Session was liberal, and the Government were fortunate in securing the services of a steamer that appeared, last year especially, to give such general satisfaction as the *Lady le Marchant* did. But still there was great room for improvement, and I sincerely trust that the appropriation to be made this Session for our Summer Mail Service will be on so generous a scale as may enable the Government to far transcend all previous efforts in the same direction. Let us give liberally for this service, if we be obliged to practise a close economy with regard to other matters of less importance; and so deeply sensible am I of the advantages which are sure to accrue to the Island generally from our taking an enlarged view of this subject, that as one member of the House, I will be ready to vote for the largest sum that may be proposed to keep up an efficient communication with the other Provinces. In connection with this topic, it may not be improper for me to mention, although I am not a member of the Government, that the Executive, as I understand, recently entered into an engagement with Col. Favor—an American gentleman of great enterprise and activity—for extending to this Colony the benefits of the admirable system of express communication which has for many years prevailed between New Brunswick and the United States, and by means of which our letters between the great Republic and Canada may be received and transmitted about three days sooner than they could be received or transmitted when entrusted to the ordinary mail routes. The sum stipulated to be paid, I understand, for our participation in this very valuable arrangement, is only £40 a year—a sum so insignificant, that if it had no other tendency than to make us better acquainted than we are at present with our republican neighbours, with whom our commercial relations are rapidly extending, it would be money well applied; and I feel assured that the Legislature will do the Government ample justice for dealing so promptly as they did with the proposition made to them by Col. Favor.—I now, Sir, beg to move that the Address before you be read in the usual way—paragraph by paragraph.

Several paragraphs were then read, and agreed to without amendment or discussion.

On the fifth paragraph being read, which refers to the state of the Revenue—

Mr. DOUSE said, it appeared from observations made by His Excellency, in his Speech, that some information had been communicated to him; and wished to know if such had any allusion to goods landed at Orwell Bay. He thought Mr. Coles or Mr. Wightman could answer the question.

COL. SECRETARY—From information received from the officer in charge of Mr. Douse's district, it seemed impossible to collect any of the Revenue the year preceding the last. Some improvement, however, took place last year, when about £200 was collected. It was notorious that an American vessel had been seized and the penalty enforced. But there was a great necessity for consolidating the Revenue laws—they were scattered all over the Statute Book, from the very first to the last; and so numerous were they, that it would puzzle a Charlottetown Lawyer, as well as a Philadelphia one, to become acquainted with all their provisions.

Mr. DOUSE said—Government should make better appointments; proper officers had not been selected; persons living a long distance from the ports or harbours were not fit selections to fill such situations. In fact, there was no person to look after them, for the Government appeared to be careless whether their officers discharged their duties or not. No person could impute to him a desire to countenance illicit traffic. No matter who is appointed to office for the collection of the Revenue, he would support him; but as long as that abominable liquor, "white-eye," about which he had so often

spoken in that House, is encouraged, it must inevitably lead to illicit traffic.

Hon. Mr. COLES—Perhaps if the Government were to appoint as good officers for the collection and protection of the Revenue as Mr. Douse had nominated to be Road Commissioners, they would then arrive at the eminence of perfection.

Mr. COOPER said the law required revision, and ought to be consolidated and amended.

On the seventh paragraph being read, which relates to the disallowance of the Rent Roll and Compensation Bills, and a motion being made for its adoption—

Mr. COOPER said he could not assent to the paragraph just read until the correspondence alluded to was communicated to the House, which would shew why the Royal assent was withheld from the Bills referred to. The local Government must be in possession of the cause which the Home Government gave for withholding its sanction to the Bills. He would, therefore, move that the following paragraph be submitted in lieu of that in the Address:—

“As the Act of the last session to impose a tax upon the rent roll of proprietors, and the Act to secure compensation to tenants, has not received the royal assent, when the reasons assigned by Her Majesty's Government for such disallowance are communicated to us, they shall receive our deliberate consideration.”

This amendment was seconded by Mr. Laird.

Mr. HAVILAND said—that when the Address was introduced he was led to believe it would occasion no discussion, but finding that he judged erroneously, he would himself offer a few observations respecting it. The hon. mover of the address had stated that never before had there been a Speech at the opening of the Legislature so unpretending in its character as the one then under consideration. He (Mr. H.) believed that to be the case; and was inclined to think that those who prepared or advised the preparation of the Speech, had been somewhat influenced by the remark of an eminent man—“that words were given to conceal our ideas.” The hon. mover of the Address applauded the Speech for its silence regarding what are called Government measures. In former years, before Responsible Government was established, that hon. member used to remind the House that one of the advantages of the new system would consist in this—that the twenty-four members of the House would be spared the trouble of putting their heads together, in order to devise what measures would be necessary to promote the prosperity of the Colony, as every thing of that kind would be announced in the opening Speech. But the hon. member had changed his opinion—had then laid down an entirely different rule for our guidance, thus affording another illustration of the truth of the remark—that “the men of yesterday are not the men of to-day.” With respect to the admitted decrease in the amount of the revenue, he (Mr. H.) was at a loss for information on the subject, not having had recourse to the statistical knowledge within the reach of hon. members on the other side of the House.

[Mr. WHELAN.—The state of the revenue has been published some days since for general information.]

Mr. HAVILAND.—It was remarked by the hon. mover of the Address, that the increase in the amount of receipts at the Post Office was to be attributed to the more general diffusion of knowledge; but that could not have occurred during the short period that has elapsed since the passing of the Free Education Act. For his part, however, he (Mr. H.) was inclined to attribute the increase alluded to, to the low rate of postages on letters, rather than to any other circumstance. With respect to the recommendation contained in

his Excellency's Speech about consolidating the Revenue Laws, he (Mr. H.) fully admitted the necessity for that undertaking; but he would take leave to inform the Government, that they can never expect to have the revenue efficiently and honestly collected, until the Bonding system, in operation in Great Britain and other countries, be adopted here.—The hon. mover of the Address had alluded in strong terms to the disallowance of the Rent Roll and Compensation Bills; from which he (Mr. H.) inferred that the hon. member had also changed his opinion with regard to a great constitutional question; for when advocating the introduction of Responsible Government in former years, the country was told that one of its great advantages would consist in the adoption of every measure which the Legislature might think proper to pass, without regard to the interference of the Home Government; but it appeared to him (Mr. H.) that the constitution of the country was not yet settled, and he feared it would long remain so, especially if dependence had to be placed on the doctrines enunciated by the Queen's Printer. Much fault had been found with the proprietors of land for interfering to arrest the passage of the Rent Roll and Compensation Bills. He could not see why they should be censured for exercising a right so long and universally acknowledged, and so dear to us all, as the right to petition the Sovereign for the redress of any grievance, or the prevention of any wrong. The interests of the proprietors were seriously menaced by the Bills in question, and as they contained suspending clauses, and had therefore not become law, they (the proprietors) had just as good a right to oppose their passage, as any member of that House enjoyed, while the Bills were in progress there. Had the Bills been just in their principle, and affected the interests of all classes of the community alike, there would have been no ground for petition against them, and there is no doubt that they would have received the royal allowance.

Hon. COL. SECRETARY—In reply to an observation from the opposite side of the House, as to the proprietors not being fairly represented in the Legislature, remarked, that he thought they were well represented, inasmuch as that one-third of the members of that House were either agents or proprietors themselves; and were especially well defended by the hon. member who had just sat down. Indeed some of those who had signed the remonstrances against the measures under consideration, occupied seats in that House. He denied that the measures were inequitable in their principle, for others as well as the proprietors would have to bear the burthen of supporting a military force, for which the Rent Roll Bill was especially passed. The sum to be raised under that Bill would be insufficient for the purpose contemplated, and the balance would, therefore, have to be taken from the revenue of the Island, which is raised by general taxation. The inhabitants of this country, he continued, contributed far more to the support of its various institutions than the proprietors did, who claimed ownership over the larger portion of the soil. What signified the small tax on their wilderness land for the support of education? If they wished to avoid that tax, they might easily do so by disposing of their lands. But no, there appeared to be a determination on their part not only not to sell their lands to the Government on reasonable terms, but to render, if possible, the Purchase Bill a nugatory measure, by selling their estate, or the best portions of them, to private speculators at lower prices than the Government would, perhaps, be willing to give. Of course, those private speculators have an interest in representing the Government as either unwilling or unable to purchase; and it is to be regretted that the proprietors are so easily deceived by such representations. With reference to the amendment

offered by the hon. member for the first district of King's County, (Mr. Cooper) he (the Colonial Secretary) could regard it in no other light than as an attempt at opposition to the Government. He professes to be actuated by a desire for information. Surely he is not in want of any information with regard to the Bills disallowed by Her Majesty's Government. He informed us some time ago in the newspapers that he knew they would be disallowed, and that he himself had voted for them for no other purpose than to bring his party into disgrace at the Colonial Office. Well, now, (continued the Col. Secretary) since the hon. member (Mr. Cooper) appeared to be influenced by such unworthy motives, and since he enjoyed so much power in England as to be able to drive Lord John Russell from office, it is quite reasonable to suppose that he also exercised his great influence with the Colonial Minister to defeat the measures which he had previously supported in that House; and is therefore desirous that no censure should be cast upon the proprietors with whom he co-operated.

Mr. COOPER said the Committee were certainly premature in expressing any opinion regarding the disallowance of the Bills referred to, while there was no positive information before the House. He did not intend to cast any reflection on the Government. He considered that in offering the amendment he was pursuing a very proper course.

Mr. DOUSE took the same view as the hon. member who had just spoken. He would support the amendment. It would be quite time enough to entertain the consideration of the subject before the Committee when informed of the reasons which induced the Home Government to disallow the Bills. He thought it unfair to attack any hon. member for voting or otherwise acting according to his conscience. For his part he would be ashamed to taunt any hon. member for whatever action he might be inclined to take on that or any other subject. With regard to the rejected Bills, he had no doubt that the members and supporters of the Government were in possession of the reasons that induced the Crown to disallow them; but as other members of the House had not the same information, they should not be called upon to express an opinion on the subject, as the paragraph in the Address required them to do.

The question was then put on the paragraph under consideration, when there appeared for the amendment—Messrs. Cooper, Laird, McIntosh, Haviland, Douse, Yeo, Montgomery, Longworth and Palmer.

Against it—Messrs. Wightman, Mooney, Col. Secretary, Col. Treasurer, Whelan, Perry, Dingwell, McDonald, Munro, McGill, Muirhead and Clark.

The original paragraph was then agreed to.

On the eighth paragraph being read, which has reference to the sale of public lands, Mr. LAIRD moved to substitute the following as an amendment to it:—

“As it is most desirable that the tenantry who reclaimed the land should obtain the freehold interest of their farms on equitable terms, we shall be happy to receive any information from Your Excellency to shew that the settlement of a portion of the tenantry in freehold under the Purchase Act has given them general satisfaction.”

This amendment having been seconded.

Mr. CLARK proceeded to make some observations on that part of the Address relating to the revenue. He said he was not in the House when that paragraph was agreed to, having gone into his own office to examine some official documents that bore upon the subject. Though at first somewhat inclined to question the accuracy of the statements made by the hon. member (Mr. Whelan), he (Mr. C.) now found them to be perfectly correct. The decrease in the amount of duty on liquors imported into Charlottetown exceeded £2000; on molasses, there was a falling off of duty to the amount of £163; on tobacco, £783; on goods subject to a duty of 2 per cent., the importations last year were very considerably less than they were the previous year—on articles, used for ship-building purposes, such as cordage, chains and anchorages, and hable, as the House were well aware, to the 2 per cent. duty, the decrease in the revenue amounted to about £4000. This

was a strong proof of the decline of the ship-building, which of course affected every other branch of industry. The free trade treaty with the United States did, to some extent, injuriously affect the revenue; but there was an increase of duty on American manufactured goods, and on tea imported into Charlottetown. His offering those statements might seem to be out of place, as the paragraph to which they referred had been agreed to; but he made them in corroboration of the remarks which fell from Mr. Whelan.

Hon. Mr. PALMER observed, that much inconsistency was apparent in the conduct of some hon. members. In the course of the long speech delivered by the mover of the Address, he alluded to the operation of the free trade principles as productive of a decrease in the revenue. It had been the practise of that hon. member to propound a far different doctrine, and to boast of the advantages that would result from the establishment of free trade. For his (Mr. P's.) part, he was never in favour of that measure, and could not, of course, be disappointed if it had a detrimental effect upon the interests of the Colony. It had been said that the consumption of liquor during the past year was as great as in former ones, and the hon. member for the second district of Prince County (Mr. Clark) quoted official records to shew, that the duty collected on liquors last year was over £2000 less than that of the previous year. If both the statements which he (Mr. P.) had referred to were correct, then it was only fair to conclude that liquors must have been smuggled into the country, the duty on which would have amounted to more than £2000. He had supported Mr. Cooper's amendment—and he trusted that hon. and learned member did not think ill of him for doing so—because it appeared to him as the more proper course to abstain from expressing any opinion regarding the reasons which induced Her Majesty's Government to disallow the Bills so frequently alluded to, until those reasons should be made known to the House by the production of the correspondence promised in His Excellency's Speech. He would also support the amendment before the Committee, because it very properly avoided expressing any opinion regarding the efficiency of the Land Purchase Bill. That was a measure on which much diversity of sentiment prevailed, and he for one did not feel himself justified in speaking of it in laudatory terms.

After a few further remarks from several hon. members, chiefly made in a conversational tone, the question was taken on Mr. Laird's amendment, when the names stood precisely as in the previous division. The remaining paragraphs of the Address were then read and agreed to without discussion, when the Committee rose, and the Speaker took the Chair. The amendments lost in Committee were then respectively put by Messrs. Cooper and Laird. When the amendment of the latter gentleman was about being put, Hon. Mr. Palmer proposed as an amendment to it the introduction of the words “equitable and” in the second line. This gave rise to some discussion as to whether the Speaker could constitutionally put an amendment to an amendment—the hon. Speaker himself declining to entertain it, on the ground that it was unusual and unparliamentary. A precedent for such a course having, however, been discovered in “May on Parliament,” the objection against Mr. Palmer's amendment was not persisted in, and was agreed to without a division. The question was then taken on Mr. Laird's amendment, as amended, and lost, the division being the same as in Committee, with the exception of the Hon. Speaker, who voted against it in Committee, and the same as the division on Mr. Cooper's amendment, both in Committee and in the House. The question was then taken on the whole Address as reported from the Committee, whether it should be agreed to by the House, when there appeared

For the Address—Messrs. Whelan, Wightman, Munro, Mooney, Colonial Secretary, Treasurer, Perry, Dingwell, McDonald, McGill, Muirhead and Clark.—12.

Against it—Messrs. Cooper, McIntosh, Douse, Montgomery, Palmer, Laird, Haviland, Yeo and Longworth.—9.

The Address was then ordered to be engrossed, and was presented to His Excellency by the whole House on Wednesday.

The following is the Address as agreed to by the House, and presented to His Excellency:—

To His Excellency Dominick Daly, Lieutenant Governor and Commander-in-Chief, &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 were pleased to open the present Session at a period so convenient for the ordinary transaction of public business.

It is a source of the highest gratification to know that the labours of the husbandman have, during the past year, been blessed with an abundant harvest—a blessing, we feel assured, which will give an impetus to industry and perseverance in agricultural pursuits.

We are rejoiced to learn that the decrease in the revenue for the past year is unimportant; and that while there is nothing to apprehend from that fluctuation for the stability and soundness of the resources of the Colony, it is gratifying to know that the revenue for the year has been more than sufficient to meet the ordinary expenditure.

We shall give a careful attention to the Public Accounts as soon as they are laid before us, and we will cheerfully make the necessary provision for the public service.

We fully concur with your Excellency in opinion as to the necessity of revising and consolidating the laws for the collection of the revenue, with the view of checking illicit traffic, so injurious to the trade and commercial relations of the Island; and it will be our duty to give the best consideration to this important subject.

The interest we have endeavoured to manifest in the progress of the war is not only undiminished, but rather quickened by the recollection of the splendid achievements which crowned the arms of the allied Sovereigns during the past year. Though far removed from the scene of conflict, and happily exempt from the sacrifices it entails, we are nevertheless earnestly solicitous that the crowning glory to the arms of our beloved Queen and of Her august allies may be speedily found in the restoration of an honorable and permanent peace.

It is with unfeigned surprise and regret we have learned that the Act of the last session "to impose a rate or duty on the rent rolls of the proprietors of certain rented Township lands in this Island," and also the "Act to secure compensation to Tenants," have been denied the royal confirmation. Confident that Your Excellency is at all times desirous to promote the prosperity of this Island, we are satisfied that the failure of those measures, so equitable in their principle, and so essential to the well being of the Colony—was not owing to the want of Your Excellency's personal recommendation; but rather to the exercise of an influence long seriously felt, always foreign and always baneful to the best interests of the Colony. The communications promised by Your Excellency in reference to the measures which Her Majesty has been so unexpectedly advised to disallow, shall receive an early and deliberate consideration.

It affords us much satisfaction to learn that the transactions under the operation of the Land Purchase Bill have been such as to fully justify the high expectations formed of that measure, with regard to the conversion of Leaseholders into independent Freeholders—an advantage which we are fully sensible could be greatly augmented if a due regard for other interests allowed a larger amount to be placed at the disposal of the Government under the Bill alluded to.

We are rejoiced though not surprised to learn that the inhabitants of the Island so highly appreciate the moral and social advantages resulting from a general diffusion of education, as is evident from the unprecedented number of schools that have been called into active operation by the Free Edu-

cation Bill. We believe that no part of Her Majesty's dominions, of the like area with Prince Edward Island, can exhibit such marked improvement in what tends so much to promote public happiness, tranquility and prosperity as a constant and liberal extension of education.

We are fully sensible of the advantages which the agricultural portion of the community have derived from the operations of the Agricultural Society. Every other interest is involved in the prosperity of our agriculturists, and a Society which confers benefits upon that industrious class, demands encouragement from every other.

But much as agricultural industry may be encouraged through the exertions of an agricultural Society, its progress mainly depends upon an active and thriving commerce. To secure this, it is necessary there should be a free, uninterrupted and expeditious communication with other countries, and especially with the neighbouring Colonies. So important an auxiliary to trade requires a liberal appropriation of the public finances, and we trust that during the present Session we shall not be found to take a narrow and contracted view of a matter which so deeply concerns the prosperity of the country.

In the progress of our deliberations on these and other objects affecting the public interests, we shall be happy at all times to avail ourselves of Your Excellency's well known zeal and ability, and we doubt not that our united efforts may tend to promote the welfare of the people of Prince Edward Island.

TUESDAY, February 19.

Hon. Mr. Whelan, from the Committee appointed to wait on the Lieut. Governor with the Address of the House, reported the delivery thereof, and that His Excellency would receive it at one o'clock to-morrow.

Mr. Clark, from the Committee on expiring laws, presented a Bill to continue the Act for the regulation of the Mackerel Fishery; which was read a first time.

In the afternoon sitting, the following Petitions were presented—

By Mr. Perry, from certain inhabitants of Lot 17, praying aid towards repairing a road connecting Miscouche Shore with the main Fifteen Point road; and a Petition from Louis Arseneaux, Lot 5, praying compensation for his services in ferrying Mail at Casumapee ferry.—Petitions laid on the table.

LICENSE ACT.

The Hon. Treasurer, as Chairman of the Committee appointed to revise the laws relating to the sale of spirituous liquors, presented the report of the said Committee, which is as follows:

"Your Committee, appointed to revise the law relating to the sale of spirituous liquors, recommend—that the several Acts relating thereto be re-consolidated, and that the following amendments be made:—

"That two Magistrates or Commissioners of Small Debts, and six of the inhabitants, may certify to the necessity of establishing a public house in any locality.

"That the certificate of the Grand Jury be dispensed with: and

"That no ten pound licences be granted out of Charlotte-town."

The Report was ordered to be referred to a Committee of the whole House to-morrow.

HUNTER RIVER.

The Hon. Col. Secretary presented a petition from certain inhabitants of Lots 23 and 24, praying for a grant of money in aid of individual subscriptions towards building a bridge over Hunter River, at the old Ferry, (Rustico.)

Hon. COL. SECRETARY said—In laying that petition before the House, he would give it his most cordial support. The inhabitants of Rustico and Cavendish, who were deeply

interested in the construction of the contemplated bridge, and who suffered much inconvenience from the want of one, had subscribed very handsomely towards the undertaking. They were an orderly and industrious class of our population—were principally French,—and what was much to their credit, had but seldom troubled that House for grants of money for objects of a local nature. An admirable bridge had been lately constructed in another part of his (the Col. Secretary's) district, at a moderate cost, but the one in contemplation was no less necessary, and he trusted the House would give a liberal grant in aid of it.

The Petition was referred to Messrs. Coles, Laird and Warburton, as a Committee to examine the same, and report thereon next Session.

WEDNESDAY, February 20.

PETITIONS.

The Hon. TREASURER presented a Petition from James Gillanders, School Teacher, setting forth his long services as such, and praying that a small sum be annually allowed him to sustain him in his declining years:—a second petition was presented from the same person, praying for an allowance for services rendered during several months of the past year in Prince County.

The Hon. Col. SECRETARY was inclined to support the prayer of this Petition—the petitioner, he believed, was a most deserving person, which was sufficiently proved by the fact that upwards of 300 persons recommended his case to the consideration of the House. He had been in the service of the public as a Teacher for about 34 years, and thought that some provision ought to be made for him.

The Petitions were referred to the Special Committee appointed to report on Teachers' Petitions.

A Petition of certain inhabitants of Trout River, Lot 13, was presented by Mr. Yeo, praying aid towards repairing a Bridge and Road. Mr. Yeo strongly urged the prayer of the Petition.

Hon. Mr. MONTGOMERY also supported the prayer of the petition, but thought it would be necessary, before any sum of money was set apart for the bridge, to employ Mr. Doirant, or some other competent person to examine the bridge, and ascertain what repairs were required.

The Hon. Col. SECRETARY agreed with the suggestion just made by the Hon. Member from Princetown. When Mr. Doirant reported on the bridge, the House would be able to decide as to whether rebuilding or repairing would be the most desirable course to adopt.

Mr. CLARK thought that about £200 would be required for the work, and that if that sum were expended, the bridge would be rendered serviceable for some years to come; but it would certainly be advisable that Mr. Doirant should first inspect it—his skill in bridge-making was well known to the House, and he would no doubt make a satisfactory report of what was required to be done.

FERRY WHARF, CHARLOTTETOWN.

The Hon. Col. SECRETARY remarked that, as the subject before the House was one which had reference to bridges and wharfs, he would call the attention of Hon. Members to the necessity which existed for providing another wharf in Charlottetown, where the ferry boat could have a secure and convenient landing. The want of a proper slip at the old Queen's wharf was much felt; there were times when much difficulty was experienced in getting in or out of the boat; and females particularly suffered from the want of the necessary accommodation. He thought it impossible to construct a good landing place at the Queen's wharf, as the shipping, usually moored there, would be much interfered with; but he considered that the end of Prince Street would be a most eligible site for another wharf. A plan of such wharf had been prepared, and was before the Government. He (the Col. Secretary) had been in communication with Mr. Reddin about renting his wharf for the purposes of a Ferry landing,

but he thought that the sum he asked for such accommodation, viz: £60 a year, was too much; for Mr. Reddin would, of course, reserve to himself, in any contract which he might enter into with the Government, the right to pile deals and timber upon the wharf, and to moor vessels thereat for loading and unloading; so that the inconvenience now complained of, would be felt as much as ever. He had given the subject much consideration, and had come to the conclusion, that it would be far better to provide for constructing a wharf exclusively for the use of the Ferry, than expending money on an attempt to make the old Ferry wharf more convenient for the purpose. To do this might cost, perhaps, £500 more than would be required for making any improvements upon the old wharf; the interest of that money would be a very trifling sum, £25 per annum; and surely it would be better to incur that annual expense, besides the small additional expense that would be incurred to keep the wharf in repair, than undergo a rent of twice the amount, and not have the entire control of the wharf. He (the Secretary) recommended the members of the Assembly to examine for themselves the site he had suggested, for after doing so they would be better prepared to express an opinion regarding it. Persons residing and transacting business in Queen Street, would, no doubt, object to his proposition to remove the Ferry landing to Prince Street; but they should remember that they had enjoyed the advantages of a ferry wharf in their immediate vicinity for a long time, and he hoped they had good sense enough to recognise the propriety of adopting a site that would give satisfaction and great accommodation to the public at large, and one that would be particularly advantageous to people residing on the opposite side of the river.

Hon. Mr. MONTGOMERY approved of the suggestion thrown out by the Hon. Col. Secretary, as to the eligibility of the landing at the bottom of Prince Street, as a site for the erection of a Ferry wharf. Complaints were unceasingly made about the want of proper accommodation at the wharf at present used for a Ferry landing; and he (Mr. Montgomery) had no doubt that those complaints were fully warranted by the circumstances of the case. The intercourse between both sides of the Hillsborough Ferry had now become very extensive; a large section of our population, living on both sides, was deeply interested in keeping up an intercourse as free from obstruction as possible; and he (Mr. Montgomery) therefore thought that steps should be immediately taken to afford the public generally the best accommodation, without regard being had to private or individual interests.

The Hon. TREASURER fully concurred in opinion with his hon. friend, the Secretary, as to the end of Prince Street being the most eligible site for the projected wharf. The Government, with the sanction of the Legislature, would soon be required to build a new Market house; and as the Square now used for a market place was already too much crowded to warrant the erection of another building there, he thought that Hillsborough Square would be the most convenient place to erect one. Its proximity to the place pointed out for the construction of a new wharf would strengthen the adoption of the suggestion of his hon. friend. Several other hon. members having expressed themselves to nearly the same effect, the subject was then dropped.

Some routine business was then disposed of. A Bill to continue the Mackerel Fishery Act was committed to a Committee of the whole House, and agreed to therein.

A Committee was appointed to examine and report on Petitions relating to the establishment of new Post Offices. Hon. Mr. Wightman, Chairman. A Committee was also appointed to examine and report on Pauper petitions. Hon. Mr. Mooney, Chairman.

The House then waited on His Excellency with the Address in answer to his opening Speech, after which an adjournment took place.

TAVERN LICENSE ACT.

On meeting again in the afternoon, the report of the Special Committee appointed to revise the License Law was

referred to the whole House in Committee—Mr. Clark in the Chair. Considerable discussion ensued on the amendments suggested, which our reporter has condensed as follows:—

Hon. Mr. **WARBURTON** believed that no one could deny that licenses for the retail of spirituous liquors could not well be dispensed with, in the present state of society, and the first object of the Legislature should be, in dealing with a matter of that nature, to make licensed houses as respectable as possible. Recent enactments had not had that tendency. The grand Inquest of the County had been entrusted with the power of recommending, or, in fact, deciding on the fitness or unfitness of persons for keeping public houses; but it was notorious that that power was not discreetly exercised. In too many cases, both in Town and Country, persons wholly unworthy of trust, and quite incompetent, received the necessary recommendation; whilst those who could, and did formerly, keep good houses, were denied it. The obtaining a license, under the present law, was more a matter of favoritism with Grand Juries than consideration for the necessities of the case, in a public point of view; and such were the difficulties of obtaining license by parties who did not stand high in the favour of Grand Juries, that the number of illicit retailers throughout the Island had been very greatly increased. Even the most strenuous advocates of total abstinence had been forced to admit this; thus a law, which was framed with the view to restrain the too free indulgence in the use of ardent spirits, had had the opposite effect. Our present License Law was intended to be a step in the direction of prohibition. Hon. members must have noticed the result of a trial of that system in other places. It totally failed in the United States, where it had had its origin; and society in New Brunswick, which was then undergoing the ordeal of a prohibition law, similar to that of the State of Maine, had been most violently convulsed by the attempt to enforce it. He, (the Hon. Treasurer) therefore, proposed to amend the Act, by divesting the Grand Jury of the power they at present exercise; and by setting aside the practice of granting ten pound licenses to country retailers, which frees them from the obligation of affording accommodation to travellers, and which only leads to the gross indulgence of low tipping habits; and by revising the practice of granting licenses, at the former moderate rate, to such respectable and worthy persons as might be recommended by two of the nearest Magistrates, and six of the neighbouring inhabitants. From these alterations he had no doubt that a respectable class of taverns would soon be restored to the Country.

Mr. **YEO** admitted that the present law was much abused, as was sufficiently evident from the fact of there being a great many unlicensed taverns throughout the Island, and he was sorry to say, were generally houses of the worst description, but he could not say that the plan proposed by his hon. colleague would put a stop to illicit traffic, and abate the nuisance complained of. He thought that if it were made obligatory on parties applying for license to obtain the certificate of the resident clergyman, in addition to that of the Magistrates and inhabitants, there would be a far better security for the respectability of houses for the accommodation of the public.

Hon. **COL. TREASURER** could not approve of the suggestion made by his hon. colleague, with respect to clergymen being required to give certificates for tavern licenses. Persons of that description had quite enough to engage their attention in watching over the spiritual affairs of their respective flocks; and he (the Hon. Treasurer) thought it would seem anomalous to bring them in direct contact with the establishment of houses for the sale of spirituous liquors, the evils arising from the abuse of which it was their especial duty, if possible, to prevent. The plan proposed by the hon. member (Mr. Yeo) had been tried in Canada, but it had to be abandoned in less than a year from the time of its adoption—clergymen and all others being glad to get rid of it.

Mr. **DOUSE** would not give his support to an Act framed in conformity with the recommendations contained in the

report then before the Committee, because he was satisfied that such an act, instead of restraining the abuses and evils resulting from the establishment of low grogeries, and lessening their number—would have the opposite effect of multiplying the evils and the number of those abominable places. He thought that if Magistrates were entrusted with the power proposed to be given to them, it would then be a very easy thing to get the necessary certificate; drunken Magistrates would be always too ready to perform such a service; and the consequence would be, that a grogery would start up in every hole and corner of the Island, where nothing but that poisonous compound called "white-eye" would be dealt out to the people. His own district, he was very sorry to say, was severely afflicted already by the existence within its precincts of such places; and he would be sorry to give his vote in support of a measure that would tend to increase their number. He trusted that other hon. members would carefully consider the proposition submitted to them, and not too speedily dispense with the present efficient mode of licensing public houses for one that would certainly lead to an increase in the number of houses of a very improper character.

The Hon. **TREASURER** was not aware that the district of the hon. member who had last spoken was in such a degraded state as he had represented it to be. It appeared from his remarks that what were called *shebeen shops* were very numerous in that district. Now, the plan proposed by him (the hon. Treasurer) would do away with such places, and lead to the establishment of a class of good public houses. It would also abolish the inquisitorial system which was in vigorous operation during every sitting of the Supreme Court, and which tended so much to create a batch of spies and informers—a class of persons who were every where regarded, but more particularly by his own countrymen, as the most degraded of the human race. To shew the aversion entertained towards the character of an informer, he (the Treasurer) would mention the case of a poor woman, who, on a late occasion, was committed to prison for a month, because she refused to give the Grand Jury information against some of her neighbours, who were suspected of selling liquors without licence. He did not believe that either temperance or morality could be much promoted by having recourse to such proceedings.

Hon. Mr. **PALMER** had given much attention to the subject of licensing public houses for the retail of spirituous liquors, during the time he had been in the House, but he did not then feel inclined to say much in reference to it. He could not, however, support the amendment proposed, for it was one, he thought, which gave very little promise of improvement. The argument used by the hon. Treasurer, with regard to the alleged impropriety of clergymen signing a tavern keeper's certificate, was a very curious one indeed. That hon. member seemed to think that it was improper to legislate for the moral improvement of the people; and that clergymen should not be required to sign a certificate necessary to obtain a license, as in his opinion it was not consistent with the duties of their sacred calling to do so. From that mode of reasoning it was to be inferred that it was not right, for the Clergy but highly proper for the Legislature to legalize vice and immorality. He (Mr. P.) maintained that it was more incumbent upon the Legislature to suppress crime by the enactment of proper measures than to expect the clergy to accomplish it by appeals to the senses and feelings of their respective congregations. Under the existing law, 24 persons selected from the most respectable and best informed classes in the community, exercised the power of determining where public houses should be located in the country; and he felt convinced that they were more competent to give a decision in such a matter than Magistrates or small debt Commissioners. The remarks made by the hon. member from Belfast (Mr. Douse) with respect to

Drunken Magistrates signing certificates for tavern-keepers, had much truth in them, though his opinion might have been expressed in less forcible language. The facility with which such certificates had been procured—the readiness evinced by Magistrates to certify that parties applying to them had had all the requisites for houses of entertainment, when they knew the very reverse to be the fact—had tended materially to lessen the confidence that should be reposed in gentlemen holding Her Majesty's commission of the peace. If regard be had to the interests of the country, the law should be allowed to remain as it was; the Grand Jury were a highly respectable body, and far more responsibility rested with them than with the Magistracy. They were sworn to act in their proceedings according to law, and without fear, favour and affection; and in addition to these guarantees for the security of the public interests, they had for their guidance the best legal opinion in the Colony—that of the Judges on the Bench. It was not, therefore, likely that the wants of the country, with regard to the establishment of public houses, would be neglected in the hands of such a body; and there was every reason to believe that their power in this respect would be impartially exercised, as they would be entirely free from the local influences by which Magistrates and Small Debt Commissioners were so apt to be governed. The system then in operation had not worked unfairly, and he thought it would be unwise for the House not to give it a longer trial. With respect to the abolition of the £10 licences, as recommended in the Report of the Committee, he would not refuse his support to that alteration, for he believed that the practice of granting such licences had been much abused.

Hon. TREASURER said, that notwithstanding the arguments used by the hon. and learned member for Charlottetown, he was still of opinion that clergymen should not be required to exercise any authority in the matter proposed. Public houses were a sort of necessary evil, and their establishment should be regulated by law. In many parts of the Island, where the settlers were few, and separated from each other by large tracts of land, public houses were of great importance, and indeed indispensable to the traveller. Now, it might please the Grand Jury to refuse a licence to a person proposing to open a tavern in such a place, and the travelling public suffer from the want of it.

Mr. HEATH HAVILAND was astonished at the principle laid down by the Hon. Col. Treasurer, viz., that it was impossible to make people honest and sober by means of legislation. If that were the case, our statutes were useless incumbrances, and the Legislature an expensive and useless institution. There was no doubt that the old system of procuring tavern licenses led to the most palpable abuses, and to the creation of a class of public houses disgraceful to the country. The present system had, for the most part, worked advantageously. It was true, indeed, that the gentlemen of the Grand Jury empanelled shortly after the law came into operation, were somewhat inclined to carry their notions of temperance a little to the extreme, and refused licences in cases where they were really required. But since then, the system had worked well, and there were now a sufficient number of taverns throughout the Island to meet all the wants of the travelling community. The hon. the Treasurer had laid great stress on the punishment inflicted on a poor woman for refusing to give evidence before the Grand Jury. But he (Mr. H.) was of opinion that the punishment meted out in the case referred to was quite inadequate to the crime with which she was charged; that crime was one of grave magnitude,—it was that of refusing to give evidence for the due enforcement of the law. Now suppose, for instance, (continued the hon. and learned member) that any person had stated that he was a witness to the commission of the crime of murder or of robbery, and when brought before a Court of Justice, he refused to communicate the information which he possessed. How was it possible to serve the ends of justice if such conduct were allowed to go unpunished? The Courts of Law might as well be closed for ever as remain open if witnesses were allowed to defy their authority to enforce evidence.

The Hon. TREASURER explained that, with regard to the poor woman previously mentioned by him, he did not complain

of the extent of her punishment, nor of the conduct of the Chief Justice in inflicting it. He had alluded to her case as illustrative of the means resorted to by the Grand Jury, in summoning persons before them for the purpose of "pumping" them. He still adhered to the opinion, that the morals of a people cannot be improved by legal enactments. At public executions, where, in the presence of thousands, criminals undergo the extreme penalty of the law, the practice of picking pockets, and the use of blasphemous oaths, and in fact the perpetration of every species of moral depravity, prevailed to a far greater extent than on ordinary and common occasions. He had heard nothing to induce him to change his opinion with respect to the necessity for the proposed change in the License law.

Hon. Mr. MOONEY, alluding to Mr. Douse's strong denunciation of the use of "white eye," said he was inclined to think that perhaps that hon. member had taken so much "white eye" in his time that he had become disgusted with it. The appearance of the hon. member, he thought, would not warrant the belief that he had confined himself to the drinking of cold water; and that however much he might dislike "white eye," he would hardly turn his back upon a glass of brandy. The course pursued by the Grand Jury in withholding licences from some, and in granting them to others, tended to create inconvenience and dissatisfaction. The proprietors of grand hotels and such places as only great men would be allowed to enter, would readily obtain the necessary certificate; but if a poor man, who wanted to keep a tavern on a small scale for poor people like himself, should apply for a certificate, the Grand Jury were shocked at his presumption, and of course refused it. Neither the hon. member Mr. Douse, nor the hon. member Mr. Yeo, would condescend to go into what is called a shebeen shop, for there they would be likely to meet the poor but industrious farmer coming to town with his load of produce; but the grand hotels were just the places to please the refined tastes of those hon. members. He had no fault to find with the Grand Jury as generally composed; they were no doubt a decent set of men; but he disliked the arbitrary manner in which they exercised their authority in granting certificates for tavern licences—almost invariably refusing them to those of the poorer class. If, in pursuing such a course, they were influenced by a desire to promote the cause of temperance, he was sorry to say that their private practice did not always accord with their public precepts, for he believed there were few of them who would throw a glass of brandy over their shoulders; and some of the Sons of Temperance, who cherished such a mortal hatred for taverns of all kinds, but particularly towards the poorer class, could take their drop as well as others. So long as there were different grades of society, there must be different houses of accommodation; and it was not fair to say that because the owner of a public house did not happen to be rich, none but the vicious and intemperate would resort to it. It was quite reasonable to expect that illicit houses would spring up on account of the exclusive system pursued by the Grand Jury. Let the poor as well as the rich have the accommodation they required, and there would be no encouragement for such houses, and no inducement to evade the law by establishing them.

Mr. DOUSE said, the members of that House were sent there to legislate for the interests of the country, and they should be careful that they moved in the right direction. It should be their study to put down, if possible, those wretched shanties, where a puncheon of rum was kept to entice young men from the paths of industry and sobriety. Without casting any undue reflection upon the Magistrates, he was of opinion that if they were invested with the power of granting certificates for licences, such would be the facility for opening taverns that they would be springing up in every hole and corner, without regard being had to the comfort and convenience of travellers—where even good stabling could not be procured,—nothing, in short, but that abominable "white-eye," the selling of which he regarded as the next thing to committing murder.

The Hon. TREASURER reminded the Committee, as another reason why the law should be altered, that many instances had occurred, where parties were put to great expense and trouble

in fitting up their places for houses of entertainment, and when they applied for the necessary certificate, they were refused it.

Mr. HEATH HAVILAND could name several instances where Magistrates had given certificates that the applicants for licence were furnished with the necessary accommodation, and when travellers put up at their houses, there was nothing in the shape of accommodation to be had.

The Hon. COL. SECRETARY said, that if parties complained of the want of accommodation in the public houses, it was the fault of the Grand Jury, who granted the necessary certificates only through favoritism. Persons who had been well known to have every requisite for a public house, were refused a licence without any just cause. The hon. Col. Secretary then instanced some respectable houses of entertainment on the road between Charlottetown and New London—one kept by Mr. Richard Murphy, near New Glasgow, and another by Mr. Bolt, ten miles from town on the same road. The Grand Jury refused to licence those houses; but they continued to sell; the owners of them had been twenty years in the business; and the travelling public regarded those houses as indispensable to their comfort and convenience; but information was lodged against them, and they were fined. He (the Hon. Secretary) regarded their case as peculiarly hard, inasmuch as that the houses referred to were orderly and well conducted ones, and were for many years found highly serviceable to travellers. The Grand Jury were chiefly selected from amongst the inhabitants of Charlottetown, and as they were not in the habit of travelling very much, they could not see the necessity of having licensed houses along the different roads. Hon. members alluded to public houses as places where immorality was practised and encouraged. If that were the case, it would be better perhaps to shut them up altogether; he could not see why the censure should be applied to some and not to others. Considering the very small revenue derived from licensing public houses, it would be nearly as well to abolish the system of granting licences altogether, and let those who choose to sell do so. But there was this advantage in the licence system—public houses were amenable to the law, and were obliged to afford accommodation to the public. There was no doubt that immoderate drinking was practised now to a greater extent than under the old system, and this was owing to the vast number of houses of an inferior character that set up an illicit trade for the purpose of making a little money, when really good and useful houses were forced to discontinue the business for want of licence. The evil complained of would soon be cured, if less difficulty and trouble attended the obtaining of a certificate for licence.

Hon. Mr. WIGHTMAN was opposed to the present system, and would support the proposed alteration. He alluded to the want of proper houses of entertainment on the road between Charlottetown and Georgetown. Under the existing law there was no reason to expect that such houses could be established. But if Magistrates were invested with the power possessed by the Grand Jury—and he saw no reason why the former might not be as safely entrusted as the latter—a better class of taverns than those at present in existence would be established. As to £10 licences, he was of opinion that the country should get rid of them as soon as possible. It was a great hardship that when a person called for a glass of liquor at a house so licenced, he would not be allowed to drink it on the premises.

Mr. McINTOSH would not object to doing away with £10 licences in the country, for he thought the amount was entirely too high; cheap licences were best; when the amount was too high, and greater than the circumstance of the applicants for licences could afford, there was a strong inducement to sell without any licence at all, and thus the number of illicit houses was greatly increased. He approved of the amendment proposed, with respect to transferring from the Grand Jury to local Magistrates, the power to grant certificates for licences. The country Magistrates were quite as worthy of confidence, and quite as competent to perform a duty of that kind, as any Grand Jury that could be selected in Charlottetown; and he thought it unfair for the hon. member from Belfast to stigmatise them as drunkards. They were no doubt able to take their glass, and he could do a little in that way himself, with-

out being the worse for the indulgence. He could not say that he preferred "white-eye" on such occasions; brandy would certainly be more acceptable.

Mr. DOUSE again spoke as to the want of houses of proper accommodation on the several public highways, and recommended that if Magistrates should be invested with the power of granting certificates for licences, they should be liable to a heavy penalty in cases of fraud and misrepresentation.

Several other hon. members subsequently addressed the Chair, but their arguments in most cases were previously enforced, and are herein reported. The question was then taken on the two first paragraphs of the report—(inserted in previous columns)—and decided in the affirmative by a considerable majority. The last paragraph, in reference to £10 licences, was agreed to without any division. When the Speaker took the Chair, and the Chairman of Committee reported the Address, Hon. Mr. Palmer moved to strike out of the report all that had reference to the certificate of the Grand Jury.

For the motion—Hons. Messrs. Palmer, Longworth, Messrs. Clark, H. Haviland, Yeo, Douse and Muirhead.—7.

Against it—Hons. Col. Secretary, Messrs. Mooney, Whelan, Wightman, and Messrs. Dingwell, Perry, McIntosh, McDonald and Munro.—10.

Mr. Yeo then moved to amend the report by inserting the word "nearest" before "Magistrates." This was agreed to, the Hon. Mr. Mooney being the only member who voted against it.

The Report of the Special Committee was then adopted by the House, and the same Committee were appointed to bring in a Bill in accordance with its recommendations.

The Hon. Col. Secretary presented to the House the public accounts, as arranged and classified by the auditors—which were referred to the Committee on Public Accounts. He also presented an abstract of the Census of the Population, and other Statistical Returns taken last summer—laid on the table. The Secretary also presented a Message from His Excellency, referring to certain papers accompanying the Message, relating to the Rent Roll and Compensation Bills. They were ordered to be printed in all the newspapers.

The Hon. Col. Secretary introduced a Bill to amend the law relating to ejections and distresses for rent, and to the occupation of lands—which was read a first time. Then the House adjourned.

THURSDAY, February 21.

The Hon. Col. Secretary presented to the House several Papers which had been before the Executive Council, viz:—Report of Commissioners on the expediency of continuing the straight line of road from Eaman's to Matthewson's, across a Swamp, Lot 55; Report of Commissioners on an intended line of road leading from the Fishery Settlement, south side of Murray River, to the Main Road;—Report of W. Jamieson, Esqr., Road Commissioner, on the probable expense of opening a road between the farms of Joseph Green and the late Daniel Green;—Memorial of Lighthouse Keeper at Panmare Island, praying to be allowed an assistant;—Petition of certain inhabitants of Lot 15, praying for a postponement of the erection of Haldimand River Bridge;—Report of Superintendent of Public Works on said Bridge;—Report of B. Davies, Esqr., on Winter Mail Boats;—Address of Grand Jury of Queen's County, Hilary Term, 1856;—Letter from Postmaster at Park Corner, desiring to be released from the duties of his office, unless remuneration be increased. Papers laid upon the table.

The Col. Secretary presented, by Message from the Governor, Despatch from the Secretary of State for the Colonies, (Mr. Labouchere), respecting the Rent Roll and Tenant Compensation Acts. Ordered to be printed with the other papers on the same subject.

The Col. Secretary also presented other communications from the Imperial Government respecting Lights and Light Dues. Referred to a Committee to report thereon.

A Road Petition from inhabitants of Lot 14 was presented to the House by Mr. Yeo.

A Petition praying for the establishment of a Post Office near the junction of Murray Harbor Road and Douse's Road, was presented by Mr. Douse. Referred to the Committee on Post Offices. House adjourned.

FRIDAY, February 22.

PETITIONS.

Mr. Muirhead presented a petition from inhabitants of Lot 19, praying aid to construct a covered drain at Barrett's Cross Roads.

The Hon. the Treasurer presented a Petition of inhabitants of Sea Cow Pond, Lot 1, praying for a grant to complete the Bridge over the Marsh above Bain's Mill.

Mr. Muirhead presented a Petition from inhabitants of Middleton, Lot 17, praying that a Mail Bag might be left at or near William Wright's in that Settlement. Referred to Post Office Committee.

The usual Committee to report on Petitions praying for the opening of new lines of roads, was then appointed—Hon. Mr. Mooney, Chairman.

A Petition of inhabitants of Back Settlement, Lot 52, was presented by Hon. Mr. Wightman, praying aid towards opening a road in front of said settlement. Referred to foregoing Committee.

The Hon. Treasurer presented a Petition from Alex. Munro, of New Brunswick, praying the House to take copies of a certain work published by him to the amount of £50, entitled "New Brunswick, with a brief outline of Nova Scotia and Prince Edward Island." Petition, together with a copy of the work, laid on the table.

The Hon. Treasurer presented a Petition from inhabitants of Amherst, N. S., praying the House to encourage, in conjunction with the other Provinces, the placing of Fog Bells on Cape Traverse and Cape Tormentine, and the erection of a Lighthouse at the latter Cape. Referred to the Committee on Lighthouses.

Mr. Clark presented a Bill to continue and amend the Act relating to Light and Anchorage Duties. Read a first time.

Hon. Col. Secretary presented a Petition from D. B. Stephens, Agent for the Telegraph Company, praying for an annual grant to aid the laying down of the Submarine Cable, across Northumberland Strait. Laid on the table.

The Bill to amend the law relating to ejections and distresses for rent, was read a second time, referred to a Committee of the whole House, and agreed to without any amendment. Ordered to be engrossed.

Hon. Mr. Wightman presented to the House, by command, a statement of the management of the Worrell Estate, shewing the proceeds and expenses of management and sale up to February 1st. Referred to Committee on Public Accounts.

Hon. Col. Secretary presented an Extract from the Minutes of the Executive Council, dated 27th August, 1855, in reference to a Petition of certain land proprietors against Rent Roll and Tenant Compensation Acts. Ordered to be printed with the other papers on same subject.

The Bill to continue the Mackerel Fishery Act was read a third time and passed. House then adjourned for an hour. Having met, several road petitions were presented by Mr. Laird.

BILL TO PROTECT JUSTICES OF THE PEACE FROM VEXATIOUS ACTIONS.

This important measure was presented to the House by the Hon. Col. Secretary. The Hon. Mr. Palmer objected to receiving the Bill without the customary notice being given in the Order Book of the House. The Hon. Col. Secretary replied that the Bill in question was a Government measure—introduced by permission of His Excellency,—and that it had been usual, not only in that House, but in other Legislative Assemblies, to dispense with the formal notice on the introduction of Government measures.—Hon. Mr. Palmer and others on the same side of the House, argued in support of the rule, and the Hon. Speaker having given it as his opinion that no exception could be recognized in favour of any particular class of measures—the Hon. Secretary then moved that the rule (the 13th) be suspended, to enable him to introduce the Bill without the notice, which motion was agreed to, and the Bill was read a first time. The House shortly after adjourned.

SATURDAY, February 23.

The House was adjourned at half-past 10 a. m., for want of a quorum.

MONDAY, February 25.

PETITIONS.

The following road petitions were presented and laid on the table:—By Mr. Cooper, from inhabitants of St. Catherine's, Back Settlement, Little Harbour.—By Mr. Speaker, from inhabitants of Lot 52.—By Mr. Laird, from inhabitants of East Suffolk Road.

Mr. Cooper presented a Petition from inhabitants of Rollo Bay, praying for the opening of a road across certain farms between the Old Church Road and Sheep Pond. Referred to Committee on the opening of new roads.

The following unlicensed Teachers' petitions were presented and referred to the Committee to investigate the claims of such parties:—By Mr. Cooper, from inhabitants of Little Harbor, praying for an allowance to Mathew Reville. By Hon. Mr. Mooney, from James Condon, Lot 30, praying for remuneration for his services.

The Bill relating to ejections and distresses was read a third time and passed.

The Bill to amend the Act relating to Light and Anchorage Duties was read a second time, referred to a Committee of the whole House, and progress reported thereon.

The Bill to protect Justices of the Peace from vexatious actions was read a second time, referred to a Committee of the whole House, and progress reported.—House adjourned.

TUESDAY, February 26.

Hon. Col. Secretary presented copy of a communication to His Excellency from David Stow, of the Normal School Seminary, Glasgow, intimating that a Master had been engaged for the proposed Normal School in Charlottetown. Laid on the table.

LIBRARY.

The Hon. COL. SECRETARY called the attention of the House to the circumstance of the Legislative Library being rendered available to gentlemen of the legal profession. There should, he conceived, be no such exclusive privilege,

but recommended that the public generally should have access to the Library, to be admitted by tickets from the members.

The Hon. TREASURER concurred in the suggestion of his hon. friend. If strangers were admitted to the Library on tickets from hon. members, the latter would be responsible for loss or injury done to the books.

Six road petitions were presented by the Hon. Mr. Mooney, from inhabitants of Lots 30, 65 and 37. Laid on the table.

Mr. Clark, from the Committee on expiring laws, presented a Bill to continue the Act relating to the laying down, erection and maintenance of buoys and beacons. Read a first time.

ESTIMATES.

Hon. Col. Secretary presented the estimates of expenditure for the current year. Referred to the House when in Committee of Supply.

In submitting the Estimates, the Hon. COL. SECRETARY remarked on the large amount intended to be appropriated for the road service; it was the largest amount ever yet voted for that service; but the importance of having our roads, bridges and wharfs kept in efficient repair, and new roads opened, could not be too highly appreciated in a new and growing country like ours, and he had no doubt that hon. members would diligently apply their local knowledge in properly laying out the money intended to be voted.

Hon. Col. Secretary laid before the House a plan of a ferry wharf and landing slip, proposed to be erected at the foot of Prince Street.

The House then went into Committee on the further consideration of the Light and Anchorage Duties Bill. The Bill was agreed to with some amendments, and ordered to be engrossed.

The following road petitions were presented and laid on the table:—By Mr. Laird, from inhabitants of East Road, Lot 22.—By the Hon. Col. Secretary, from inhabitants of Lot 21; and also a petition from inhabitants of Winsloe road settlement.

Hon. Mr. Whelan presented a petition from J. A. Chipman, postmaster at Amherst, N. S., praying for some remuneration for extra care and attention in receiving and despatching mails between Nova Scotia and this Island;—also a petition from inhabitants of East Point, praying for the establishment of a Post Office. These petitions were referred to Post Office Committee. House then adjourned.

WEDNESDAY, February 27.

Mr. Cooper presented a petition from inhabitants of Mill River, Lot 46, praying for a grant to open a new road; and also a petition from inhabitants South Side, Lot 46, praying a grant to open a road and erect a bridge. Referred to the Committee on the opening of new lines of roads.

The Hon. Col. Secretary presented the returns from the several road commissioners of statute labour performed and money expended during the past year. Laid on the table.

The Bill to protect Justices of the Peace from vexatious actions was read a third time and passed.

The House then went into Committee of Supply—the Hon. Treasurer in the Chair. The usual estimates of expenditure for the current year were voted, including £8000 for the service of roads, bridges and wharfs; the amount to be divided as follows:—Queen's County, £1,800; Charlotte-town Royalty, £500; Prince County, £1,500; King's County, £1,500; special grants, £2,700—the special grants to be divided in equal proportions between the three Counties;—the salaries and allowances provided by Statute.

Much discussion arose in reference to the vote of £800 to the Visitor of Schools. This passed among the scale of salaries provided by Statute, but the question was brought up when the usual annual vote for the Agricultural Society came to be passed—Messrs. Laird and Montgomery contending that as the lectures on Agricultural Chemistry had been discontinued by Mr. Stark, he should not be allowed the £100 formerly paid him out of the Agricultural Society's grant.—The Hon. Col. Secretary supported the vote, and contended that it would be a breach of faith towards Mr. Stark to cut down his salary from £300 to £200—he having been informed, before he left Britain to take the office, that his allowance would be the former sum. Although the lectures had been discontinued, it was with the full consent of the Agricultural Society that such was the case, for Mr. Stark's duties as Visitor of Schools had so greatly increased—he having twice the number of schools to visit now that were in operation at the time of his appointment—that it was impossible for him to attend to the lectures on Chemistry.—After some further discussion the sum of £400 was voted for the Agricultural Society.

The following votes were then agreed to, after which the Committee rose and reported progress:—£1,550 for summer and winter mails; £700 for inland mails; £260 for public postages; £100 for packet between Georgetown and Pictou; and £300 for payment of Landwaiters and Preventive Officers.

The Legislative Council sent down the Mackerel Fishery Act agreed to.

Hon. Mr. Mooney presented two road petitions; one from inhabitants of Lot 31, and the other from inhabitants of Lots 30 and 65.

Mr. Clark presented a petition from inhabitants of Lots 16 and 14, praying a grant for the erection of a bridge on the south west branch of Ellis River. Laid on the table.

Mr. Perry presented a petition from inhabitants of Lots 15 and 17, praying aid on behalf of Edward Brian's destitute daughter. Laid on the table.

The House adjourned.

In the afternoon sitting the Hon. Col. Secretary moved to suspend the 13th rule to enable him to introduce a Bill to facilitate the performance of the duties of Justices of the Peace in this Island, with respect to persons charged with indictable offences. Bill read a first time.

The House then went into Committee of Supply, when, after agreeing to a considerable number of votes, which elicited no discussion, progress was reported and the House adjourned.

THURSDAY, February 28.

The Light and Anchorage Duties Bill was read a third time and passed.

Mr. Munro presented a petition from Ewen McLeod, Keeper of Point Prim Light House, praying for remuneration for the services of an Assistant. Referred to Committee on Light Houses.

Mr. Munro presented a petition from inhabitants of Murray Harbor road, praying for a grant to complete a new line of road from the Murray Harbor road to the County line. Referred to Committee on the opening of new lines of road.

The Bill to continue the Act relating to the laying down and maintenance of Buoys and Beacons was read a second time—committed to a Committee of the whole House, and agreed to therein. Ordered to be engrossed.

Mr. McGill presented a petition from inhabitants of Tracadie, praying for the establishment of a Post Office. Referred to Post Office Committee.

The following road petitions were presented and laid on the table. By Mr. McGill, from inhabitants of Bannockburn, Lot 31; and one from inhabitants of Tracadie and its vicinity. By Mr. Wightman, from inhabitants of Lots 51 and 52.

Mr. McGill presented a petition from Pierce Doyle and John McAttee, praying to be reimbursed for losses sustained by them while running a ferry boat on the Charlottetown ferry last summer, for the accommodation of the public. Laid on the table.

Hon. Mr. Mooney presented a petition from Noel Louis and three other Micmac Indians, praying relief. Laid on the table.

The Bill to facilitate the performance of the duties of Justices of the Peace in certain cases, was read a second time, committed to a Committee of the whole House, when several clauses were agreed to therein, and the Committee rose and progress was reported. The House then adjourned, and having met, the House again went into Committee on the foregoing Bill, and after a short time, the Committee again rose, and progress was reported.

LEGISLATIVE COUNCIL.

MONDAY, February 25.

The Hon. Attorney General presented the following Minutes of Council, which was read by the Clerk; and also a copy of a Despatch from the Secretary of State for the Colonies, as follows:—

COUNCIL CHAMBER, 27th August, 1855.

At a Meeting of a Committee of the Executive Council.

His Excellency the Lieutenant Governor having submitted for the consideration of a Committee of the Executive Council, a Paper purporting to be a Petition of certain owners of Township Lands in Prince Edward Island, the object of which is to induce Her Majesty's Secretary of State for the Colonies to advise that the Royal Assent, shall not be given to two Bills transmitted to the Colonial Office, passed by the Legislature of this Island, at its last sitting—the one for imposing a Rate or Duty on the rent Rolls of the Proprietors of Township Lands,—and the other to secure Compensation to Tenants, and thereby to promote the improvement of the soil; and the Committee having taken the said Petition into their serious consideration, beg to report as followeth:—

May it please Your Excellency:

Before entering on the arguments urged by the Petitioners, we cannot refrain from remarking on the peculiar, unjust and malignant spirit exhibited by the manner in which they bring their case under notice. We allude to two allegations, totally groundless, made by these parties—the one against three Members of Your Excellency's Government,—the second, against the whole Body. In regard to the first, they certainly well know that the taxes existing on Lands already are applied to purposes of Education; and that of the Councillors of whose injustice they complain, neither the Honorable George Coles, (the introducer of the Education Bill), the Honorable Charles Young, nor the Honorable William W. Lord, derive the slightest benefit from that measure.

The other most objectionable statement is where the Petitioners speak of an Act "enabling the authorities to sell and dispose of lands purchased under the Land Purchase Bill to their numerous friends and adherents." These Petitioners well know that the Land Purchase Bill gives the Tenants or Occupiers of improved Lands the right to purchase their

occupations—be they friends or foes of any Administration—and that no part of it can bear the construction they have put on it.

We further beg to remark, that Charles Wrightt, Esq., one of the subscribers to this Petition, has already endeavored to communicate with the Colonial Minister, without submitting his letter to Your Excellency, and although his endeavour was not permitted to take effect, the attempt exhibited the spirit in which these parties would act.

We now come to a part of this subject which is, if possible even of more importance, namely, a renewal of the system by which every Act of the different Branches of the Legislature, in which Your Excellency especially is included, is, it appears undergoing, not the revision of Her Majesty's Ministers, but of a Body unknown to the Constitution, and consisting of parties, for the most part, who, though unable to command attention in the local Legislature, nevertheless seek to counteract its decisions at the Colonial Office.

The people of this Island had reason to expect, that when Her Majesty graciously accorded to them what is commonly termed Responsible Government, this secret and baneful influence would be discarded, and the discussion of Island affairs no longer take place through the oratory of malcontents assembled in Downing Street, but in the Colonial Legislature. Far be it, nevertheless, from us to desire the doors of the Colonial Office to be shut against those who think they have reason to complain of the Government or local Legislature of this Island; but we cannot refrain from observing, that the frequent exercise of this principle, as we gather from the public Journals—exhibiting, as it does, a systematic opposition to every act of legislation, has a very injurious effect on the minds of the people of this Colony, and engenders very great distrust.

We are sorry to be obliged to add, that it is by this course of procedure alone, and by no salutary attempt to participate in or originate any act for the promotion of the general welfare, that the Proprietors of Land in this Colony are known, and it is the fundamental cause of their enjoying so little of the sympathy of its people.

Your Excellency has had so recently under your notice the Bills to secure Compensation to Tenants, &c., that we have not thought it necessary to trouble you on that subject.

A true Extract, which I certify, }
CHARLES DESBRISAY, Clerk Ex. Council. }

No. 3. DOWNING STREET, 21st December, 1855.

SIR;

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.

2. 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.

3. 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.

4. 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.

5. 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.

6. 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.

7. 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.

8. 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 lands 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.

9. 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.

10. I would observe, that by the proposed Tenants' Compensation Act it was provided that a landowner should, when he ejected a tenant for non-payment of rent, buy up his own land from the tenant at the rate of twenty years purchase of the difference between the original and the improved annual value of the lands. It is to be presumed that if the tenants or the Colonial Government were to offer to the proprietors twenty years purchase of their reserved rents, there are few, at all events, of the non-resident proprietors who would not accept such offers.

I have, &c.

(Signed) H. LABOUCHERE.

The Lieutenant Governor of Prince Edward Island.

After the reading of the Despatch, the Hon. Col. SWABEY, by command, laid upon the Table Accounts connected with the Worrell Estate, and said—When the Address in answer to His Excellency's Speech was under consideration, I stated that the expectations of the country as to the operation of the Land Purchase Bill would not only be realized, but exceeded. I repeat that statement now, and I hope and request that each of your Honors will make himself fully acquainted with the true state of the affairs connected with the Worrell Estate, since it became the property of the Government. For myself, I shall be most happy to elucidate any point with which my official duties may render me more particularly acquainted. I must, however, premise to your Honors, that the statement which I have just submitted is nominally the account of a whole year's proceedings; but your Honors will find that no money was payable until the middle of August,—so that, as far as the receipt of money is concerned, the accounts only embrace a period of six months—during that time sales have been effected, amounting to between £11,000 and £12,000. I will briefly enumerate to your Honors the items composing that amount.

The wilderness land sold amounted to 8,096½ acres—of occupied 8,036; money paid, £2,077 12s. 10½d.; instalments due in the present year, £610 12s. 2½d.; interest on instalments, which will *pro tanto* diminish the interest payable on the debentures given for the purchase of the property, £306 18s. 8d.; balance of purchase money to be paid in ten years, £6,151 6s. 11d. By the Bill, the purchasers have ten years in which to complete their payments, but I do not anticipate that any but the merest paupers will avail themselves of that period—already several have paid the whole amount, minus the discount of ten per cent. allowed to those who complete the transaction at once, while others have paid more than the instalment required by the law. I feel myself justified in saying, that in about five years the whole of the payments will have been made.—I will now direct your Honors' attention to the assets, and your Honors will perceive that the value of the lands sold, the price received for deeds, and monies received for stampage, &c., amount to £8,238 19s. 9½d.; value of bonds held by the former owners, and by them transferred to the Government, £1,500. The bonds represent £3,000, but the Government very properly considered that the bonds having been given for more than the value of the property sold, they would admit the parties to the benefits of the Bill—that is, treat them as though they had purchased from Government, and therefore reduced the amount. The interest on the bonds for two and a half years at 6 per cent. amounts to £225; deeds unpaid, £68 15s.; reserved sites, £800; promissory notes, £57 1s.; rents, £130; a few unsettled accounts with the vendors will probably produce about £128,—making a total of assets of £11,148 4s. 5½d.—I will now call your Honors' attention to matters of a more important nature. The wilderness land unsold, after deducting 12,000 acres, the estimated quantity of swamp, is 3,3910 acres, which at seven shillings an acre amounts to £23,737 10s. Now a large proportion of the wilderness land has been sold at ten shillings an acre—therefore, your Honors will perceive that I have put the average price of this part of the property at a low figure. We next have, of occupied lands unsold up to the 1st instant, (to which period the accounts have been made up) 21,254 acres, which, at the valuation of 10s. per acre, will yield the sum of £212,540; but a large portion of the occupied lands already sold has brought 12s. 6d. per acre.—The next item is £100 for deeds to be made out. This is a moderate estimate, when reference is had to the number who have already applied for lands under the Bill; and I know that there are many substantial farmers who intend to purchase from the Government, but who think they can do so at any time. The great bulk of the people are satisfied with the Bill, and are generally availing themselves of its provisions,—there may be one or two who are endeavouring to make political capital by agitating the minds of the people with the mischievous idea of escheat, but they are not able to exert any influence. I have been a great deal among the people on the Worrell estate, and have everywhere been treated with the greatest kindness and attention—Now, your Honors, I turn to the other side of the account, and shall briefly shew you the expenses attendant upon the management of the property up to the 1st instant, and an estimate of the probable charge for the year 1856.—The items for the year just closed are—salaries, £550; woodmen, £55; loss by land tax, £247; interest on debentures, £900; roads, surveys, &c., £67 11s. 8d.—making the total of last year's management, £1,819 11s. 8d. The estimated charge for the current year is—salaries, £550; woodmen, £40; loss by land tax, £211; interest on debentures, less annual instalments on sales, £503 9s. 4d.; roads, surveys, &c., £200,—making a total of £1,594 9s. 4d.—The working of the Bill hitherto has been so satisfactory that it may be worthy your Honors' consideration, whether money might not be borrowed to enable the Government to extend its application, and by this means abolish a system alike injurious to the proprietor and the tenant—this might be done if the proprietors will not shut their eyes to the fact that there is danger to the public interests from the uneasy relations which subsist between landlord and tenant on this Island. In making these observations, I am actuated by a sincere desire to benefit both parties, and to remove a source of irritation which has long afflicted the Colony, and injuriously affected its best interests. It is somewhat singular that the Colonial

Minister, in the Despatch just read, has suggested a similar plan of his own, for converting the present tenants into freeholders. The paragraph in His Excellency's speech, relative to the Land Purchase Bill, would almost seem to have been written to meet these remarks, but I know that it was not. I consider it, however, fortunate that His Excellency should have expressed himself as he has done, viz:—"I am happy to inform you that the transactions respecting the sale of Public Lands, which will, in due course, be submitted to you, have, in their progress, fully justified the expectations formed of the effects to be derived from the Land Purchase Bill, in the desired conversion of leaseholders into independent freeholders, advantages which are only limited by the small amount placed by that measure at the disposal of the Government." Those who will not lend their aid to make the tenants freeholders, I care not who they may be, I cannot regard as sincerely desirous of promoting the prosperity of the country. The plans of those who advocate escheat are productive of mischief in their agitation, and can only result in disappointment and confusion, and I am truly surprised to think that they should receive support in the Legislature. In my opinion the movers of that scheme brand themselves with disgrace. I mentioned before that the Bill had created three hundred freeholders; now it is somewhat singular that that number reverses the relative proportion of freeholders and tenants, as shewn by the Census. We have now more of the former than of the latter class. Now, your Honors, I ask, why if we have converted 390 tenants into freeholders in the short space of 6 months, should we not go on and extend our operations? It has been said in another place, that the Government were not sincere in their views about the Land Purchase Bill. Such opinion could only have been expressed by those who knew nothing about the matter, or those who wilfully misrepresented the Government, for their own interested purposes. One member of the House of Assembly stated that the Government refused to purchase an estate offered to them. I can only inform your Honors that the letter book in my office, will prove that that gentleman was informed that the Government were ready to treat with him at any time. We will buy up lands as fast as we can get the money to do it with. This plan will make freeholders without trouble or agitation; and what then can be the sense or propriety of mooted the impracticable idea of a compulsory Escheat? How long has it been agitated? And do its advocates, (some of whom I admit, are sincere, but others urge it merely for political purposes), imagine that the Home Government will entertain it for a moment? In concluding these observations, I hope that in view of the beneficial results which have already accrued, the Legislature will see the necessity of persevering in the course which has produced such effects.

Hon. Mr. BAGNALL would ask the Hon. Col. Swabey, if he understood him to say that the 300 freeholders he alluded to, had paid the full purchase money of their lands?

Hon. Col. SWABEY explained that 10 years were allowed for the completion of the payments, but some had paid the whole, but they were all freeholders, and had received or were entitled to receive their deeds.

Hon. Mr. DINGWELL. The topics treated of by his Honor Col. Swabey, induce me to trouble your Honors with a few observations, which I shall endeavour to render as brief as possible. In the first place, I deeply regret to see the influence which the proprietors still exercise, while any influence which should legitimately attach to their position would be small indeed. The present proprietors have purchased their titles for very small sums, in many cases the price has been affected by the very weakness or uncertainty of the titles, yet those parties claim the right to sell or lease land reserved for the people at large, and intended for their benefit. The documents which have been read, emanating from the proprietors, show that they complain of the Act awarding compensation to tenants ejected from their holdings, and they are not ashamed to say that the poor tenant should receive no compensation for his hard labor, and that it is no hardship to deprive him of the fruits of his industry. They urge that there is no necessity for the Compensation Act, as the tenants suffer no hardship or injustice. But, your Honors, I knew a case of hardship which

satisfies my mind of the necessity of the Bill. A man with whom I am acquainted signed a lease for 200 acres of land, the breadth of the lot was but 10 chains to the 100 acres, the whole complement could not be given in one block, as the land lay between two rivers. The tenant consequently received but 140 acres, and took an agreement for a lease of the remaining 60 acres when the site should be ascertained; meanwhile the tenant occupied the 140 acres lot, and continued to pay the full rent for 200 acres. The supply of wood becoming deficient, he applied for the remaining 60 acres, when the agent of the proprietor refused to give them to him, and told him that he was bound by his lease to pay £10 a year for the lot he occupied. On this he came to the City for advice, when he was told not to pay the rent. He consequently refused, was sued at common law, lost his suit, was advised to put the matter into Chancery, did so, and the result of all has been that he lost his land, on which he had paid £300 or thereabouts, was turned out of his house with his family, and now one of his sons has one third of the land, at the improved rent of £7 10s per annum. Now I ask your Honors, is not this a hardship? is not this a case which calls for the interposition of the Legislature? yet we are unblushingly told by the signers of those remonstrances that no hardships are endured by the tenantry. Some proprietors are, I am well aware, honorable and generous men, and influenced in their conduct to their tenantry by proper and kindly sentiments, but there are others, who would grind the poor to powder, yet such men as those set themselves up as having a right to nullify the legislation of the country. These remarks I make, considering them not inapplicable to the documents before your Honors. There are other instances of wrong and oppression practised upon the tenantry, which consist within my own knowledge, such for instance as giving a tenant a lease which the precedent title would not support. If these and similar instances of fraud and wrong do not call for legislative interference, I cannot conceive any case which would.

Hon. ATTORNEY GENERAL moved the second reading of the Bill relating to Bills of Sale.

Hon. Mr. HAYTHORNE had seconded the motion for the introduction of the Bill, and would second the present; in doing so, he did not wish to be considered as approving all the details of the measure. From a conversation which he had had with a member of the House of Assembly, he had ascertained that a similar measure was rejected some years since. He would like to know the reasons which led to such result. However, the more numerous business transactions might render such measure now necessary, and as the Council was composed of gentlemen from different parts of the Island, they could now obtain the advantage of their various experience in perfecting a measure suitable to the requirements of the country.

Hon. Mr. DINGWELL had no objection to going into Committee; he considered the Bill necessary, but was not prepared to support all the clauses. However, he trusted a measure suited to the state of the country would result from their deliberations.

The Bill having been read, on motion of the Hon. Attorney General, the House resolved itself into a Committee of the whole.

The Hon. Col. Swabey in the chair.

The Bill was then read clause by clause.

Hon. Mr. HAYTHORNE suggested the insertion of some amount, to entitle the Bill to registration,

Hon. ATTORNEY GENERAL objected—the same frauds, which it was the object of the Bill to prevent, might occur in the case of a small debt as well as a large one. The fees for registry were so small as not to form matter of consideration with the holders of a security for a small amount. Besides, the Act did not impose any necessity on the holder to register. He would be at liberty to confide in the honesty of his debtor as at present.

Hon. Mr. BEATON was opposed to specifying any amount

HIS HONOR the PRESIDENT thought it should be limited to all sums over £20.

HON. MR. DINGWELL would not limit it to any amount. The holder of a Bill of Sale for securing a very small amount would not be likely to register it.

HON. D. BEATON thought that the holder should be obliged to file the Bill in the County in which the grantor resides, and would leave it optional to send it to Charlottetown.

HON. the PRESIDENT thought it would be better to make it compulsory on parties to file the Bill in one general place of deposit, say in Charlottetown, and have special offices in different districts, for instance, the Commissioners of Small Debts Courts, where memoranda of the particulars of each bill could be filed. Let the Bill be proved in the vicinity of the party executing it, and then let the officer before whom it is proved send it to Charlottetown, where if it were filed in the Prothonotary's office, the state of any man's affairs could be ascertained. At present, people apply to the Registry of Deeds to ascertain the condition of a man's real estate, and at the Prothonotary's office, to see if there be any judgments against a party. If that plan did not meet the approval of their Honors, it might be advisable to give the Government the power to appoint places of deposit in the country, and have all Bills of Sale filed in Charlottetown, so that any one at a bird's eye view can ascertain the position of his debtor. Unless some such plan be adopted, a man may travel to Georgetown, find nothing recorded there, then to Charlottetown with the same result. Is it reasonable then to enforce upon him the necessity of going all the way to St. Eleanor's? To make the Bill generally useful, it should be made compulsory on parties to file at one central office, from which the others would radiate.

HON. ATTORNEY GENERAL agreed to a certain extent with his Honor—his object in naming three places for filing was to suit the convenience of the country.

HON. the PRESIDENT—The Bill, on being proved before the Clerk of the Commissioners, should be sent by that officer to the Prothonotary's office at Charlottetown, after he had entered the particulars in a Book to be kept for that purpose.

HON. ATTORNEY GEN. objected to leave the Bill of Sale in the hands of the Clerk, to be sent down by him—therefore he preferred the arrangement embodied in the Bill.

HON. MR. HAYTHORNE thought that the beneficial working of the bill depended on the clause they were then discussing. It was one which required careful consideration—since the two legal members differed in their views, it was for the rest of their Honors to try if the judgments of unsophisticated men could not devise a suitable scheme. He was of opinion that the more local machinery employed in writing the Bill, he better. He considered the Clerks of the Small Debt Courts the most suitable officers to receive proofs and make the necessary abstracts of Bills: they should give receipts to the Grantees which would give the desired priority, and then transmit the documents to Charlottetown, where, in the Prothonotary's office, they would be open to the inspection of every one.

HON. MR. DINGWELL thought there should be at least one office in each county independent of Charlottetown. He saw no necessity for remitting the documents to Charlottetown—if the people of Charlottetown want information as to the circumstances of people in the country, let them send to the country for it.

HON. MR. BEATON thought the hon. members rather astray,—there was hardly any part of the Island, the inhabitants of which would not feel the convenience of having the place of reference in Charlottetown. It would be more convenient to himself. He saw strong reasons for opposing the plan of making the Clerks to Commissioners' Courts the parties to file the Bill of Sale—one of these reasons was the direct interest they had in issuing writs, and the knowledge the plan proposed would give them, might lead to the ruin of many a man who may give a Bill of Sale, to relieve his absolute want, and who, if it were generally known, might be sued by every man to whom he owed any thing.

HON. MR. HAYTHORNE admitted the force of the Hon. Member's objection.

HON. MR. DINGWELL had no objection to this appointment being vested in the hands of the Government. He considered it the most suitable, but hoped the principle of localization would be adopted as far as practicable.

HON. ATTORNEY GEN. The Commissioners for taking the affidavits in the Supreme Court, would be suitable persons; they were not liable to the objection of the Hon. Member, with reference to the Clerks of the Small Debt Courts.

HON. MR. CRASWELL saw no reason why the Bills of Sales should not be registered in the offices of the Deputy Prothonotaries, and filed here. There should be some definite place and person to whom application could be made.

HON. MR. BAGNALL said that the Hon. Member had anticipated what he was about to say. It was necessary that there should be a definite place of registry, for instance the Commissioners; if Courts are the places of registering, a man may have to travel to several Courts before he can obtain the information he seeks.

The Committee rose and reported progress.

ELECTRIC TELEGRAPH COMPANY.

The Hon. ATTORNEY GENERAL, by leave, presented a petition from D. B. Stevens, on behalf of the New York, Newfoundland and London Telegraph Company, praying a grant in aid of their intended line connecting this Island with New Brunswick.

HIS HONOR the PRESIDENT read to the House the following extracts of a letter he had received from a gentleman in London, bearing date the 1st of February:—"The Atlantic Cable to connect Newfoundland with Ireland is to be made *this*, and submerged *next* year. Our specifications are now out for tenders, and the *wherewith* is provided for. The Newfoundland and Cape Breton, as well as a *new* Cable for Capes Traverse and Tormentine, are to be laid in June next, and if our Government be liberal and wise you may secure a *through* communication, via Capes Mabou and East." The writer then proceeded to state that the Legislature, by a liberal grant, should "make it worth while for the Company to construct so much extra and unprofitable line, and you may rely upon it, that it will be the best spent money ever voted by the Colony." His Honor proceeded to state that he was cognizant of the fact, that the Company had already expended some £5000 or £6000 in the Island, in the erection of posts and placing wires from Charlottetown to Cape Traverse, and eastwardly from Charlottetown to Souris. Posts had also been erected from Souris to Georgetown. During the period in which telegraphic communication had been maintained between Charlottetown and Sackville in New Brunswick, the receipts had ranged from £60 to £80 a month. If a regular communication had been kept up, his Honor had no doubt that they would, by this time, have realized the sum of £120 or £130 a month. He believed it would pay well to lay a good and sufficient Cable between Capes Traverse and Tormentine. The only deduction from the receipts would be the salaries of the operators. He estimated that those expenses and the natural depreciation of the line by wear and tear, and the cost of the necessary chemicals, would not exceed £20 per month. He had been informed by Mr. Gisborne, that the receipt during the last month of their connection with New Brunswick amounted to £80. Now, it might fairly be inferred that a continuance of regular communication would bring them up to £120 or £130 per month. Considering that the Company had already expended about £6000 in the Island, he for one would be willing, in view of the vast benefits to be derived from a telegraphic connection with Great Britain, and the neighbouring Colonies, and, through them, with the United States, to pay double the present amount of his taxes. The cost of taking up, repairing and relaying the Cable between Capes Traverse and Tormentine last year, was about £300, which proved to be a perfectly useless outlay. In conclusion, his Honor expressed the hope that the Legislature would give encouragement to the projected enterprise.

The Hon. Mr. BEATON presented a petition from sundry inhabitants of Little Harbor, praying aid for a school, which was read. His Honor the President suggested the expediency of adopting the practice of the House of Assembly, with reference to petitions of this nature, and also to read petitions, namely, the appointment of Committees to whom they should be referred, and who would report the result of their deliberations on them to the House.

Hon. Col. SWABEY, without expressing any opinion on the merits of this particular case, would merely say that the general object of such applications was the evasion of the law, or that parties who had not complied with the law sought to be placed on the same footing as those who had acted in accordance with its provisions.

Hon. Mr. BEATON knew districts where the people could not obtain the services of teachers competent to pass the Board of Education, yet availed themselves of the services of others, who were of great benefit, particularly in educating the younger pupils. He considered the matter deserving the consideration of the House.

Hon. Mr. DINGWELL coincided with this view.

The petition was ordered to lie on the table.

The Bill to continue the Act for the protection of the Mackerel Fishery was read a second and third time, and passed.

WEDNESDAY, February 27.

The Hon. Col. Secretary brought up the Act to protect Justices of the Peace from vexatious actions, which had passed the House of Assembly, and was read a first time.

The Hon. Attorney General, as a member of the Government, laid on the table the estimates for the present year.

The Hon. Mr. Dingwell obtained leave of absence.

THURSDAY, February 28.

The House in Committee on the Bill to prevent fraud by private Bills of Sale.

The Hon. the ATTORNEY GENERAL explained that by the Bill it was contemplated to have Bills of Sale filed in the office of the Prothonotary in Queen's County, and the Deputy Prothonotary in King's and Prince Counties respectively. If they establish several offices in different localities, they would have to define the various districts. No doubt that system would afford a certain degree of convenience, but its adoption would be attended with considerable difficulties. If more than the offices he had named were appointed, people would have to apply to several before they could get the information they sought, one in each County was sufficient.

His Honor the PRESIDENT considered it a question on which the opinion of members from the country would influence his decision, as their knowledge of the wishes of the rural population must necessarily qualify them to form the best judgment. For himself he was still of opinion, that the best plan would be, to have a head office in Charlottetown. By doing so, a person could obtain at once the state of the real and personal property of his debtor. Here the circumstances of the former could be found in the Registry Office, and judgments and the existence and amounts of Bills of Sale could be ascertained at the Prothonotary's Office in the same building. As to proving the execution of Bills of Sale, he suggested the establishment of an office for that purpose in each electoral district. The officer should keep a book in which he should enter an abstract, comprising the particulars of the Bill, from which the people of the country could obtain all the information they might require. His Honor considered that the Bill was required for the protection of the people of the country. It had been taken from an English Statute, and the only alterations were such as the different circumstances of the Colony rendered necessary. The only question was, which plan would be most convenient? It might be less inconvenient for a person living at Souris to come to Charlottetown than to Georgetown.

Hon. Mr. CRASWELL said, that all were agreed as to the

necessity of the Bill. He agreed with the Hon. Attorney General that one office in each County was sufficient. If it were found by experience that that number was not sufficient, they could increase it hereafter. It would be a hardship to compel a man to come from St. Eleanor's to Charlottetown to see a Bill of Sale which had been proved at the former place.

His Honor the PRESIDENT. Suppose the case of a man living at Murray Harbour wishing to ascertain the condition of another's property, would you compel him to go to St. Eleanor's?

Hon. Mr. CRASWELL. His Honor supposes a case that may never occur.

Hon. Mr. BAGNALL agreed with Hon. Mr. Craswell, as to the propriety of filing the Bills with the Prothonotaries in the different counties. The Commissioners for taking affidavits in the Supreme Court, of whom there were several in different parts of the country, would be proper officers to receive proof of execution, after which the Bills should be filed in the County Court.

His Honor the PRESIDENT would take the sense of the House on his motion for filing all Bills of Sale in Charlottetown. The House divided, when there appeared for the motion: The Hon. the President, Hons. Messrs. Haythorne and Wright. Against it—Hon. Attorney General, Hons. Messrs. Walker, Craswell and Bagnall.

The Committee rose and progress was reported.

Mr. Clark, from the House of Assembly, brought up an Act to regulate the mode of collecting Light and Anchorage Duties, which was read a first time.

The Act to protect Justices of the Peace from vexatious actions was read a second and third time, and passed.

Hon. Mr. Walker presented a petition from resident householders of the St. Eleanor's District School, impugning the conduct of some of the trustees towards the late teacher. This after some conversation was laid upon the table. Also a petition from Mr. John LePage, third Master at the Central Academy, praying an increase of salary. Read and laid on the table.

Hon. Mr. Craswell presented two petitions of James Gillanders, Schoolmaster, Lot 1; one praying compensation for his services as teacher; the other asking for a retiring allowance as an old teacher. Read and laid on the table.

FRIDAY, February 29.

Hon. Mr. Wright presented a petition of inhabitants of Lot 1 and 2, praying aid for a bridge over Black Pond, Miminigash. By Hon. Mr. Bagnall, petition from inhabitants of Cross Rivers and vicinity. Lot 14, for aid to complete a line of road; of Mary Ann Murphy, Schoolmistress, Lot 14, for remuneration for six months services; of James Ferguson, and others, Lot 34, to alter line of road. Hon. Mr. Walker presented the following petitions, viz: John McKinnon, formerly Preventive Officer, Charlottetown, praying relief from liabilities incurred by him, in the case of the Schooner "Dragonet," seized last summer, and restored to her owner; from Noel Louis, Peter Louis, Noel Mitchel and Michael Mitchel, four poor Indians, praying relief; from Ewen McLeod, Keeper of Lighthouse at Point Prim, praying increase of salary; from inhabitants of Grand River and others, Lot 55, praying for a grant to open a road. They were severally read and ordered to lie on the table.

The Act to protect Justices of the Peace from vexatious actions, was read a third time and passed.

Mr. Clark, from the House of Assembly, brought up a Bill to regulate the laying down of Buoys and Beacons. Read a first time.

The House in Committee of the whole on the Light and Anchorage Duties Bill.

Hon. ATTORNEY GENERAL explained, that the only alteration with existing mode, to be effected by the Bill, consisted in the receipt of light money by the Collectors of Excise, who are Controllers of Navigation Laws, and the payment of Anchorage Dues by the Harbor Master to the Collector of the

Port, instead of paying them into the Treasury as at present.

The House then went into Committee on the Bill to amend the law relating to Ejectments, Distresses, and the occupation of land; after which it adjourned till Monday next.

TUESDAY, March 4.

His Honor the PRESIDENT informed the Council that the Hon. Mr. Bagnall had obtained leave of absence till Thursday next, in consequence of domestic affliction, and that the Hon. Mr. Beaton was absent without leave. The Ejectment and Light and Anchorage Bills were respectively read a third time and passed.

The Hon. Attorney General reported from the Committee on Expiring Laws.

His Honor the President presented a petition from William Chappel, of Bay Verte, praying aid towards a new Packet intended to ply between Charlottetown and Bay Verte. Also, of George Thresher, Senior, requesting a pension of £50 a year, as late Deputy in the Secretary's Office. The petitioner stated that he had been induced to resign by promises of receiving that amount, made by members of Sir A. Bannerman's Administration, in his presence. His Honor and the Hon. Col. Swabey denied all knowledge of any such promise having been given. The petitions were laid on the table. The following petitions were presented, read, and laid on the table. By the Hon. Mr. Craswell—from inhabitants of east side of Seal River, Lot 50, for aid to open a road; from Jane Jackman, Lot 19, praying aid; from inhabitants Fifteen Point and vicinity, for aid to a road; from inhabitants of Lot 15, aid to road; from inhabitants of Abraham's Village, Lot 15, aid to construct a bridge; from inhabitants of Egmont Bay, aid to the destitute family of Zacharias Cormier; from inhabitants of Miscouche and vicinity, on behalf of the destitute family of Casimir Perry; from John McIntosh, Lot 14, for remuneration for services as Courier; from inhabitants of Fifteen Point and vicinity, praying for the establishment of a Post Office. By the Hon. Mr. Wright—from inhabitants of Rustico and New Glasgow, for the establishment of Buoys and Beacons in Rustico Harbour; from inhabitants of Tignish, for aid to Library; from inhabitants of Lots 23 and 24, and others, praying for the establishment of a Post Office near Wheatly River Bridge; from inhabitants of Scarletown and vicinity, Lot 27, praying for the establishment of a Post Office near the Hon. Mr. Wright's. By Hon. Mr. Walker, from inhabitants of St. Peter's Road and vicinity, for aid to a road; from settlers on Little River, Lot 46, praying aid to open a road; from inhabitants of the west section, St. Peter's settlement, for grant to open a road; from inhabitants of Lot 46, south side, for grant to open a road; from inhabitants of Friston Road and vicinity, for grant to repair a road; from John Brown, Little River, Lot 56, praying aid. By the Hon. Attorney General, from the Charlottetown Gas Company, for alterations in their Act of Incorporation.

The Bill to prevent frauds by Secret Bills of Sales was re-committed and agreed to, with amendments. The Act relating to Buoys and Beacons was read a second time.—Adjourned.

HOUSE OF ASSEMBLY.

THURSDAY, February 28.

DEBATE ON MR. HAVILAND'S MOTION FOR THE PRODUCTION OF SIR GEORGE GREY'S DESPATCH.

Mr. HAVILAND, agreeably to notice, would ask the Members of the Government to submit to the House the whole of the Despatch from the Right Honorable Sir George Grey, dated the 17th November last, communicating the intelligence of the Royal Assent having been withheld from the Rent Roll Tax Bill and the Tenants' Compensation Bill.

The Hon. COL. SECRETARY said, that the Government considered that they had submitted all of the Despatch which was conducive to the object of laying before the House the reasons which had influenced the Imperial Government in refusing the Royal allowance to the Bills in question.

Mr. HAVILAND would, in that case, move for a Committee to prepare an Address to His Excellency the Lieut. Governor, requesting that His Excellency would be pleased to furnish the House with a copy of the entire Despatch.

Hon. Mr. WHELAN.—What object is to be gained by the motion?

Mr. HAVILAND.—The natural inference to be deduced from the fact of an extract only having been sent down is, that there is something in the Despatch which the Government do not desire to have made public.

Hon. Mr. PALMER was but lately aware that the motion would be made, and while he would vote for it, he did not think it right to give a silent vote, as he could imagine no good reason for withholding any portion of a public Despatch, on which an important discussion would probably arise. Such being the case, it was but right that the country should be put in possession of the whole contents of the Despatch. That House and the Country could not fairly deliberate on documents, extracts of which had only been submitted to them. Without hazarding any opinion as to the probable nature of the portions withheld, he could apprehend no reason why the Government should refuse to lay before them any part of a public Despatch. Once it would have been considered by certain parties highly objectionable to submit parts, instead of the whole of a Despatch. Often had he heard on the floors of the House expressions of the hope that the day would come when there would be no more keeping back of Despatches. He had listened to strong observations as to the improper treatment of the House by such a course, as they had a right to be furnished with all documents of a public nature affecting their proceedings. Great merit was claimed by his supporters for the late Lieut. Governor, on account that he had stated that he would hold no communication with the Colonial Office by the mode of private or secret Despatches—that the communications between Sir Alexander Bannerman and the then Colonial Secretary were to be open and above board. Those sentiments were hailed by his supporters with great approval. Now, however, when we are under a system of Responsible Government, the Government brings down a mere extract, which, for all we may know to the contrary, may be the smallest and least important part of the document, and the country might receive more instruction from the part which has been withheld than from that which has been transmitted. He had not come here for the purpose of supporting the resolution, personally he had nothing to gain by the motion, if it was carried; but he wished to see the actions of members of the Government to some extent consistent with their professions. The House had been told that they must not suppose the Lieutenant Governor's speech would shadow forth any Government measures to be introduced to the House—that the fewer Government measures introduced into the speech the better. So that it was considered the best way to let the measures of Government find their way here as they best could. It may be perfectly consistent with such a policy to send us mere extracts of Despatches, and if this system is allowed to continue to the end of the session, Responsible Government is merely a dream. Such being the case, in order to ascertain what are really the principles which the Government mean to adopt towards the House, he would vote for the motion.

Hon. COL. SECRETARY.—Mr. Speaker, the hon. member for Charlottetown should at least concede to others the privilege of changing their opinions which he claims for himself. It is not very long since he was in the habit of opposing applications to have documents submitted to the House, but to night he has assumed that the minority have the right to have anything they choose to ask for brought down. A strange doctrine indeed! Sir, the Government is responsible to the majority, not to the minority of this House; to the majority only are they responsible for the production or withholding of any communications. There is nothing in their opposition to the present motion inconsistent with Imperial practice. As to the Despatch in question, the House are in possession of all that is applicable to the refusal of the royal assent, and consequently all that is requisite to enable them to form an opinion of the conduct of the Imperial Government in disallowing the Bills. It may be that the late Lieut. Governor had declared that he would hold no communication with the Colonial Office by secret despatches, but there may frequently occur cases in which the public interests would materially suffer by the communication of despatches. We see that reason assigned constantly by members of the Government in the British House of Commons, for refusing to accede to motions for the production of papers. With respect to the allusion of the hon. member as to the remark in my hon. friend's (Mr. Whelan) speech, in moving the Address, that it was not necessary to indicate proposed Government measures, I can only say that the Queen's Speech at the opening of Parliament only mentioned two. The minority had gathered their forces to-night, knowing that some of the majority would be absent, yet they would find that the Government would not submit to their dictation, and would not produce more of the Despatch than they considered requisite.

Hon. Mr. WHELAN.—I feel compelled, Mr. Speaker, to resist the motion of the hon. member for Georgetown, because there is every reason to believe that it is based on motives of factious hostility to the Government. Feeling convinced that the Government has communicated all of the Despatch which it concerned us to be made acquainted with, the motion is unnecessary; were the case otherwise, I doubt not that His Excellency would have given us the whole Despatch. It may be convenient for the hon. member and his supporters in this House to taunt me with having changed my opinions. I can tell those gentlemen that my opinions are unchanged. I am indeed surprised to hear it announced that I have changed my opinions, because the time was when I may have enlarged on the evil of withholding entire Despatches and carefully avoiding the enunciation of any Government measures. Sir, they who make that charge should know better. Is it necessary to announce in the Speech from the throne every measure which the Government may contemplate introducing? If the Opposition answer in the affirmative, I tell them that they take a view of the duties of Government which is not held in Great Britain or any of the Colonies, and which has no more connection with Responsible or any other system of Government that I am aware of than I have with the man in the moon. If the minority say that it is the duty of the Government to produce any documents they may call for, they may claim the right to have every line of every Despatch submitted to them. Why, Sir, under such a system the power of the minority would be unchecked, and the Government would become a mere nullity. I feel, Mr. Speaker, great pleasure in resisting the motion, because I believe, as I said before, that it arises from factious motives; and the minority, thinking some reflection on members of the Government may be contained in the Despatch, hope to

gratify private feelings by creating the impression throughout the country that such is the fact.

Hon. Mr. MONTGOMERY.—The Despatch, Mr. Speaker, is public, and the reasons alleged in it are, no doubt, based upon public grounds. It should therefore, Sir, in my opinion, be laid before the House. I hope it will be. Hon. members have a right to move for a Committee to prepare an Address to His Excellency, praying that he will be pleased to furnish us with the whole document. Such a course has been frequently adopted, and I for one can see nothing improper in it.

Mr. COOPER.—Mr. Speaker, on looking over the Speech of His Excellency the Lieut. Governor, I was led to believe that entire Despatches, not mere garbled extracts, would be laid before the House. The reference to the practice of the British Government is of no weight here. The Government of Great Britain has intimate and most important relations with other countries, and the state of those relations may often render the production of public documents not only prejudicial to the public interests, but destructive of international negotiations, affecting the peace of the world. Here we have nothing of the kind, and I repeat that we should not be content with garbled passages.

Mr. DOUSE.—Mr. Speaker, I have listened to the remarks of the hon. member (Hon. Mr. Whelan), and I have yet to learn why a public Despatch should be withheld from this House. I can tell that hon. member that I can find my way to Downing Street, and there not only see the Despatch, but actually find it printed. I should be wanting in my duty, Sir, as a representative of the people, if I did not vote for the production of a public paper.

Hon. COL. TREASURER.—Mr. Speaker, I have frequently heard of the influence of the proprietors, but have never seen so plain a declaration of it as now. Lord Palmerston is connected with them. If the hon. member, Mr. Douse, has so much influence at Downing Street as to obtain copies of Despatches to the Colonial Governors, let him exert it. It may be that some of the understrappers at the Colonial Office have given copies of Despatches to parties. If such is the case, if the Colonial Governments are to be treated on that principle, it is high time it should be known. The Governor has sent down all of the Despatch which it was necessary for the House to have before them.

Hon. COL. SECRETARY.—Mr. Speaker, it may be as well to test the influence of the proprietors on this question. It may be that such men as the hon. member, Mr. Douse, may have influence with some of the underlings at the Colonial Office, and that he might go there and say, "show me the Despatches about the doings of those rascals in Prince Edward Island." The present may be a good time to try their strength. But, Sir, even if the motion be carried, I will not advise His Excellency to send down the Despatch, if he deems he has given the House sufficient information in the extracts submitted. Why, Sir, the Members of the Executive Council have no right to demand that the Lieut. Governor should lay before them every document he may receive from the Colonial Office. Such a claim would be a practical tyranny on the Lieutenant Governor. I consider the motion an improper one, and I can never acknowledge the right of the House to demand that every Despatch be submitted to them.

Hon. Mr. LONGWORTH.—Mr. Speaker, I consider that the Government are guilty of tyranny in only giving us garbled extracts. Why do they not submit the whole of the Despatch? Why are we to have a mere extract? I do not deny the right of the Government to withhold any

part or the whole of a private Despatch; but, Sir, I consider that under Responsible Government a public Despatch is public property. Is it withheld for the purpose of smothering up something objectionable to the Government?

Hon. COL. SECRETARY.—No.

Hon. Mr. LONGWORTH.—It must be so. Four or five years ago the hon. member, Hon. Mr. Whelan, would not have argued as he has done to-night. There is no longer a House of Assembly. At present whatever is decided on in the Executive Council, is agreed to in the House. The Governor and his Council may do as they like. They are as despotic as the Czar of Russia. It is indeed extraordinary that we should not get the whole of the Despatch.

Mr. HAVILAND.—Mr. Speaker, labouring as I am under a severe cold, I cannot treat this question as fully as I otherwise would, or as its importance deserves; but I must express my surprise that such arguments should have been made use of to defeat the motion, under Responsible Government—a system which was to operate as a breakwater between the people and Her Majesty's Government. No doubt the Government may rely on the fact that they have a majority, but the side that is uppermost to-day may be down to-morrow, and the majority have no right to ride rough-shod over the minority. What is the presumption from the opposition of the Government party in this House to the motion for a Committee to prepare an Address? Why not allow the refusal to come from the Lieut. Governor himself? I trust, Sir, that there will be found sufficient good sense in the House to sink all party feeling on a question of this nature, and to make common cause in asking for that which we are entitled to receive.

Hon. Mr. MOONEY thought there were before the House all the documents required. There was no trace in the Journals to shew that when the Opposition were in power they yielded to the minority of the day. There was no desire on the part of the Government to withhold any information of use to the House. As far as he was personally concerned, he thought there was enough to shew the under-current which was at work against the people of the Colony.

Mr. DOUSE referred to the statements of the Hon. Col. Secretary merely to shew how ignorant that gentleman was of the mode of doing business at the Colonial Office. There every public Despatch is printed in full, and is considered public property. No member, desirous of doing his duty to his country, can refuse his support to the motion. He spoke thus plainly in order that his sentiments and those of his colleagues on this question might go forth to their constituents.

Hon. Mr. WHELAN.—Mr. Speaker, it is my intention to vote against the motion if it shall be pressed to a division. We have been told that we should comply with the demands of the minority. Most puissant minority! This question is to be made a trial of strength between the Government and its opponents. This is a legitimate inference from the unusual numbers of the minority in their places to-night. They ask for the Despatch, not because they want it, not that they believe the portion not communicated would be of the slightest service to them, but solely that they may endeavour to wrest the reins of power from the present Government. The hon. member who had moved the resolution had complained of suffering from a cold. In that complaint, I sympathise with him, but his malady had not prevented his dilating on the liberties of the people and deprecating the action of party feeling. Sir, did that hon. member sink party feeling himself? Did not his very motion tend to provoke a discussion which would naturally give rise to party feeling? I conceive it to be an essential principle of Government, that the Lieut. Governor and his

Council are the sole judges of what should be communicated to this House, to which the Council are responsible for the exercise of a proper discretion. If, Sir, I were as unconnected with the Government as any other member of this House, I would, on this question, support the course pursued by the Government in withholding what they deemed it unnecessary to communicate. The hon. member has de-claimed about his and his party's regard for the liberties of the people, but the votes recorded on many pages of the Journals will afford conclusive indications of the different opinions and views of the party at present in power and of their opponents. I have no fear but that justice will be done to my conduct in voting as I shall, when I know that the object of the motion is not to obtain information, but to take advantage of this opportunity to place the Government in a false position, in the absence of some of its supporters, while the opposition are in full feather.

Mr. HAVILAND denied that he had brought forward his motion from any factious motives. Does the hon. member suppose me so foolish as that I imagine that the defeat of the Government on one solitary motion of this nature would lead to a dissolution? The hon. member desires to impose on the better judgment of his party, by raising the cry of, "keep down the minority."

Hon. COL. SECRETARY.—The hon. member and Mr. Douse signed petitions against the Bills, not that they might gratify the people of the Island, but to aid and comfort the minority. It is the duty of a Government to consider the probable effect of a Despatch. The majority represent the people; the minority do not; and the members of the Government said from the first of the discussion that they would not produce the entire document. The hon. member, Mr. Douse, had expressed his regret that the Governor should have an adviser so ignorant as I am of the mode of transacting business at the Colonial Office. He said that he could get Despatches from its records.

Mr. DOUSE.—So I can.

Hon. COL. SECRETARY.—Well, Mr. Speaker, we all know that the influence of the proprietors is very great at the Colonial Office—so great, indeed, that it is a difficult matter to carry any measures through it, which in any way effect their interests. I am sometimes astonished when I consider what has been done. Take, for instance, the One-ninth Bill. The proprietors raised heaven and earth against it. The royal sanction was withheld, it was reconsidered, and carried at last by a stratagem. The minority, Sir, must not claim to impose terms on the majority, and threaten them by saying, "if you don't do as we wish we will address the Lieutenant Governor."

Hon. Mr. MONTGOMERY.—Mr. Speaker, I did not expect so protracted a discussion on this motion. I infer from what has fallen from the Hon. Col. Secretary, that there may be one or two expressions in the Despatch that he does not like. But if so, why not produce it? I am no friend to the proprietors, but if there is anything in the Despatch justifying their opposition to the Bills, it should be furnished; but I can see no reason why we should not have the entire Despatch here. Perhaps, Sir, the extracts alone are more calculated for the manufacture of political capital than would be the whole Despatch. Considering the antecedents of some hon. members, I have listened to strange doctrines to-night. While I never would press for the production of private Despatches, I must support the motion before the House, as Sir George Grey's Despatch is a public one.

Mr. McINTOSH.—Mr. Speaker, I am in favour of the motion. I never could, if I know myself, become a party to the withholding a public Despatch from the public. I con-

sider such conduct would be tyranny. I may, Mr. Speaker, be charged with a desire to upset the Government, but I have no such desire. I have supported and will support it as long as it carries measures that are just and beneficial to the people. I will never be a party to prevent a minority or majority obtaining a public document.

Hon. COL. SECRETARY.—As so tyranny, the present was an attempt of the minority to tyrannize over the majority, by compelling them to do as they (the minority) pleased.

Mr. McINTOSH.—A minority cannot tyrannize.

Mr. LAIRD would support the motion. The Lieutenant Governor had stated that he would lay the papers before the House.

Hon. Mr. WHELAN charged Messrs. Cooper, Laird and McIntosh with co-operating with the minority against the party they were returned to support. This gave rise to a great deal of confusion and personal recrimination, which the Reporter did not take down. The hon. member went on to say, that the Governor having said that he would communicate to the House the reasons assigned for the disallowance of the Bills, they were bound to believe that those reasons were embodied in the extract sent down. Of course the minority must feel gratified at the accession to their ranks of the hon. members, Messrs. Cooper, Laird and McIntosh, and he wished the two sections of the Opposition mutual joy of their new association.

Hon. Mr. MOONEY.—The country will see with surprise the new coalition, Messrs. Douse, Yeo and Palmer supporting the rights of the people! We must be near the end of the world!

Mr. HAVILAND.—The hon. member hardly ever votes without reference to private motives, yet is constantly imputing this to others.

Hon. Mr. PALMER condemned the unhandsome and unparliamentary manner adopted by the loud voiced member of the Government towards the Opposition. When my hon. friend, Mr. Haviland, made the motion, he confined his observations within legitimate bounds, but he was met by the Hon. Mr. Whelan with the imputation, that his only motive was the gratification of private pique and personal malice. Sir, I might retaliate by saying that the Government is influenced by sinister motives. I might suggest to the hon. member himself the effect of the present discussion with regard to the continuance of his salary, about £1000 a year.

Hon. Mr. WHELAN.—That is not correct.

Hon. Mr. PALMER.—I ask, Mr. Speaker, are our mouths to be shut? When the Government wish to oppose any measure emanating from this side of the House, the hon. member from Flinty Glen gets up and tries to frighten members with the cry that the Government is in danger. What a fall it would be! The sword of Damocles, the hon. member feels, is suspended over his head by a hair, and may at any moment descend. Sir, I agree with the hon. member, Mr. McIntosh, that no man should be abused because he indignantly spurns a state of abject servility to any man or any body of men. It is fortunate for the country that there are members in this House who are not bound down by regard to their salaries to vote as they are bidden. I, for one, am not dissatisfied to hear hon. members declare that they are not bound to vote against their convictions. The present question, Mr. Speaker, is a most important one. Here we have a motion for the production of a public Despatch, and as the reasons therein assigned for the course pursued would exert a great influence on the opinions of the people one way or another, the public should be made acquainted with those reasons. What better indication of the intentions of Her Majesty's Government could we have

than the Despatch? If it should, in addition to the extract before us, contain suggestions as to modes of developing the resources of the Colony, and advancing its material interests, we should have it here for the general good; if adverse to the rights or legitimate influence of the people, more satisfaction would be given by its general publication than can ever arise from the circulation of a mere extract. As to private or confidential Despatches, we have nothing to induce the belief that this is one of that class. It is a public document, and the question is, have the public a right to its production? The Government say, "We are responsible." Then let the people judge after getting the Despatch. It will not do for the Government to say, "It will not do for us to publish it, such a course might peril our situations." I do say, Sir, that so long as a Despatch is not marked "Private" or "Confidential," it is the right and duty of the minority to rise and ask for it. In concluding those remarks, Mr. Speaker, I must do the hon. Col. Secretary the justice to say that he has throughout this discussion manifested perfectly good temper. I wish, Sir, that I could say as much of some of his supporters, and that they were not so much addicted to personal and unparliamentary remarks, in attributing the conduct of hon. members to private pique and personal malice. It occurs to me to state that the Despatches withheld from the present Government, when in opposition, to which allusion has been made, were marked "Private," and therefore could not with propriety be submitted.

The House then divided, when there appeared for the motion—Hons. Messrs. Palmer, Longworth and Montgomery, Messrs. Haviland, Douse, Yeo, Cooper, Laird and McIntosh.—9;

Against it—Hons. Col. Secretary, Col. Treasurer, Messrs. Wightman, Mooney and Whelan, Messrs. Clark, Perry, Munro, McDonald, McGill.—10.

FRIDAY, February 29.

PETITIONS.

The following road petitions were presented to the House, read, and referred to the members of the several districts:—

By Mr. Yeo, from inhabitants of Cross River, Lot 14; by Mr. Munro, from inhabitants of Uigg, back Settlement and others; by same; from inhabitants of rear settlement of Uigg, Lot 50; by Mr. McIntosh, from inhabitants of Lots 45, 46 and 47; by same, from inhabitants of back settlements of Norrie's Pond; by same, from inhabitants of North Lake, Lot 47; by Hon. Mr. Wightman, from inhabitants of Sparrow's road and surrounding settlements; by same, from inhabitants of Lots 51 and 31; by Hon. Mr. Mooney, from inhabitants of Colville road, northern end of Lot 31; by same, from inhabitants of Lots 30 and 65; by same, from inhabitants of Dog River Settlement; by the Hon. Colonial Secretary, from inhabitants of Irishtown and its vicinity; by same, from James Ferguson and others, Lot 34; by the Hon. Col. Treasurer, from inhabitants of Horsehead settlement and others; by same, from inhabitants of Black Pond and its vicinity.

Mr. McIntosh presented a petition from inhabitants of East Point, praying compensation to Alex. McDonald, for a road running through a part of his farm.

Hon. Mr. Whelan presented a petition from Henry Mooney, praying remuneration for repairing road leading from Pisquid road to Peake's road.—Both Petitions laid on the table.

Mr. Yeo presented a petition from Mary Ann Murphy, an unlicensed teacher at Lot 14, praying remuneration for her services as such for six months. Referred to Committee on Teachers' Petitions. Mr. Yeo also presented a petition from

Louis Arsneaux, praying relief on account of his farm, on Lot 13, having been sold at Sheriff's sale for land tax, when he had paid the tax, but owing to an error of the receiver, he had not been credited with the amount. Referred to a Special Committee to report thereon.

The following petitions, praying for the opening of new lines of roads, were received and referred to the Committee appointed therefor:---By Mr. Munro, from inhabitants of Lots 49 and 66. By Hon. Mr. Wightman, from inhabitants of Lots 51 and 38. By same, from inhabitants of Lots 51 and 66.

The Hon. Colonial Secretary presented the Warrant Book for the financial year ending 17th January, 1856. The Hon. Secretary also laid before the House a letter from D. Reddin, Esq., proposing to lease to the Government his wharf at the end of Great George Street for a Ferry landing, with a subscription list in aid of building a landing slip in connection with the wharf.

The Hon. Col. Treasurer also laid before the House a subscription list in aid of building a Ferry wharf at the end of Prince Street. Documents laid on the table.

The Legislative Council sent down, as agreed to, the Act to protect Justices of the Peace from vexatious actions.

The Bill to continue the Act relating to Buoys and Beacons was read a third time and passed. Then the House adjourned.

In the afternoon sitting the House went into Committee of the whole on the further consideration of the Bill to facilitate the performance of the duties of Justices of the Peace with respect to persons charged with indictable offences. Bill agreed to in Committee with some amendments, and ordered to be engrossed.

The House again went into Committee on Supply, and passed several votes, which will be particularized in next day's proceedings. Committee to sit again.

The Hon. Col. Secretary presented the Road Correspondent's Account of the expenditure on roads, bridges and wharfs in the past year, also the report of the Commissioner for the 12th District of Queen's County, embracing his expenditure in the road service during the past year. The House then adjourned.

SATURDAY, March 1.

PETITIONS.

The following petitions were presented, read, and laid on the table:---

By Mr. Yeo, from Lauchlan McKinnon, Lot 14, praying remuneration for repairing a Scow, and for ferrying Mail Carrier semi-weekly.

By Mr. Perry, from John McIntosh, Mail carrier, praying remuneration for extra services as such in Prince County.

Mr. Clark, from Wm. Chappell, Bay Verte praying aid towards running a packet between that port and Charlottetown.

Mr. McGill presented a petition from certain inhabitants of Lots 28 and 29, chiefly aged people, complaining of the assessment for education, as they have no families to participate in its benefits, and praying relief.---Mr. McGill also presented a petition from certain inhabitants of Lot 30, setting forth their belief that a large portion of that Township does not belong to Mr. Stewart---having been granted to American Loyalists by former proprietors, and praying the House to enable the petitioners to purchase their farms under the Land Purchase Act.---Petitions laid on the table.

The following road petitions were presented, and referred to the members of the districts:---

By Mr. Clark, from John McGregor and others, Lot 16; by same, from inhabitants of Lots 15 and 17; by same, from inhabitants of Lots 18 and 20. By Mr. Douse, from inhabitants of Lots 48 and 49; by same from inhabitants of Murray Harbor road and Douse's road. By Hon. Mr. Mooney, from inhabitants of Lot 37.

Mr. Clark presented a petition from inhabitants of Summerside, praying for a law against the running at large of swine; and also a petition from inhabitants of St. Eleanor's, for a similar object. Both petitions referred to a special Committee to report thereon.

Mr. Douse presented a petition from inhabitants of Southern district of Queen's County, praying that the Mails be transmitted semi-weekly to their respective districts. Referred to Post Office Committee.

Mr. Douse also presented a petition from inhabitants of Village Green, Lot 49, praying for aid to open a new road. Referred to the special committee for opening new roads.

The Hon. Col. Secretary introduced a Bill to facilitate the performance of the duties of Justices of the Peace, with respect to summary convictions and orders, which was read a first time.

The Hon. Col. Treasurer presented a Bill to consolidate and amend the several Acts regulating the sale of spirituous liquors, which was read a first time.---House adjourned.

When the House met again in the afternoon, the Hon. Col. Treasurer, as Chairman of Committee of Supply, reported thirty four resolutions, which were severally read to the House, and agreed to therein. They provide for the following salaries and services:---

Chief Justice,	£600
Master of the Rolls and Assistant Judge	500
Attorney and Advocate General,	350
Solicitor General,	100
Clerk of the Crown and Prothonotary,	160
Colonial Secretary,	300
Colonial Treasurer,	300
Commissioner of Public Lands,	300
Controller of Customs and Navigation Laws and Collector of Impost,	300
Registrar of Deeds and Keeper of Plans,	150
Road Correspondent, and Assistant Clerk of the Executive and Legislative Councils,	100
Clerk of the Executive and Legislative Councils,	120
Assistant Colonial Secretary	150
Assistant Colonial Treasurer,	150
Assistant Controller of Navigation Laws and Collector of Impost,	100
Assistant Registrar of Deeds and Keeper of Plans,	100
Postmaster General,	350
Assistant Postmaster General,	120
Country Postmasters,	80
Controllers of Navigation Laws, and Collectors of Impost for the Outports,	210
School Visitor,	300
Three Masters Central Academy,	300
Adjutant General of Militia,	25
Thirty-three Road Commissioners,	345
Librarian, Legislative Library,	40
Pension to the Hon. Thomas Heath Hayland,	

late Colonial Secretary, £200
 Lunatic Asylum and House of Industry, 350
 A sum sufficient for Education.
 Royal Agricultural Society, 400
 Roads, Bridges and Wharfs, 8000
 Summer and Winter Mails, 150
 Inland Mails, 700
 Public Postage, 160
 Packet between Georgetown and Pietou, 100
 Landwaiters and Preventive Officers, 300
 Auditors of Public Accounts, 60
 Commissioners for issuing Treasury Notes, 15
 Packet between Bedeque and Shediac, 30
 Superintendent of Public Works, 75
 Assayer of Weights and Measures, Queen's County, 10
 Private Secretary, 100
 Medical Attendant of Queen's County Jail, 10
 Do. do. of Prince County Jail, 4
 Do. do. of King's County Jail, 4
 Keeper of Queen's County Jail, 40
 Matron of Queen's County Jail, 15
 Keeper of Prince County Jail, 30
 Do. of King's County Jail, 30
 Expenses of three County Jails, 700
 Keeper of Colonial building, 60
 Repairing and painting Colonial Building, 300
 Expenses of Legislative Council and House of Assembly---a sum sufficient.
 For the relief of Indians, 40
 Messenger of Executive Council, 20
 Market Clerk, Georgetown, 5
 For the relief of Paupers, 650
 Buoys and Beacons, 140
 Boards of Health, 50
 Protection of Fisheries, 25
 Interest on Debentures, 1000
 Interest on Warrants, 400
 Incidental and contingent expenses of the Lunatic Asylum, 400
 Public Printing and Stationery, 800
 Public Surveys, 100
 For Pews in Churches---Episcopal Church, 16
 " Catholic Church, 14
 " Presbyterian Church, 7
 " Free Church, 7
 " Wesleyan Church, 7
 " Baptist Church, 7
 Balance for repairs to Government House, and a balance due for gas-light fittings---a sum sufficient, 20
 Messenger to Public Offices, 200
 Guard at Government House and Signal station, 70
 Block-house light and attendant, 100
 Fuel for the public offices and the Legislature, 400
 Contingent expenses of the Government, 400
 Premium for killing Loupeviers and Bears, 30
 Salaries of three High Sheriffs, 60
 Crown Prosecutions and Crown Officers' Fees for miscellaneous services, and for Jurors, 350
 Crier of the Court, 20
 Coroners' Inquests, 30
 For repairs to Government House, 150
 Expenses under Compensation Act, 200
 Incidental expenses for roads, bridges and wharfs, 300
 Expenses of Light-houses and Lights at Point Prim, Three Rivers, Richmond Bay, Cascumpee and Summerside, and Light-house Tower at the Blockhouse, 600
 St. Paul's and Scattarie Light-houses, 36

Hon. Mr. Montgomery moved to reduce the vote for the Visitor of Schools from £300 to £200. The motion was lost on the following division:--
 Ayes---Hons. Messrs. Montgomery, Longworth, Palmer, Messrs. Yeo, M'Donald, M'Intosh, Laird, Munro, H. Haviland---9.
 Nays---Hons. Col. Secretary, Col. Treasurer, Wightman, Whelan, Mooney, Messrs. Dingwell, M'Gill, Clark, Perry, Cooper---10.
 A motion being made to strike out the vote of £100 to the Private Secretary, the appropriation was agreed to on the following division:--
 For the vote---Hons. Col. Treasurer, Col. Secretary, Messrs. Whelan, Wightman, Palmer, H. Haviland, Perry, Munro, M'Gill, Dingwell, Clark---11.
 Against it---Hon. Mr. Montgomery, Messrs. M'Donald, Yeo, Cooper, Laird, M'Intosh---6.
 The other resolutions from Supply were agreed to without division.

The Hon. Col. Secretary presented to the House a report of the Superintendent of Public Works, relative to repairs for the Jails in Prince and Queen's Counties; and also repairs for Colonial Building. Referred to Committee of Supply.---House then adjourned.

MONDAY, March 3.

PETITIONS.

The Hon. Col. Treasurer presented a petition from inhabitants of the western portion of Prince County, and others, praying for a division of Prince County, and the establishment of necessary Courts of Law and officers at Cascumpee, as being the most eligible place for such institutions in that section of the County. The Hon. Col. Treasurer also presented a petition from inhabitants of Tignish, praying aid towards the funds of a Circulating Library, for the purchase of French books.
 By Mr. McDonald, a petition from John Holland, Ferryman, Cardigan River, praying compensation for loss sustained on his contract as Ferryman.
 By Mr. McGill, from inhabitants of 2nd District of Queen's County, praying compensation may be granted to the contractors who built two blocks at the wharf at McConnell's Ferry, for alleged loss on their contract.
 By Hon. Mr. Mooney, from inhabitants of Lots 31 and 65, praying aid to build a wharf at McEachern's Point, north side of Elliot River; also, a petition of Daniel Lacy, Tryon, offering to give the public a right of way through his farm, and praying compensation.
 By Mr. H. Haviland, from John Mackieson, Chairman of P. E. Island Medical Association, praying for an enactment which will place the medical profession in this Island in as advantageous a position as in other countries, with the view of suppressing ignorant pretenders to medical knowledge.
 By Mr. Dingwell, from Roderick McDonald, Lot 52, praying payment of balance due him on his contract for repairing a road.
 The following road petitions were presented and laid on the table:--
 By Mr. Speaker, from inhabitants of Montague Brook settlement, 66, praying remuneration for work performed: from inhabitants of same locality, praying aid for roads.
 By the Hon. Treasurer, from inhabitants of Lots 8 and 9.
 By Mr. Perry, from inhabitants of Abraham's Village, Lot 15; from inhabitants of Fifteen Point and its vicinity; from inhabitants of Lot 15.

By the Hon. Treasurer, from inhabitants of Lots 13, 14 and 15.

By Mr. McGill, from inhabitants of north side of Bannockburn road settlement; from inhabitants of south side of the Hillsborough.

By Hon. Mr. Mooney, from settlers on New Wiltshire Road, Lot 31; from inhabitants of Tracadie and others; from inhabitants of South Wiltshire Road, Lot 31, Peter's Road, Lot 65, and part of Lot 30; from inhabitants of Grand Tracadie; from inhabitants of Millecove, Lot 35, and Suffolk, Lot 34; from inhabitants of Scotch Fort and Lot 36, north side of the Hillsborough.

By Mr. Munro, from inhabitants of Pisquid road, Lot 49, Head of Vernon River, and others; from inhabitants of Lots 50 and 57; from inhabitants of Orwell head and Murray Harbor road.

By Hon. Mr. Whelan, from inhabitants of Lots 54 and 55; from inhabitants of Marsh road, Lot 40; from inhabitants of Morell, Lot 39.

By Hon. Col. Secretary, from inhabitants of St. Peter's Road, Lot 34; from other inhabitants of Lot 34; from inhabitants of Little York and Suffolk Settlements, Lot 34; from inhabitants of Friston road and its vicinity; from inhabitants of Lot 22; from inhabitants of Suffolk settlement.

By Mr. McGill, from inhabitants of 2nd electoral district of Queen's County, praying a grant to extend the wharf at McConnell's ferry; from inhabitants of Elliot River and others, praying aid towards the erection of a wharf at Patterson's Point, north side of Elliot river.

By the Hon. Col. Secretary, from inhabitants of Rustico, praying grant to complete the wharf near the Oyster Bed at Wheatly River; from Andrew Dickieson, praying payment of a balance due him on his contract in building Hope River Bridge.

By Hon. Mr. Whelan, from John Cahill, Bay Fortune Road, praying compensation for making a road.

By Mr. Laird, from inhabitants of Lots 23, 24 and adjacent Lots, praying for the establishment of a Post Office at Wheatly River Bridge.

By Mr. Perry, from inhabitants of Fifteen Point, praying for establishment of a Post Office.

By Mr. Munro, from inhabitants of Belfast, praying for the semi-weekly transmission of the mails to that district.

The last three petitions were referred to the Post Office Committee.

By Hon. Col. Treasurer, from the trustees of the Union School, Cascumpee, praying an allowance to Henry Leekey, an unlicensed teacher, for his services as such for six months. Referred to Committee on Teachers' petitions.

By Hon. Col. Treasurer, from inhabitants of Prince County, praying grant for the erection of a Light House at North Cape. Referred to Light House Committee.

By Mr. Perry, from inhabitants of Lots 17 and 19, praying aid to open a road from the wharf at Summerside to the high road leading from St. Eleanor's to Traveller's Rest.

By Mr. Laird, from inhabitants of Lot 24 and others, praying for the opening of a new line of road from Wheatly River Bridge to the vicinity of Johnston's, Princetown Road.

By Hon. Mr. Whelan, from inhabitants of Grand River, Lot 55, praying for the opening of a new road to the Grand River Ferry, on the south side of the said Ferry. Referred to Committee on opening new roads.

By Mr. H. Haviland, from the President and Directors of the Gas-light Company, praying an amendment of their Act of Incorporation. Petition referred to a special Committee to report by Bill or otherwise.

The Petition from certain inhabitants of Lot 30, relating to the claims of American Loyalists to a portion of that Lot, was again taken up, and referred to a Special Committee to report thereon.

The Bill to facilitate the performance of the duties of Justices of the Peace, with respect to summary convictions and orders, was read a second time, and committed to a Committee of the whole House. Progress reported.—House adjourned.

In the afternoon sitting, Mr. Speaker laid before the House a communication of the Dorcas Wesleyan Society, embracing a report of their expenditure in the past year, and praying a grant in aid of their funds. Laid on the table.

The Hon. Mr. Mooney persented the following road petitions:—From inhabitants of Bannockburn settlement; from inhabitants of Monaghan Settlement; from inhabitants of Lots 36 and 48; and from inhabitants of Lots 48 and 49.

Mr. Laird presented a petition from inhabitants of Rustico and New Glasgow, praying for a grant to place Buoys and Beacons at Rustico Harbour. Laid on the table.

The House again went into Committee on the further consideration of the Bill to facilitate the performance of the duties of Justices of the Peace, with respect to summary convictions and orders. Progress reported.

The Hon. Col. Secretary presented a report and plans of a Survey and probable expenditure for the making of a new line of road to be substituted for the present route between Charlottetown and Haslam's, Princetown road. Papers laid on the table.

The Hon. Col. Secretary, from the Committee appointed last session to report on the practicability of building a bridge over the Oyster bed at Rustico, presented the following report:—

"Your Committee, to whom was referred the Petition of the inhabitants of Rustico, praying for the erection of a bridge over the Oyster bed near the residence of Mr. Hughes, have to report—that they consider the desired bridge would be of great benefit to a large portion of the inhabitants of Lots 33 and 24, and therefore beg to recommend the erection of said bridge, with a provision for the passage of new vessels.

"Mr. Hughes agrees to give a right of way through his farm to the intended site of the said bridge, on the west side of the river. - Mr. Blatch offers also to give a right of way through his farm, on the east side, for ten pounds—all of which is respectfully submitted."

The above report was referred to the members of the district to provide the necessary amount for the erection of the bridge.

The Hon. Mr. Longworth presented a petition from John McKinnon, late Preventive officer, praying compensation for services performed and expenses incurred in placing a watch on board the Schr. "Dragonet," seized by petitioner and the late N. LePage. Petition referred to a special committee to report thereon.

The Hon. Mr. Mooney presented a petition from inhabitants of Lots 35, 36 and 37, south side of the Hillsborough river praying a grant towards building a bridge over Pisquid river. Petition referred to a special committee.

The following road petitions were then presented and read:

—By Mr. Laird, from inhabitants of Lot 33. By the Hon. Col. Secretary, from John Bell and others, residents of Covehead. By Mr. Perry, from inhabitants of Lot 17.

Mr. Dingwell presented a petition from certain inhabitants of the eastern section of King's County, praying a grant to

open a new line of road from Lewis's burnt house, Lot 41, to Newbridge, Lot 43, instead of the present highway which runs too near the Gulf Shore. Referred to committee on opening new lines of road.

Mr. Laird presented a petition from inhabitants of Lot 33, praying for a more stringent enactment against the running at large of Swine. Referred to the committee appointed to report on similar petitions from inhabitants of Summerside and St. Eleanor's. House adjourned.

TUESDAY, March 4.

PETITIONS.

The following petitions, praying for the opening of new lines of roads, were presented and read, and referred to the Special Committee appointed to report thereon:—By Mr. Laird, from inhabitants of New Glasgow road, and of Princetown road. By Mr. Muirhead, from inhabitants of Indian River, Barbara Weit and surrounding district. By Mr. Munro, from inhabitants of east side of St. J. River, Lot 50.

The following miscellaneous petitions were then presented and read:—By Mr. Muirhead, from N. J. Brown, Postmaster, St. Eleanor's, for an increase of salary; and from Leonard Hooper and Hugh Montgomery, for payment of a balance due on their contract in building a bridge. By Hon. Mr. Wightman, from Lawrence Curran, praying compensation for loss sustained on his contract in building a bridge, on the Union road, Lot 51; and also from inhabitants of Montague and adjacent settlements, praying for their purchase of Atkinson's wharf, and offering to furnish the same to the Government, and praying a grant towards the repair thereof. By the Hon. Mr. Whelan, from William Hooper, Eastern Mail Carrier, praying for reimbursement of certain expenses incurred by him in crossing the St. J. Ferry with the mails; from Peter McCallum, for a return of duties on goods imported by him, and afterwards sold as damaged; from John LePage, third master in Central Academy, for an increase of salary. By Mr. McIntosh, from John Donnelly and Peter Landrigan, praying compensation for loss sustained on their contract in building a wharf. By Mr. Munro, from Donald McKee, for a grant in consideration of his discovery of a mine of paint.

The following road petitions were then presented and read:—By Mr. Muirhead, from inhabitants of Margate, Lots 19 and 20. By Hon. Mr. Wightman, from inhabitants of Union road, Lot 51. By Hon. Col. Secretary, two petitions from inhabitants of Lot 34; from inhabitants of east road settlement, Lot 22. By Hon. Mr. Whelan, from farmers in the western section of St. Peter's settlement. By Mr. McIntosh, from inhabitants of North Lake, Lot 47; from inhabitants of Back settlement, Bull Creek. By Mr. Munro, from inhabitants of Fork's settlement, Lot 50.

The Hon. Col. Secretary presented a petition of Hugh Fraser and other inhabitants of Trout River, Lot 21, for compensation for cutting out a portion of road through the woods.

Post Office Petitions.—By Hon. Mr. Wightman, from inhabitants of Murray Harbour, praying that the postal communication may be extended to the South river, near the bridge; from inhabitants of White Sands, praying that the Post Office may be established in that district may not be removed. By Hon. Col. Secretary, from inhabitants of Lot 34, for a Post Office at the Old Saw Mill Bridge, Covehead road. The foregoing petitions were referred to the Post Office Committee.

Teachers' Petitions.—By Hon. Mr. Wightman, from Trustees of Brudenell River School, praying compensation for the services of R. B. Irving, as teacher for six months. By Mr. McIntosh, from inhabitants of Back settlement, Bull Creek, for compensation to Laughlan McPhee, an unlicensed teacher, for his services as such for six months. By Mr. Clark, from Alfred A. McKenzie, praying compensation for his services as a teacher in Charlottetown for two and a half years before the passing of the Free Education Act. The foregoing petitions were referred to the Committee on Teachers' Petitions.

Hon. Mr. Wightman presented a petition from inhabitants of Montague River, praying for the establishment of a ferry on the south side of that river. Petition ordered to be withdrawn, the remedy being elsewhere.

The Legislative Council sent down, agreed to, the Bill relating to Ejectments and Distresses, and also the Bill relating to Light and Anchorage Duties.—House adjourned.

PETITIONS.

In the afternoon during the following petitions were presented and read:—By Mr. Munro, from inhabitants of Lot 57, for a grant to complete the wharf at Port Scirkirk; from inhabitants of Lot 49, for a grant to extend the wharf at Pownall Bay. By Mr. Muirhead, from inhabitants of Tryon and Crapaud, for a grant to extend the wharf at the west side of Crapaud and Harbor; from Richard Dawson and William Howat, for payment of a balance due to them on their contract for extending the wharf at the west side of Crapaud; two petitions from inhabitants of Central Bequete, for a grant to extend the wharf at Hurd's Point.

Petitions praying aid for Roads.—By Mr. Yeo, two petitions from inhabitants of Lot 13 and 14; from inhabitants of Lot 12 and its vicinity; from inhabitants of Cascumpec. By Mr. Perry, from inhabitants of Skinner's Pond and its vicinity; from inhabitants of Fifteen Point and its vicinity. By Hon. Mr. Mooney, from settlers on Bahiwin's road; from settlers on Johnston's road, Lots 41 and 23.

The Hon. Col. Treasurer presented a petition from inhabitants of Cascumpec, Kildare, Tignish, Nail Pond and others, for a grant to complete the wharf at Cascumpec Harbour.

Teachers' Petitions.—By Mr. Muirhead, from the Trustees of the Central Bequete School, for an allowance to Elizabeth Wilson, for her services as teacher for three months, previous to her obtaining a license. By Hon. Mr. Mooney, from inhabitants of the Old Princetown road, Lot 22, for an allowance to Duncan McLeod, an unlicensed teacher, for his services as such for six months. Referred to the Committee on Teachers' Petitions.

Post Office Petitions.—Two petitions were presented by Mr. Muirhead, from inhabitants of Lot 27 and of Tryon road, praying for the establishment of Post Offices. By Mr. Perry, from P. M. Power, Postmaster at Summerside, for an increase of salary. By Mr. Dingwell, from inhabitants of Grand River and vicinity, praying for the removal of the Post Office established at J. C. Underhay's, Lot 50. The foregoing petitions were referred to the Post Office Committee.

By Mr. Laird, from O. LePage, administrator of late N. LePage, Preventive Officer, praying that the estate of the latter may be reimbursed certain expenses incurred by him in seizing the *Sabre Dragonet*. Referred to the Committee appointed to report on J. McKinnon's petition.

The following petitions were also presented, read and laid on the Table:—

By Mr. H. Haviland; from Geo. Thresher, Senr. formerly Deputy Secretary, praying for a small annuity in consideration of his services as such, and in conformity with a promise alleged to have been made to him.

By Mr. McDonald, from William Heard, praying for a grant in consideration of the accommodation rendered to the public by the Steamer "Rosebud," in plying between Charlottetown and Pictou last season; also a petition from freeholders, merchants and other inhabitants of Charlottetown, urging the prayer of the foregoing petition.

By Mr. Yeo, from school trustees and other inhabitants of Lots 7 and 8, for aid towards rebuilding their school house, destroyed by fire.

By the Hon. Treasurer, from the inhabitants of Kildare and others, praying aid to improve the navigation of Kildare river, by cutting a channel through a small sandhill which intercepts its direct course; and from inhabitants of Cascumpec, praying aid to erect a suitable building for the accommodation of the Small Debt Court.

By Mr. Deane, from the Office Bearers of the Horticultural Society, praying for a grant in aid of its funds, in order to

promote the growth and improvement of fruit, vegetables and flowers throughout the Island.

By Hon. Mr. Wightman, from the Royal Agricultural Society, praying a grant of £1300, to enable the Society to establish a farm for the purposes of raising improved stock and growing seeds, and also for a further annual sum to pay the rent thereof, for the first three years. Hon. Mr. Wightman moved to refer the Petition to Supply; Hon. Mr. Mooney moved in amendment "that the Petition do lie on the table." The House divided. For the amendment—Hon. Mr. Mooney. Against it—Messrs. Douse, Yeo, H. Haviland, McDonald, Munro, Perry, McIntosh, Clark, Laird, Muirhead, Palmer, Longworth, Montgomery, Wightman, Whelan, Col. Treasurer, Col. Secretary. Petition was therefore referred to Supply.

Petitions for the opening of new lines of roads.—By Mr. Yeo, from inhabitants of Lots 13 and 14, and vicinity. By Hon. Col. Treasurer, from inhabitants of Lot 4. By Mr. Munro, from inhabitants of Brown's Creek and vicinity. The foregoing petitions were referred to the Special Committee on the opening of new lines of roads.

A petition from certain inhabitants of Cascumpec, Kildare, and adjacent settlements, praying for the erection of a light house at the North Cape, was presented, read, and referred to the Committee on Light Houses.

The Hon. Col. Secretary presented a report, plan of exploration and survey of Joseph Ball, Esqr., Surveyor General, of a projected line of road from New Harmony Settlement to the Portage road, Lot 47, made pursuant to an address of the House of Assembly last session.

Hon. Mr. Mooney presented a petition from the trustees of the Dunstaffnage District School, setting forth their grievances in being subjected to the payment of heavy costs and damages in defending an action of trespass arising out of a disputed claim respecting the extent of ground comprised in the site of the said school, and which site is vested in them as trustees for the time being. The Petition was referred to a special committee to report thereon—Hon. Mr. Mooney Chairman.

The House then adjourned.

WEDNESDAY, March 5.

PETITIONS.

The following petitions were presented:—By Mr. Cooper, from inhabitants of the eastern section of King's County, praying a grant for the purpose of constructing a raised road or breakwater at the east end of Souris bridge. Also, a petition from Michael Conway, Lot 44, praying compensation for re-building a bridge near Leslie's Saw Mills at the head of Souris, carried away by a freshet in the fall of last year.

By Hon. Mr. Palmer, from Alexander Maclean, Teacher of the 2nd class, Charlottetown, shewing that in consequence of the number of schools in the 2nd class being limited to two, under the Education law, and which were established before his school, he, the Petitioner, is excluded from the benefit of the higher salary for such, and can only receive the salary allowed to teachers of the first or lowest class in the City, and praying relief.

By Mr. Clark, from destitute inhabitants of Egmont Bay, praying aid to enable them to procure seed grain. Also, a petition from the Grand Division of the Sons of Temperance, praying a grant in furtherance of the objects of their association, to diffuse their principles and promote the moral and intellectual progress of the people.

By Mr. Douse, from inhabitants of Belfast, praying for an amendment of the Act of Incorporation of St. John's Church. Referred to a Special Committee to report by Bill or otherwise.

By Mr. Laird, from inhabitants of Mill Vale, praying a grant to open a new road. Referred to the Committee for opening new lines of road.

FERRY WHARF.

The order of the day was taken up, when the House went into Committee on the consideration of the choice of a site for a Ferry Wharf and Landing Slip at Charlottetown—Mr. Perry in the Chair.

A resolution was submitted, recommending that the end of Prince Street be taken for the site.

The Hon. COLONIAL SECRETARY, after shewing the necessity which existed for the construction of a Ferry landing, advocated the propriety of building a wharf at the foot of Prince Street. He stated that Dennis Reddin, Esquire, had offered the site of a portion of his wharf for the annual rent of £40. The acceptance of this proposal he did not deem advisable, as it appeared to him inexpedient to connect public with private property, and besides the accommodation constantly required for a Ferry wharf would be liable to frequent interruptions or hindrances by vessels taking up berths near the wharf, and the deposit of private property on it. Prince Street was geographically central, and the extension of the Town eastwardly would soon render it central with reference to the business of the City. There was no doubt that the proposed change of site would meet the opposition of those parties whose places of business were in the vicinity of the present Ferry wharf; but it was impossible to consult the private interests of individuals in a question of this nature, and those parties should consider the advantages they had enjoyed for so long a period from the locality of the present wharf. It was intended to construct the wharf to the edge of the channel; the cost would probably be some £1200 or £1500.

Mr. DOUSE would ask what was the reason more care and attention had not been exhibited towards the Ferry during the contract of the late lessee. He had received no assistance; but now, when another, probably a greater favorite with the Hon. Secretary, had obtained the lease, the Hon. Secretary was prepared to build a wharf on the Flats of the East River, at a place where, if it were not protected on the outside, the ice in the spring of the year would sweep it away. He referred to the money that had been thrown away on the opposite side of the Harbor last year; and concluded by advocating the Ferry landing at either Messrs. Reddin's or Peake's wharfs, as being more economical.

Hon. Mr. PALMER was sorry to hear the sentiments expressed by the hon. member who, however, he hoped would recognize the propriety of voting an adequate sum. There was no doubt of the urgent necessity for a proper Ferry wharf. The want of proper accommodation had long formed matter for complaint against the government. Strangers were astonished at the state of the Ferry. Contractors blame the government for not affording the requisite facilities. A comparison with similar places in other Colonies would put us to shame. The old wharf had been patched up and had not given satisfaction. Queen's wharf does not afford the requisite freedom from the interruptions of general traffic. If the government had entered into an engagement with a new contractor, they should provide suitable accommodation. If it were intended to lay out a large sum of money, it would be of no avail unless ample means of ingress and egress were provided. If it were the sincere desire of the House to have proper Ferry accommodation, they must not do things by halves. Botching and patching up would give no satisfaction. As to the site, that was a question on which his constituents differed materially. A considerable number wished it to be at the end of Great George Street. He was quite disinterested in the matter himself, and was in favor of Prince Street, as being most generally useful. It is most directly opposite the Ferry on the other side. It had been objected that it was not sufficiently adjacent to the places of business; but it should be remembered that the establishment of the landing would speedily attract business to the locality. The Ferry boat plying at Prince Street would have the additional advantage of being free from the delays which arose from vessels tacking and changing their positions near the western wharfs. If the House decided to erect a wharf, he knew no better site than Prince Street. Mr. Reddin's

offer, though at first it appeared economical, would on examination be found not to be so. The rent he asked was equal to the interest of £700 or £800, and the difference between that and the estimated amount for the new wharf, was really not very material when it was considered that the Government would have the sole control. Under Mr. Reddin's proposal, cases might occur in which public rights would clash with private interests. The resolution described the wharf as exclusively for a Ferry. He saw no necessity for going so far as that, and would prefer to leave it discretionary with the Government to appropriate it, as they may see fit, with regard to other public purposes. That, however, was mere matter of detail. Putting aside all party feeling, he felt it his duty to vote for the Government appropriating the land at the foot of Prince Street, where a revenue would accrue from the houses, which would be erected there.

Hon. Mr. WIGHTMAN said, that having last year given the Corporation the control of the wharfs in the City, it might be the duty of the inhabitants to build the Ferry wharf; but as it was a matter affecting the interests of the people generally, it was the duty of the House to consider the best means of effecting the object. As to the question of site, he had heard that Mr. Peake had offered a site between Mr. Tremain's wharf and the old Steam Mill. That he considered a very suitable place, and if it were not accepted he would vote in favour of Great George Street. As to the rent asked by Mr. Reddin, he did not think the sum unreasonable, as the establishment of the Ferry landing there would seriously injure his property. A wharf at the end of Prince Street would be very much exposed. Nothing could withstand the run of ice in the spring of the year. It would, moreover, involve the necessity of building 50 or 100 feet more than would be required at Great George Street, and they should consider whether they would give £1,400 or £1,500, for a work liable to be carried away at any moment.

Mr COOPER was in favor of accepting Mr. Reddin's offer. He considered £1,500 too low an estimate for the cost of the Prince Street wharf. A Ferry Slip on the western side of Mr. Reddin's wharf would be so sheltered that the protection it would receive from the wharf would of itself be worth the rent.

Hon Mr. MONTGOMERY said they were called upon to vote a large sum of money, no amount had been named in the resolution. It might probably cost £2000. He was in favor of Great George Street, where there was a wharf already built. The plan gave the width of the proposed wharf at 14 feet. Such a structure at the end of Prince Street would never stand. Let the sum be named in the resolution, and the site be the end of Great George Street.

Hon COL. SECRETARY.—It was not requisite to specify any amount in the resolution. If it were necessary to have a wharf let the House vote a sum sufficient for the purpose, as was the case with the Bridge at Souris. With reference to what had fallen from the hon. member, Mr. Douse, about the injury to the wharf last year, that gentleman's party was in power when it was built. He did not blame them, but perhaps it had not been efficiently inspected during its construction, and without that, it would not be properly built. It was not bolted, consequently the gale removed the top from the ballasted portion. The part built last summer withstood the storm. The Slips, &c., were erected in accordance with the views of the contractor, whose duty it was to keep them in repair. He had not done so, and the Government were consequently forced to repair them or to see them carried away. There was no use in having suitable accommodation on one side and not on the other.

Mr. YEO did not see why they should refuse Mr. Reddin's offer. He considered its acceptance would be a benefit to the country generally. They could give it up if it was found to be a losing affair. Meanwhile they could be building a substantial wharf, perhaps of stone. His own opinion was in favor of that being the material, as it would not be subject to the destructive action of worms.

Mr. CLARK had no personal interest in the matter. His only object was public accommodation, and the local interests

of individuals should not influence his judgment in cases of this nature. He had lived long enough in Charlottetown to know that Prince Street was the proper place for a Ferry landing. He had frequently seen the Ferry Boat delayed by vessels anchoring, shifting their berths, and surging round in the way of the Boat. A wharf at Prince Street would cost no more than one at any other place. Mr. Reddin's offer of a right of way was certainly liberal, but the rent he asked was the interest of £800.

Hon. Mr. LONGWORTH admitted the liberality of Mr. Reddin's proposal, but deemed it inadvisable to engraft public upon private property. It was absolutely necessary to have a wharf, and he was in favor of Prince Street, although some of his constituents differed from him in that opinion. He agreed with Mr. Clark in his observations on the obstructions to the progress of the Ferry Boat from vessels getting in her course. Prince Street was the central street of the City, and as he had heard that some honorable Member had decided not to vote for any sum unless it was to be expended on that Street, by this course he would obtain their support.

Hon. Mr. MOONEY said that it was all very well for the hon. Member to look after the rights of his constituents. He also (Hon. Mr. Mooney) had to consider the interests of those whom he represented, and as the proposal to have the wharf at Prince Street would impose on them the necessity of paying double truckage for the transport of their commodities from the Wharf to the Market, he would vote for the acceptance of Mr. Reddin's offer.

Hon. COL. TREASURER was opposed to the Ferry landing being at Queen's Wharf; but when he was Road Correspondent the management came under his knowledge. Mr. Bourke asked to be permitted to alter the site of the Slip. On application to the Government he was allowed to do as he wished. The same objection which is entertained to the present landing would apply to a Slip at Reddin's wharf. Prince Street's central position would not subject the country people to inconvenience. Before many years it was probable the Hillsborough would be bridged. The stone wharf suggested by the hon. member, Mr. Yeo, would cost a very large sum, and would not be more secure from worms than a structure of cedar, which worms do not attack. Abutments faced with Cedar would break the ice, and tend materially to the strength of the whole.

Mr. DINGWELL said that the Act of Incorporation had transferred such matters to the Corporate authorities, and therefore the House was not called upon to build the wharf. As to the site, so great a diversity of opinion existed that he thought they should make no appropriation until a majority of the inhabitants of the City had indicated their wishes.

Hon. Mr. PALMER said, that reasonable as was the suggestion of the hon. member that the House should yield to the opinion of the majority of the inhabitants of Charlottetown, yet he would, on reflection, feel that he would not be justified in leaving the question to the people of the Town, as exclusively, or to the greatest extent interested in the Ferry. He would also experience some difficulty in ascertaining the sense of the inhabitants of the Town. Some would wish to have the Ferry in one place, others in different localities. It was their duty not to allow the public convenience to be lost sight of, by a regard to the peculiar interests of individuals. As to the remarks of the hon. Mr. Mooney, about the greater truckage from Prince Street than Great George Street, he would have spoilt his argument had he told the parties interested in a Market, that they could have it on Hillsborough square, so that unfortunately for the argument, the Market would be very near the Ferry. There was no fear of the wharf being carried away by the ice. Wharfs had been successively built from west to east, and none had been carried away. The most severe gales are from the southwest; one from that quarter injured Pownal Street wharf a year or two ago. Hon. members should not forget the right of the Government to the ground, which would, of course, be greatly enhanced in value by the establishment of the proposed wharf.

Mr. YEO was understood to state that real estate in Charlottetown had depreciated 10 per cent.

Hon. COLONIAL SECRETARY did not know where the property alluded to was situated, unless perhaps some property of the hon. member's near the Barracks had decreased in value by the withdrawal of the troops (laughter). As to Mr. Dingwell's wishing to obtain the opinions of the people of Charlottetown as to the site, the subscription list amounting to some £400 indicates their desire for Prince Street. The people of the country are most deeply interested in having the landing at a convenient place. They would not regard the walk from Prince Street to Great George Street, so long as they could have a suitable wharf accommodation. The constant traffic on Queen's wharf renders it unsafe for a ferry landing. As to the objections about the ice carrying away the wharf, he mentioned the end of Mr. Tremain's wharf, which had not been removed, although it was not butted. He agreed with the hon. Mr. Palmer that the danger to the wharfs was from the westerly gales east winds were not dangerous in Charlottetown.

Mr. M'INOSH had listened attentively to the discussion, in order to arrive at a just conclusion if possible. The result was that he was in favour of Prince Street, as a wharf there would be the property of the people, for them to use as they saw fit; besides it was directly opposite the wharf on the other side. Younger members than he might probably see a bridge across the Hillsborough. Prince Street was central, and it was but fair to let the eastern section of the City participate in the trade of the country people. The distance between Great George and Prince Streets was not worthy of consideration.

Mr. DINGWELL wished to know if the wharf would be public property, or belong to the City Government. He understood that all the public wharfs were to be under the control of the Corporation. If he voted at all he would go for Prince Street, as most suitable. The town would extend in an easterly direction.

Hon. COL. TREASURER would inform the hon. member that the Corporation would have to pass a bye-law, regulating the management of the wharf, which would require the sanction of the Executive Government before it would become operative.

Mr. HAVILAND—As speaking seemed to be the order of the evening he would not give a silent vote. The necessity of having a wharf was admitted, and the Government had made this an open question. The members of the Government were at loggerheads about it. The Hon. Col. Secretary and the hon. Mr. Wightman differed, and where was the hon. Mr. Mooney? As for himself he voted as one of the members for George-town. His constituents were interested in the matter. He considered that the wishes and interests of the travelling public were to be considered, rather than those of the people of Charlottetown. It must be admitted that Prince Street afforded the most convenient site, and it was immediately opposite the other Ferry Landing. He would support the resolution, provided the general, and not the local Government, had the superintendance of the wharf.

Hon. Mr. WIGHTMAN denied that this was a question on which the Government was expected to be unanimous. As for himself, the reason of his supporting the wharf at Great George Street was, that it would cost much less than at Prince Street, and would afford equal accommodation to the public. He considered that there was danger from the ice at Prince Street.

Mr. CLARK could see no weight in the objection; other wharfs were not destroyed by the ice.

The Hon. the SPEAKER said, that members from the country ought to express their opinions on a matter of this nature, in which they were more interested than Town members. From all the consideration he had been able to give to it, he was decidedly in favor of Prince Street. As to Mr. Reddin's offer, that he thought should be declined, as it would never do to connect public with private property. Prince Street had the advantage of being directly opposite the Ferry on the other side. The western part of the City was built up, and its extension must be in an eastern direction.

The site of a new Market House should be considered in this discussion. Queen Square is already pretty well crowded with public buildings, and every market day it is so crowded that the sooner the Market House is removed the better. As to the Hon. Mr. Wightman's objection, that the wharf would be carried away by the ice, he would ask had Queen's wharf, Tremain's, or Reddin's, been carried away? yet the House was told that they could not build a wharf that would stand. A few years ago there was no Superintendent of Public Works; now that we have an officer of that description, appointed by the Government, there are public works made of wood which will compete with any of the same material to be found in any of the Colonies.

Hon. Mr. WHELAN—As nearly every one had spoken, he might be permitted to express his sentiments. The great diversity of opinion as to the site had, no doubt, been in some degree caused by the different private interests of individuals, and he might perhaps be accused of personal views in advocating that the new wharf should be at the foot of Prince Street. But it would make but little difference to him whether the wharf was at Great George or Prince Street—a distance of about 500 feet one way or another would affect him very slightly. The argument in favor of Great George Street was, that the plan was an economical one; but it must be borne in mind that Mr. Reddin and his heirs would be receiving from the public the interest of £500 annually, and the public would not have the same privileges and accommodation as Prince Street would afford. A wharf at the latter place would have the advantages of being directly opposite the other Ferry landing—the ownership of the ground by the Government, and the freedom from impairments by vessels obstructing the access to the wharf. It was absurd to argue that there would be danger from the ice, merely because it was 500 feet east from Great George Street.

Mr. LAIRD said, several speakers had laid much stress on the straight course between Prince Street and the opposite side of the Ferry. It might be so, but water carriage was cheaper than land carriage. He was in favor of Mr. Reddin's offer, if people wanted to come to town they did not wish to be landed outside the town.

Mr. MACDONALD thought that hon. members should consult the interests of people on the other side of the harbour, and he was of opinion that the wharf should be as near as possible to the present one. The difference in truckage might be comparatively unimportant to individuals, but the aggregate increase might be very great. He would therefore vote for Great George Street, which was 100 feet nearer the channel than Prince Street.

Hon. COL. SECRETARY denied that there was so great a difference. If the landing were established at Reddin's wharf, there would be constant obstructions from vessels. He thought the people would prefer going to a quiet and unobstructed wharf.

Hon. Mr. WIGHTMAN explained, that vessels would be under the control of the Wharfing. He was of opinion that the travelling public would be in favor of Great George Street. He would, therefore, move an amendment, substituting Great George for Prince Street. This was lost on the following division. Ayes—Hons. Messrs. Montgomery, Wightman, Mooney, Messrs. M'Donald, Douse, Yeo, Laird, McGill and Cooper—9. Nays—Hons. Col. Secretary, Col. Treasurer, Mr. Palmer, Mr. Langworth, Mr. Whelan; Messrs. Haviland, Dingwell, Munro, Muirhead and Clark—10.

The House then went into Committee of Supply, when a resolution was passed, appropriating a sum sufficient to build the Wharf at the foot of Prince Street.

House then adjourned.

THURSDAY, March 6.

Mr. Perry, from the Committee to whom was referred the Petition of Dominick Arsnaux, Egmont Bay, presented a report as follows:—“The Committee to whom was referred the petition of Dominick Arsnaux, of Egmont Bay, to

examine the same and report thereon, having ascertained the correctness of the allegations set forth in the petition, submit—That the petitioner duly paid his land tax, as appears by his receipt, and also by the Sheriff's return; but a mistake has been made either by the Deputy Receiver appointed by Mr. Brown, by inserting in the receipt given to Dominick Arseneaux the wrong township, or by the petitioner's misinforming the said Deputy, whereby the land of petitioner was sold to James Yeo, Esqr., for the sum of ten pounds, as appears by the Sheriff's return; and as the said Dominick Arseneaux was not aware of the mistake, he being unable to read, your Committee recommend that the money be refunded to him."

On a motion being made by Mr. Perry to refer the above report to Committee of Supply, the House divided:—For the motion—12. Against it—4.

The Bill to amend and consolidate the several Acts relating to the sale of spirituous liquors was read a second time, and committed to the whole House in Committee. Progress reported, and then the House adjourned.

FRIDAY, March 7.

PETITIONS.

A petition from inhabitants of Traveller's Rest, and its vicinity, praying for an enactment to prevent the running at large of swine, was presented, and referred to the special Committee to whom other petitions of a similar nature were previously referred.

Mr. H. Haviland presented a petition from Isabella W. Ross, widow of the late Clerk Assistant of the House, praying for some assistance for the support of her family, in consideration of the sacrifices made by her late husband in the public service. Petition laid on the table.

The Bill to facilitate the performance of the duties of Justices of the Peace, with respect to persons charged with indictable offences, was read a third time and passed.

The order of the day for the House to take into consideration the various petitions before it being read, all those petitions praying aid for roads, bridges and wharfs, were taken up, and referred to the members for the several districts.

The House then went into Committee on matters relating to roads, bridges and wharfs, when several scales of appropriation were agreed to, and progress reported.

HOUSE IN CONSIDERATION OF PETITIONS.

The petition from inhabitants of western section of Prince County, praying for a division of that County, was taken up, and referred to a special Committee to report thereon next session.

The petition from householders of Lots 28 and 29, praying exemption from payment of school tax, taken up. As the education Act will expire next session, it was declared inexpedient to grant the prayer of the petition.

Petition of William Chappell, praying aid for sailing packet between Bay Verte and Charlottetown. Referred to Supply.

Petition of Alex. Munro, New Brunswick. Prayer rejected.

Petition of School Trustees, Lots 7 and 8. Prayer rejected, the remedy being elsewhere.

Petition of John McIntosh, Lot 14, Mail Carrier. Referred to Post Office Committee.

Petition of James Gillanders, teacher, praying for a retiring allowance. Referred to the special Committee appointed to report by Bill or otherwise on the expediency of making provision for infirm or aged licenced teachers.

Petition of John Holland, Ferryman. Mr. McDonald moved to refer it to Supply. Hon. Mr. Longworth moved in amendment that the prayer be rejected. The House divided—for the amendment, 16. Against it, 2.

Petition of Laughlan McKinnon, Lot 14, Ferryman. Referred to members of the district to provide for, when dividing road money.

Petition of Pierce Doyle and John Macatee. Mr. McGill moved to refer it to Supply. Mr. Douse moved in amendment, that the prayer of the petition be rejected. The House divided: for the amendment, 16. Against it, 3.

The Legislative Council sent down, agreed to, the "Act to continue the Act relating to the laying down, erection and maintenance of Buoys and Beacons in this Island."

The Hon. Colonial Secretary presented to the House the detailed public accounts for the past year. Referred to Committee on Public Accounts. House then adjourned.

ESTABLISHMENT OF A BANK.

Having met in the afternoon—

The Hon. COL. SECRETARY said he wished to bring to the notice of the House a subject which at that time affected the prosperity of the country, and the action which he thought the Government would be induced to take in reference to it, would, if approved of, tend to advance the public interests. He alluded to the establishment of a Bank. The Act for the incorporation of such an institution had recently received the royal allowance, but he had heard from several gentlemen competent to form an opinion on that subject, the expression of their doubt that the amount of specie required to commence banking operations would not be available at that particular time, and that some months would elapse before the Act could be put into operation. Now, what he (the Col. Secretary) was about to propose was, that the Government should take shares in the Bank to the extent of ten thousand pounds—which they could do without detriment to the public service, there being sufficient money in the Treasury for the purpose; and if the House approved of his suggestion—for he merely offered it as a suggestion—and if his colleagues in the Government coincided with him in carrying it into effect, he had no doubt that it would greatly facilitate the establishment of the Bank—give confidence in, and stability to, its operations, and induce many persons to take shares who might otherwise keep aloof. There was no reason to apprehend that the Government could exercise an undue influence in the Bank, should they become shareholders to the extent indicated by him (the Col. Secretary), as the person appointed to represent the Government would have no more than fifteen votes—a number which might fall to the share of many private individuals. He was anxious to see a Bank established in the Island. The want of the accommodation which such an institution every where affords was well known, especially to the mercantile community, and long seriously felt. He therefore trusted that hon. members would take his proposition into their consideration, as on a future day he would probably submit it to them in a more definite shape.

PETITIONS DISPOSED OF.

The House then resumed the consideration of private petitions. The petition of the Secretary of the Wesleyan Dorcas Society taken up and referred to Supply. The Memorial of John

Mackieson, Chairman of the Medical Association; referred to a special committee to report thereon; Mr. H. Haviland Chairman.—The petition of inhabitants of Lot 17, on behalf of Edward Brian, a person in destitute circumstances—Mr. Perry moved to refer it to Supply; Mr. McIntosh moved in amendment to refer it to the Pauper Committee. The House divided: for the amendment—17. Against it—3.

The petition of the Horticultural Society for a grant in aid of its funds was again read, and on motion by Mr. Douse to refer it to Supply, the House divided: for the motion—Messrs. Douse, H. Haviland, Clark, McGill, Hons. Messrs. Longworth, Wightman, Whelan, Palmer, Montgomery, Col. Treasurer, Col. Secretary, Messrs. Dingwell, Muirhead, Yeo—14. Against it—Messrs. McIntosh, Perry, Hon. Mr. Mooney, Messrs. Munro, Laird, McDonald—6. Petition referred to Supply.

Petition of Donald McRae, praying a grant in consideration of his discovery of a mine of paint, was taken up, and Mr. Munro moved to refer it to Committee of Supply. Mr. Douse moved in amendment, that the prayer of the petition be rejected. The House divided: For the amendment—Messrs. Douse, McDonald, Yeo, Perry, Clark, McGill, Dingwell, H. Haviland, McIntosh, Muirhead, Laird, Hons. Messrs. Montgomery, Palmer, Longworth, Col. Secretary, Col. Treasurer—16. Against it—Messrs. Munro, Whelan, Wightman, Mooney—4. Prayer of the petition therefore rejected.

[Mr. DOUSE strongly denounced this application, stating that it was an attempt at imposition—that, in fact, no discovery had been made, as the pretended paint could be found in large quantities all over the Island. Mr. Munro and others, favourable to the petition, referred to the certificates endorsed thereon from practical painters in Charlottetown, as to the excellent quality of the paint.]

Petition of William Hooper, Mail Carrier, was again read, when Hon. Mr. Whelan moved it be referred to Supply. Hon. Mr. Mooney moved as an amendment to refer the petition to the members for the district to provide for the application out of their road grant. The House divided: For the amendment—Hon. Mr. Mooney, Messrs. McGill, Perry, Yeo, Laird, Muirhead, Douse—7. Against it—Hons. Messrs. Whelan, Col. Secretary, Col. Treasurer, Palmer, Longworth, Montgomery, Messrs. Clark, McIntosh, H. Haviland, Munro, Dingwell, McDonald—12. Petition then referred to Supply.

[Mr. WHELAN, Mr. HAVILAND and others supported this petition on the ground, that when the petitioner undertook to carry the Mails he did so with the understanding common to all Mail Carriers, that he should be exempt from expense in crossing ferries—that Souris ferry was unlicensed for a year previous to its being bridged, and therefore beyond the control of the Government, and that petitioner had consequently to pay about five shillings a week for ferrying the mails and his team across it.]

Petition of Peter McCallum, praying for a return of certain duties, was again read, and a motion made by Hon. Mr. Whelan to refer it to a special Committee to report thereon. Mr. Laird moved in amendment that the prayer of the petition be rejected. The House divided: For the amendment—Messrs. Laird, McGill, Clark, Munro, McIntosh, Muirhead, Perry, Hons. Col. Secretary, Col. Treasurer, Messrs. Wightman, Mooney—11. Against it—Hons. Messrs. Whelan, Palmer, Longworth, Montgomery, and Messrs. Yeo, Douse, H. Haviland, Dingwell, McDonald—9. Prayer of petition rejected.

Petition of John Donnelly and Peter Landrigan, contractors for building Souris bridge, was read, and a motion made by the Hon. Col. Treasurer, that the prayer be rejected; which was agreed to.

Petition of John LePage, third Master of the Academy, was read, when Hon. Mr. Whelan moved to refer it to Supply. The Hon. Col. Secretary moved in amendment that the prayer of the petition be rejected. The House divided: For the amendment—Hons. Col. Secretary, Col. Treasurer, Hons.

Messrs. Wightman, Montgomery, Mooney, Messrs. Munro, McDonald, McIntosh, Perry, Dingwell, Laird, Muirhead—12. Against it—Hons. Messrs. Whelan, Longworth, Palmer, Messrs. Clark, H. Haviland, McGill, Yeo, Douse—8. Prayer therefore rejected.

[This petition also elicited much discussion, the Hon. COL. SECRETARY and others contending that if entertained, there would be no doubt applications from the other masters for an increase to their salaries—that the Free Education Act would expire next year, when an opportunity would be afforded of revising the law relating to the Academy, with the view of giving that institution a higher character and making it more generally useful to the community. Mr. WHELAN, Mr. CLARK, Mr. PALMER and Mr. HAVILAND spoke in favor of the petition going to Supply—argued that while the salaries of other teachers had been increased, that of the petitioner was left stationary—that his allowance, including fees, did not amount to more than £70 a year—that he was obliged to pay house-rent out of this sum, or what was equivalent to doing so, he was under the necessity of occupying his own house, and therefore losing an annual rent; whereas he should have been furnished with proper apartments at the Academy, at the public expense; but the apartments there were uninhabitable from want of repair; and that if it were an act of justice to remunerate the petitioner for his services in the same ratio as other teachers, the performance of that act should not be postponed until the Education Act should expire. Mr. MCINTOSH and some other hon. members, including the COL. SECRETARY, opposed to the application, stated that there could be no objection to putting those apartments of the Academy in such repair as to render them fit for the residence of the third Master; but it was inexpedient to give an increase to the salary of one master and withhold it from the others.]

Petition of A. McLean, second class teacher, Charlottetown, was read, when the Hon. Col. Secretary moved that it was inexpedient to grant the prayer of it. Hon. Mr. Palmer moved in amendment to refer it to a special committee to report thereon. This, on division, was negatived, when the original motion was put and carried.

Petition of N. J. Brown, postmaster at St. Eleanor's, was referred to the Special Committee on Post Offices. The House then adjourned.

SATURDAY, March 8.

PETITIONS RECEIVED.

The Hon. Col. Secretary presented a petition from W. H. Nellis, an aged and destitute teacher, now incarcerated in jail, praying for a small grant to enable him to leave the Island when the term of his imprisonment shall expire. Referred to Supply.

A petition, praying a grant of money for the repair of Darnley bridge, was presented and referred to the whole House when in Committee on roads, bridges and wharfs.

Hon. Mr. Mooney presented a petition from James Doyle, Lot 48, praying for the opening of a new line of road. Referred to special committee on opening new roads.

Mr. McIntosh presented a petition from Hugh McVarish, praying compensation for the loss of a house, burnt down, after it had been used by the Board of Health, at Lot 42, some years since. Mr. McIntosh moved to refer it to Supply. Mr. Yeo moved in amendment that the prayer be rejected. For the amendment—12. Against it—2.

Mr. McGill, from the Committee appointed to report on the petition of certain inhabitants of Lot 30, setting forth the claim

of the Loyalists to a portion of that township, presented a report, in which the Lieut. Governor is requested to direct the Surveyor General to make a survey of the eastern boundary of that township, preparatory to an investigation into the merits of the petition. The report was agreed to, and a Committee appointed to prepare an address to His Excellency. Mr. McGill shortly after submitted the draft of an address, which was agreed to, and ordered to be engrossed.

Hon. Mr. Whelan presented a petition from inhabitants of Morrell and St. Peter's, accompanied by a subscription list, praying that a sum of money may be granted in addition thereto for the purpose of improving the navigation of St. Peter's Harbor, by cutting away the bar. Referred to the following special Committee to report thereon next session:—Messrs. Whelan, Dingwell and Wightman.

Hon. Mr. Whelan presented a petition from the inhabitants of Grand River, Little Pond and vicinity, referring to a former petition for the removal of the Post Office, at Lot 56, praying that the prayer of that petition may be rejected, and the Post Office left undisturbed. Referred to the Post Office Committee.

PETITIONS DISPOSED OF.

The House again resumed the consideration of private petitions, when the following were disposed of.

Petition of the Grand Division of the Sons of Temperance, praying a grant to enable them by public lectures to disseminate their principles. The Hon. Col. SECRETARY and other hon. members stated that the real object of the lectures contemplated was to bring that House into contempt with the country, and by combining with politics their extreme views regarding a prohibitory liquor law, to endeavour to solicit public support to a measure which that House had already condemned. Messrs. CLARK, DOUSE and MURHEAD spoke in favor of the petition. On a motion by Mr. Clark to refer it to Supply, hon. Mr. Warburton moved in amendment that the prayer of the petition be rejected. The House divided: For the amendment—Hons. Col. Treasurer, Col. Secretary, Messrs. Perry, Whelan, Dingwell, McDonald, Wightman, McIntosh, Mooney, McGill, Laird—11. Against it Messrs. Clark, Muirhead, Munro, Douse, Longworth, Yeo, Montgomery—7. Prayer rejected.

Petition from destitute settlers at Egmont Bay, taken up. Mr. Clark moved to refer it to Supply; lost on division—7 for, and 10 against it.

Petition praying aid to improve the navigation of Kildare river, read and referred to a special committee to report thereon next Session. Committee—Hon. Mr. Warburton, Messrs. Yeo and Parry.

The Legislative Council sent down a Bill, passed by that branch, for the prevention of fraud by secret bills of sale of personal property. Read a first time. Also a Bill to authorise the Lieut. Governor to prohibit the exportation of saltpetre and other articles used in the manufacture of Gunpowder.

The Hon. COL. SECRETARY said the latter Bill had been introduced into the upper House, in conformity with a circular despatch from the Colonial Minister, recommending the passage of such a Bill, which despatch he laid upon the table. A similar measure, he presumed, would be passed by all the Colonial Legislatures; the object of it—as was obvious enough—was to prevent any trade arising between Russia and the Colonies, for the supply of materials used in the manufacture of Gunpowder.

The Bill was then read a first time—the rule suspended, read a second time, committed to a committee of the whole House, and agreed to therein, read a third time, passed, and sent back to the Council.

Petitions again taken up.—The petition praying for the erection of a Court House at Cascumpec, was referred to the special committee already appointed relative to the division of Prince County.

Petition for a Light House at the North Cape—Referred to Light House Committee.

Petition of Daniel Wall, a Loyalist—Referred to the special committee appointed to report on a petition from inhabitants of Lot 30, respecting claims of Loyalists to land on that township.

The Hon. Col. Treasurer presented the School Visitor's Report, as laid before the Board of Education.
House adjourned.

Having met in the afternoon, Mr. McGill reported that the Committee appointed for that purpose had presented the address to His Excellency respecting a survey of Lot 30, and that His Excellency stated that he would comply with the desire of the House.

Petitions again taken up.—A petition praying aid towards a Library at Tignish—referred to Supply.

The following papers, laid before the Executive Council and referred to the House of Assembly, were then taken up and read:—Petition of Maxime Gallant and others, respecting the erection of a bridge at Haldimand river, and report of Superintendent of Public Works thereon;—referred to House when in Committee on roads, bridges, and wharfs. Petition of W. McDonald, light-house-keeper at Panmure Island, praying for an assistant;—referred to Light House Committee. Report of B. Davies, Esqr. on winter mails boats;—referred to Committee of Supply. Report of Commissioners on the opening of a new line of road at Murray Harbor; and also the report of commissioners respecting the opening of a new line of road from Emmans's to Matthewson's, at Grand River;—referred to House when in committee on the consideration of all matters relating to roads, bridges and wharfs.

MR. HEARD'S PETITION.

Petition of William Heard, and also petition of merchants and freeholders of Charlottetown, recommending the prayer of Mr. Heard's petition to the favorable consideration of the House, were taken up and read. On a motion being made by Mr. McDonald to refer the petitions to Supply, a long and animated discussion ensued, in the course of which the Hon. Col. SECRETARY detailed the circumstances under which Mr. Heard's steamer was employed in the summer of last year to carry the mails between Charlottetown and Pictou—he shewed that there was no contract entered into, as the preliminary to the signing of any contract was, that commissioners should examine and report on the fitness of Mr. Heard's boat for the service she was intended for—that commissioners did examine and report on the boat—that those commissioners were not political partizans of the Government and unfriendly to Mr. Heard, but rather the reverse, and that their ability to discharge the duty assigned them could not be questioned; that their report was decidedly unfavorable to the employment of Mr. Heard's boat as a mail pake, and that therefore she ceased to be employed; and the Lady le Marchant was taken in her place; that notwithstanding, Mr. Heard continued to ply the Rosebud between Charlottetown and Pictou, as an opposition boat, to the serious injury of the Government contractor, until forced to lay her up early in the autumn, when it was deemed unsafe to run her during the prevalence of moderately high winds:—that Mr. Heard then publicly complained of the want of liberality on the part of the Government in not employing his boat, when, from the circumstances related, it was impossible for the Government to do anything of the kind;—and that for the services performed in carrying several mails between Chalottetown and Pictou, on the Rosebud's trial trips, Mr. Heard had been liberally remunerated by the Government. He was therefore not entitled to any grant of money from that House.

The Hon. Mr. WARBURTON and others on the same side of the House supported these views, and argued against the principle of encouraging disappointed public contractors to come before the House with applications similar to Mr. Heard's.

Messrs. McDONALD, PALMER, LONGWORTH, DOUSE, and others, said they would vote for the petition going to Supply, not from party feeling or consideration for Mr. Heard as an individual, but from a sincere desire to encourage what they considered a great enterprise for a small country like this, and one in which Mr. Heard had embarked much capital and incurred heavy loss. That his steamer had afforded much accommodation to the public, was manifest enough from the encouragement it had received from the travelling community, but that that encouragement had not been such as to reimburse him to anything like the amount of outlay occasioned in getting his boat ready for, and in keeping her on the station. The Hon. Mr. PALMER, in advocating these views, distinctly and repeatedly stated, that he did not accuse the Government of wrong doing in refusing to employ Mr. Heard's boat after receiving the Commissioners' report---there was great necessity for caution and care in entering into a contract for such an important service, after the unfortunate casualty of the Fairy Queen; and he had no doubt that had he, (Mr. Palmer), been a member of the Government he would have acted with respect to the matter under consideration just as the Hon. Col. Secretary and his colleagues had done, and would probably withhold us support from the application then before the House. But viewing the petition on its own merits, and without any reference to the Government, he would support the application for a small grant, as a reward for individual enterprise.

Hon. Mr. WIGHTMAN spoke favorably of petitioner's claims on the score of enterprise, but considering his position as a member of the Government, and remembering how fairly and liberally the petitioner had been dealt with by the Government, he could not vote for the petition going to Supply, as his doing so would be equivalent to a censure upon himself and his colleagues in the administration.

The discussion in which nearly all the members present participated---but for whose remarks in an extended form we have not space---having been brought to a close, the Hon. Col. Secretary moved in amendment to Mr. McDonald's motion "that the prayer of the petition be rejected." The House divided:---For the amendment---Hons. Col. Secretary, Col. Treasurer, Messrs. Mooney, Wightman, Whelan, Clark, Laird, McGill, Munro, Dingwell, Perry, Muirhead---12. Against it---Messrs. McDonald, Yeo, Douse, Longworth, Palmer, H. Haviland---6. Prayer rejected.

Petition of George Thresher, praying for an annuity of £50 in consideration of his long services as former Deputy Secretary and Registrar. The petitioner stated that such an annuity was promised to him by Sir Alexander Bannerman's Government at the time of his leaving the Secretary's Office.

The Hon. COL. TREASURER, who was Secretary at the time alluded to, denied that any such promise had been made with his concurrence. Mr. Thresher left the Secretary's Office, not to make room for any particular individual, nor in consideration of any promise being made to him, but because his age and infirmities rendered him unfit for the duties of the office.

Hon. COL. SECRETARY stated that he had no knowledge of any such promise being made to Mr. Thresher as that stated by him. He did not charge the petitioner with stating an untruth; but he was certainly under a misapprehension, for no promise of an annuity was or could be made to Mr. Thresher by the Government.

Hon. Mr. WHELAN remarked that perhaps a hint or suggestion about getting an annuity might have been casually

and privately made by Sir Alexander himself to Mr. Thresher, without pledging the Government to secure it. After a few further observations from other hon. members, Mr. H. Haviland, who warmly supported the petition, moved that it be referred to Supply. Mr. Muirhead moved in amendment that the prayer be rejected, which was agreed to.

Petition of Isabella Ross, widow of the late Clerk Assistant of the House of Assembly, was taken up and read. Mr. H. Haviland moved that it be referred to Supply. Mr. Perry moved in amendment that it be referred to the Georgetown members, to make provision for the support of petitioner's family out of the money voted for the relief of the poor. The question was taken on the original motion for sending the petition to Supply: Ayes---Messrs. Douse, Yeo, Palmer, Haviland, Wightman, McDonald, Dingwell, Munro, Whelan, Mooney, McGill, Longworth---12. Nays---Hons. Col. Secretary, Col. Treasurer, Messrs. Perry, McIntosh, Clark, Muirhead, Laird---7.

Several hon. members having obtained leave of absence for a few days, the House then adjourned.

MONDAY, March 10.

The Hon. Col. Treasurer presented a petition from Thomas Robson, of Sackville, N. B., praying a grant for the invention of a Fog Bell. Referred to Light House Committee.

The House again went into Committee on the Bill to amend and consolidate the Acts relating to the sale of spirituous liquors. The Bill was agreed to with some amendments.

House in Committee on matters relating to roads, bridges and wharfs. The scales of appropriations for King's County were agreed to, and progress reported.

Mr. McDonald presented a petition from the trustees of the Georgetown Grammar School, praying for an increase of salary to their teacher. Referred to Committee on Teachers' Petitions.

House adjourned.

TUESDAY, March 11.

The Hon. Col. Secretary laid before the House a report of John Doirant, accompanied by a plan, respecting certain repairs required to Darnley Bridge.

Petitions again taken up---The Petition of James Gillauders, Teacher, praying for a retiring allowance was read, and referred to the Committee appointed to report as to the necessity of making provision for sick and aged Teachers.

House again in Committee on matters relating to roads, bridges and wharfs. The remainder of the scales of appropriations for the three Counties were submitted and agreed to.

Mr. Clark, from the Committee to whom was referred the Petition praying for an Act to prevent swine from running large, presented the following report which was agreed to:---
"Your Committee appointed to report on the several petitions praying that an Act may be passed to prevent the running at large of swine, submit the following report---That although much injury is done to private property, as well as the public roads, by the going at large of Swine, yet your Committee think that a law to compel all persons to keep their swine from going at large, while it would operate beneficially

in some settlements, would be found oppressive to many of the new settlers in wood lands. Your Committee cannot, therefore, recommend the prayer of the petitioners."

House again in Committee on the Bill relating to summary actions before Justices of the Peace. Progress reported.— Then the House adjourned.

WEDNESDAY, March 12.

Mr. Perry presented a Petition from certain inhabitants of Prince County, respecting the division of that County. Referred to the Special Committee appointed in reference thereto.

The Bill to consolidate and amend the Licence Laws was read a third time and passed.

The Hon. Col. Secretary presented a petition from the Clergy, Magistrates and others, of Princetown Royalty, praying aid for the support of a pauper child. Referred to the Special Committee on Pauper claims.

Mr. Laird presented a petition, together with a subscription list, from inhabitants of S. West River, New London, praying aid for the construction of a bridge across that river. Referred to a special Committee to report next Session.

House again in Committee on the Bill relating to summary actions before Justices of the Peace. Bill agreed to, with some amendments.

The Hon. Mr. Mooney, from the Committee appointed to report on the petition relating to the construction of a bridge over Pisquid River, presented the following report, which was agreed to:—

"Your Committee, to whom was referred the petition of sundry inhabitants of Pisquid settlement, praying for the erection of a bridge across the Pisquid river, at McDonald's shipyard, have to report—That although such a bridge would afford increased accommodation to the travelling public in the immediate neighbourhood, yet as the present bridge on the said river is not more than two miles from the proposed new site, and the new bridge would cost a very large sum to build it, your Committee cannot recommend the prayer of the petition to the favourable consideration of the House."

The House then adjourned.

THURSDAY, March 13.

The House did not meet to-day, there not being a sufficient number of members in attendance to form a quorum, owing to the absence of several members at the Georgetown Court.

FRIDAY, March 14.

The Hon. the Speaker, having received a Letter from the Honorary Secretary of the Board of Trustees of the Lunatic Asylum and House of Industry, with respect to the affairs of that Institution, and also the annual report of the Visiting Physician of the Asylum, presented the same to the House, when they were read and laid on the table.

The Hon. Col. Secretary, by command, presented to the House several despatches and orders of Her Majesty in Council, confirming certain Acts passed in the last Session of the Legislature, and disallowing others. The Act relating to Stamped Instruments was one of those disallowed by Her Majesty, and the reason assigned for its disallowance was, that it was repugnant to a leading principle of the Imperial Stamp Act.

The Hon. Col. Secretary also presented a Message from His Excellency the Lieut. Governor, in reference to the Bank Act, enclosing an extract of a letter from Sir Charles Trevellyn to Sir Herman Merivale, of the Treasury Chambers, setting forth the objections entertained by the Lords Commissioners of Her Majesty's Treasury to that section of the Act which relates to mortgages being received as collateral securities for advances to be made by the projected Bank, and recommending that the local Legislature should amend the Act in this respect. On motion of the Hon. Col. Secretary, the extract of the letter above noticed, was referred to a special Committee to report thereon.

Hon. Mr. LONGWORTH made some observations respecting what he deemed to be a most extraordinary delay in the transmission of the Bank Act to the Imperial Government. That Act, he said, was passed by the Legislature of this Colony in April last, but it appeared from the correspondence just submitted, that it was not forwarded to England until the 7th August following. He was desirous of ascertaining from the Government the reasons for delaying its transmission so long.

The Hon. Col. SECRETARY replied, that as soon as the Bank Act was printed, which was shortly after the close of the last Session, it was forwarded to the Colonial Minister; and so anxious was the Lieut. Governor that a measure of so much importance should receive an early consideration at the hands of the Imperial Government, that His Excellency had written several despatches to the Colonial Minister on the subject. The date mentioned by the hon. member for Charlottetown had, no doubt, reference to one of these despatches, sent home some months subsequent to the transmission of the Bill. There was no doubt that the delay in getting the royal assent to the Bank Act was of serious disadvantage to the community, for the want of such an institution was being felt more and more every day; but it was to be lamented that other Acts, as well as the Bank Act, were subjected to extraordinary delay before receiving the royal confirmation. He (the Col. Secretary) could not account for the tardiness of Her Majesty's Colonial Minister in reference to these matters, and he thought that if the Legislative Council and House of Assembly concurred in forwarding a joint address to Her Majesty on the subject, better attention might be given in future to the Acts emanating from the Legislature of this Colony.

The Committee, moved for by the Hon. Col. Secretary, was then appointed, viz:—Hons. Messrs. Coles, Whelan and Longworth.

The Hon. Mr. Mooney presented a petition from inhabitants of Lots 34 and 35, which was read by the hon. member in his place, praying for a grant to extend the wharf at Appletree Farm, by adding two blocks thereto, which, it was stated, would cost about £90.

Hon. COL. SECRETARY remarked that the petition just presented had been in the possession of the hon. member for nearly a month, and it was perfectly useless then to bring it forward, when the money for the road service had been appropriated, and the scales agreed to. The hon. member's constituents, as well as many of his own (the Col. Secretary's), were interested in having a good wharf at the place mentioned, and he was certain they would not thank the hon. member for giving their application the go-by. He (the Secretary) thought that £30 or £40 might have been conveniently set apart by the hon. member, notwithstanding that the wharf in question would be of much advantage to his

constituents, for on a former occasion he (the Secretary) appropriated £60 towards the completion of a work in the hon. member's district.

Hon. Mr. MONTGOMERY said that the hon. member for the second district of Queen's County was certainly very remiss in the performance of his duty in keeping the petition in his desk so long as he had done. What good could result from his presenting it at that time? It would be only in-cumbering the Journal of the House to no purpose, by recording its reception, for the prayer of it could not be granted, as there was no money left unappropriated for that branch of the public service. It appeared from the statement made by the Hon. Col. Secretary, that not only was the hon. member (Mr. Mooney) remiss in his duty in not sooner presenting the petition, but that he had taken advantage of him, (the Secretary) in getting £60 out of him for the benefit of his own constituents. He (Mr. Montgomery) was, for these reasons, opposed to receiving the petition.

Mr. McINTOSH could not help admiring the manner in which the Hon. Col. Secretary and his friend, Mr. Mooney, appeared to have transacted business between them. One gives to the other a grant for this purpose, and the other a grant for that; it was a fine illustration of the good old policy, "scratch me and I'll scratch you;" but the best of the joke was, that when the hon. member (Mr. Mooney) got pretty well scratched himself, he did not show a disposition to scratch his friend the Col. Secretary, who was no doubt itching for that interesting operation.

Hon. Mr. MOONEY stated that he had offered the petition to the Col. Secretary to present, as it concerned the constituents of that hon. member more than it did his own; but he had refused to entertain the petition. He (Mr. Mooney) did not consider it was his duty to set apart any money for the wharf under consideration, as that wharf would afford more accommodation to the constituents of the Col. Secretary than to his (Mr. Mooney's.) He supposed that Mr. Muirhead would next bring a charge against him for not building a wharf at Crapaud, to serve that hon. gentleman's constituents. He (Mr. Mooney) felt that, with so many hon. members about him, trying to deprive his constituents of their honest share of the road money, he was in a situation something like that of the poor pedlar who had been frozen to death in a bed between two other greedy pedlars, who kept pulling the clothes from off him. Mr. Douse, he said, drags him off to Lot 48 to do some work there, that would be a great benefit to that hon. member's constituents; Mr. Muirhead wanted to bring him off to the westward over Crapaud bridge, to do a snug job there, and the Hon. Col. Secretary complained that he (Mr. Mooney) would not perform a similar service for him. Those gentlemen were very kind in their intentions and in their professions of regard for the interests of his constituents, but he was sorry he could not feel grateful to them on that account. They had no proper sites for wharfs in many parts of their own districts, and when they managed to get them erected near the boundaries of his (Mr. Mooney's) district, they were modest enough to expect that he should keep them in repair; but he would not allow the interests of his constituents to be sacrificed in such a manner. If hon. members would deal fairly towards him, he would act in a similar spirit with respect to them.

Mr. MUIRHEAD said, that as the hon. member from Flinty Glen had been pleased to bring his name into the debate, he would state that that hon. member appeared to have a knack of getting money out of other districts in addition to his own; for example, he had managed to get part of the appropriations for Prince County laid out in building

a wharf at Crapaud to promote the interests of his (Mr. Mooney's) constituents. He (Mr. Muirhead) had been informed that some time ago the hon. member from Flinty Glen promised his (Mr. Muirhead's) colleague to assist in building a wharf at the west side of Crapaud harbour in Queen's County. Last year he (Mr. M.) and his colleague set apart a large sum of money for that wharf, but there were £57 15s. expended in addition to the grant, and for the payment of that sum they were obliged to make provision out of their appropriation for this year; besides this, he (Mr. M.) had offered to Messrs. Mooney and McGill to lay out £100 more in making additional blocks and bridges to the wharf in question, if those hon. members would give £50 out of their proportion for the same purpose. But they refused to give one shilling, and in the absence of his (Mr. M's) colleague—Hon. Mr. Lord—he could not undertake to give a large grant this year for making blocks and bridges to the Crapaud wharf.

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

The Hon. Col. Secretary presented to the House the Blue Book for 1854.

SCHOOL VISITOR'S REPORT.

The Hon. COL. SECRETARY suggested that the School Visitor's Report, on the public schools, which had been presented to the House a few days ago, had better be read for the information of members, as it was not read at the time it was presented. [The report was then read.]

The Hon. COL. SECRETARY, alluding to statements in the report, said it was highly gratifying to that House and to the country to perceive that one-fifth of the whole population of the Island were now participating in the benefits arising from the Free Education System, there being 12,000 children in attendance at the public schools. In addition to this large number of scholars, there were 400 others, not taken into account by the Visitor of Schools, receiving the benefits of education at the Bog School in Charlestown. That School had been in progress for several years, and had only received £10 a year from the Legislature, which was a mere nothing in comparison to the advantages conferred by the School; for had it not been in operation, there were very many children, especially those living in the direction in which the School was located, who would have received no education at all. He hoped that hon. members would remember these facts, and give to the Bog School a more liberal grant than that of former years, which was now rendered highly necessary, as the great number of scholars taught in that school required the services of an assistant teacher.

The House then adjourned.

SATURDAY, March 15.

Owing to the continued absence of several members, the House did not meet to-day.

MONDAY, March 17.

REPORT OF THE SPECIAL COMMITTEE ON POST OFFICE PETITIONS.

Mr. Perry, from the Committee to whom were referred the several petitions, praying grants of money for unlicensed teachers, presented to the House the report of that Committee, which was ordered to be taken up to-morrow.

The Hon. Mr. Wightman, from the Committee to whom were referred all matters relating to the Post Office depart-

ment, and petitions praying for the establishment of new Post Offices, presented to the House the report of that Committee, which was read and committed to a Committee of the whole House, where it underwent much discussion and alteration.

The Committee having reported adverse to the establishment of a post office at Wheatly River Bridge, chiefly on the grounds that the Postmaster General had expressed his opinion, that it would not pay the expenses, and that there was another office at Rustico within a short distance of the proposed site, Mr. Laird moved and the Hon. Col. Secretary seconded a re-consideration. The prayer of the petitioners was advocated by those gentlemen and Messrs. Longworth, Montgomery, Yeo, McIntosh, Perry, Mooney, and his Honor the Speaker, on the various grounds that the central situation from which no less than five roads diverged, and the shipbuilding and other business operations carried on there, justified the House in sanctioning the prayer of the petition—that it would be self-sustaining, and most probably produce a surplus revenue—that sooner than be without the office, the people would pay for it themselves—that there was no direct road to the Rustico office, which might be only two or two and a half miles as the crow flies from the site of the one proposed, but practically by the road six or seven miles. The Committee decided on recommending the new office.

The application for a post office at Tracadie was refused. That for one at Skinner's Pond rejected by the special Committee, was, on motion of Mr. Perry, acceded to. On the report against the establishment of a post office on Lot 15 being read, on motion of Mr. Perry, it was resolved to establish one in such place as might be most convenient. The recommendation of the special Committee, that an express with the English Mails be forwarded to Belfast, at a probable expense of £40 per annum, was rejected.

The special Committee having rejected the application for a post office at East Point, it was, on motion of Mr. Cooper, resolved to establish one at or near James Beaton's, who had last year promised to take charge of it gratuitously. A post office having been recommended at or near Mrs. Ross's, Murray Harbor Road, Mr. Munro moved in amendment that it be located at or near Duncan McRae's, as more convenient. Amendment carried.

On the recommendation that the postmaster at Summerside receive the same sum as he got last year, the Hon. the Speaker moved that the same sums be paid to the postmasters at Summerside and Georgetown as they respectively received last year. Georgetown post office produced the comparatively large amount of £66 to the revenue, which was the true criterion by which to judge of the amount of duties performed. This view was opposed by several members, on the ground, that although the amount of revenue derived from the Georgetown post office did not imply that the duties of the postmaster at that place exceeded those of the Summerside postmaster, who had to make up, despatch and receive a far greater number of mails—which duties occupied a very great deal of his time, &c. Finally a motion of Mr. Perry's, giving each officer £10, was agreed to.

GRAND RIVER POST OFFICE.

The special Committee having referred the different views of the parties interested in this matter to the decision of the House, this course of action was censured by the Hon. SPEAKER as being a neglect of duty on the part of the special Committee, who should have reported in one way or another. Hon. Mr. WHELAN considered that he too had cause to complain of the Committee. Their report should have recommended one definite course of procedure. He himself had received petitions against the prayer of the first

petition which prayed for a removal of the post office from its present site—some 1200 parties had expressed themselves satisfied to have the office continued where it now is, and he had received a certificate that several had been induced to petition for its removal by misrepresentations. Mr. Whelan then read the petitions, praying that the office at Lot 56 may be continued where it is, and also the certificate from parties who had been deceived into signing the other petition.

The following is the Report, as agreed to in Committee of the whole House:—

"Your Committee to whom were referred sundry petitions from inhabitants of different sections of this Island, praying for the establishment of Post Offices, as also the claims advanced for increased remuneration to several postmasters—submit—that they have examined the various petitions and claims referred to them, and having given their best attention thereto, have to report—

"1. That they cannot recommend the establishment of a Post Office at Wheatly River.

"2. That they cannot recommend an increase of salary to the postmaster at Park Corner.

"3. That as a post office is now established at the Nine Mile House, St. Peter's road, they cannot recommend a post office at Tracadie, the distance apart being three miles only, and there being little or no correspondence.

"4. That they recommend a post office to be established at Simmonds's Road, as prayed for.

"5. That a post office be established at the most convenient place on Lot 15.

"6. That they recommend the establishment of a post office at Searletown.

"7. That they recommend the establishment of a post office at East Point, Lot 47, at or near James Beaton's.

"8. That they recommend the establishment of a post office at Murray Harbor road, near the residence of Donald McRae, there being many letters addressed to that locality and vicinity.

"9. That they cannot recommend the conveyance of a mail semi-weekly to Belfast and the southern district of Queen's County, as the additional expense of a courier would amount to at least £40.

"10. That they recommend the sum of ten pounds each be granted to the postmasters at Summerside and at Georgetown for their services over and above their per centage.

"11. That a post office be established at or near the Cross roads, Grand River, Lot 56, leading to the wharf, and that the post office at Mr. John C. Underhay's be discontinued.

"12. That a post office be established at Nicholson's at the Cross roads, near the Grand River bridge—the present mail carrier to Little River carrying the mail bags to the new post office near the wharf and also the Launching Place mail bag; and a carrier from the post office at Grand River bridge, cross roads, to bring the mail bag from Diagwell's mills, head of Bay Fortune, to that office.

"13. That a post office be established at or near South River bridge, Murray Harbor, and that the post office now established at White Sands be continued, as a way office.

"14. That they cannot recommend the prayer of the petition of N. J. Brown, postmaster at St. Eleanor's, for an increase of salary, as it would open a way for a general application from other postmasters.

"15. That a post office be established at the most central and convenient place between Johnston's road, New Glasgow road, and the Scotch Settlement road, Lot 23.

"16. That it is recommended that a sum be granted to John McIntosh, Lot 14, mail carrier, to recompense him for

additional expense and labour incurred, in having to travel a distance of four miles to two new post offices established, one at Kildare and the other at Barlow's mills.

"17. That the post office be continued on Lot 12, where most convenient to the mail carrier.

"18. That it is recommended that the amount, the same as formerly granted to J. A. Chipman, Esqr., postmaster at Amherst, N. S., be continued this year.

"19. Your Committee submit detailed statements, as furnished by the Postmaster General; first, of the amount of contracts for the conveyance of the Inland Mails for the year 1856, and the amount payable to country postmasters by statute. Secondly, of the amount of postage collected at the different Inland offices during the year 1855, and the amount of commission paid to the respective postmasters."

The question of concurrence being about to be put on the above report, the Hon. Mr. Mooney moved to amend it by inserting the following:—

"That a post office be established at or near Angus McDonald's, Grand Tracadie, Township 35."

The House divided—For the amendment—Hons. Messrs. Mooney and Whelan, Messrs. Laird, McGill, Perry, Munro—6.

Against it—Hons. Messrs. Longworth, Col. Secretary, Lord, Montgomery, Wightman, Messrs. Cooper, McDonald, Yeo, Clark, H. Haviland, McIntosh—11. Amendment therefore disagreed to.

The Hon. Mr. Whelan then moved that the said report be amended by striking out the eleventh and twelfth paragraphs thereof, and substituting the following:—

"That with respect to certain petitions from the inhabitants of Grand River and vicinity, praying for a post office at the head of Grand River—your Committee recommend that a post office be established at or near the Cross roads at Nicholson's—the mail carrier taking the mails from Dingwell's mills for Lot 56 and Launching Place, as well as the mail for the Cross roads, at the head of Grand River."

The House divided—For the amendment—Hons. Messrs. Whelan, Mooney, Lord, Messrs. Perry, McGill, McDonald—6.

Against it—Hons. Messrs. Longworth, Wightman, Montgomery, Col. Secretary, Messrs. Munro, Clark, McIntosh, Laird, Yeo, H. Haviland, Cooper—11.

The amendment was therefore negatived, and the report agreed to. The House then adjourned.

TUESDAY, March 18.

REPORT OF SPECIAL COMMITTEE ON TEACHERS' PETITIONS.

The House, according to order, went into Committee of the whole on the report relating to Teachers' petitions. After some little discussion on unimportant items, the Committee rose, and the report was agreed to 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 under-mentioned persons be allowed as follows, viz:—

Letitia Muirhead,	£10	0	0
To the Secretary of the Board of Education for James Gillanders, for four months,	10	0	0
Archibald Beckford,	25	0	0
Michael Dinn, for 12 months,	25	0	0
Henry Leckey, for 1 year ending July, 1856,	25	0	0
Matthew Reville, for 12 months,	25	0	0
Mary Ann Murphy, for 12 months,	12	0	0

Thomas Mansfield,	20	0	0
Laughlin McPhee, Lot 46, for 9 months,	15	0	0
Alfred A. McKenzie, for services performed previous to the passing of the Free Education Act,	18	0	0

Richard Barry, in full for past services,	5	0	0
Elizabeth Wilson, Bedeque,	7	0	0
James Condon, Lot 30,	10	0	0

Duncan McDonald, for six months, up to 6th March, 1856,	15	0	0
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Murdoch McKenzie, Ro a Settlement, for 12 months,	25	0	0
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"Your Committee having examined the petition of the inhabitants of St. Eleanor's, are of opinion from the little information received, that it is inexpedient to entertain the prayer of the petition.

"Your Committee having also examined the petition of the Trustees of the Georgetown Grammar School, submit, that it is inexpedient to add to the salary of the teacher.

"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.

"Your Committee would also recommend that when the House is in Committee of Supply, a sum be appropriated for the purchase of French School Books, for the use of the Acadian Schools.

"Your Committee recommend that when the House is in Committee of Supply a sum sufficient be appropriated and paid, agreeably to the foregoing.

"Your Committee have had under their consideration the petition of the Trustees of the Brudenel District School, and others,—and from the statements made in said petition, recommend that when the House is in Supply, the sum of £29 3s. 4d. be granted to the Trustees of the above mentioned school, for seven months of Mr. R. B. Irving's services as teacher."

Mr. H. Haviland, from the special Committee appointed therefor, presented a Bill to alter and amend the Act to incorporate the Charlottetown Gas Light Company, which was read a first time, and referred to the Private Bill Committee to report thereon.

Mr. H. Haviland presented a petition from Alexander Sutherland, Minister, and others, elders of the Free Church Presbytery of P. E. Island, praying for the passing of a law to prohibit the traffic in intoxicating liquors. Read and laid on the table.

Hon. Mr. Wightman presented a petition from George Poole, Archibald McKinnon, and others, members of St. David's Church at Georgetown, in connection with the established Church of Scotland, praying for an Act of Incorporation. Read and referred to a special Committee to report thereon.

Hon. Mr. Mooney presented a petition from certain inhabitants of Lot 36, setting forth that a portion of land occupied by them on that township, adjoining Lot 48, and claimed as part of the estate of the Rev. John McDonald, was fraudulently leased to unthinking emigrants, and praying that steps may be taken to revert said land in the Crown, and then transfer it to the petitioners. Read and laid on the table.

Hon. Mr. Palmer presented a petition from certain merchants and others of Charlottetown, against the erection of a ferry wharf at the foot of Prince Street, and offering subscriptions towards improving the ferry landing at Queen's Street wharf.

Mr. McGill presented two petitions from inhabitants of Lot 48, against the erection of the ferry wharf at the foot of Prince Street.

WEDNESDAY, March 19.

Hon. Mr. Wightman, from the special Committee appointed therefor, presented to the House the draft of an Address to His Excellency, requesting that he will carry into effect the recommendations contained in the report of the Committee on the Post Office department—and the said draft address was agreed to by the House, and ordered to be engrossed.

Hon. Mr. Wightman, from the special Committee appointed therefor, presented a Bill to incorporate the Trustees of St. David's Church at Georgetown, which was read, and referred to the Private Bill Committee. Mr. Whelan, as chairman of that Committee, shortly after presented a report, recommending that the House should not exact fees on the Private Bill above noticed.

Hon. Mr. Longworth, from the special Committee appointed therefor, presented a report on the petitions of John McKinnon and the representative of the late N. LePage, late Preventive Officers, which was read and is as follows:—

"Your Committee, to whom was referred the petition of Mr. John McKinnon, late Preventive Officer for the port of Charlottetown; also, a petition from the Administrator of the Estate of Mr. Napoleon LePage, deceased, late Preventive Officer for said port,—praying reimbursement in the expenses incurred by the said officers in seizing and detaining the American schooner *Dragonet* last summer, as well as payment for their services in the matter,—have to report, that the said J. McKinnon and the said late N. LePage did, on the 14th day of August last, in the execution of their duty as Preventive Officers, for a breach of the revenue laws, seize and detain the said schooner with a variety of American goods on board; that they landed a large quantity of gunpowder and a gun (being contraband goods) from the vessel, and deposited the powder in the Ordnance Magazine, by order of Mr. Bremner, the Assistant Collector, and took an inventory of the remaining part of the cargo and placed it with Mr. Clark, the Collector—the gun remaining in Mr. McKinnon's possession. The vessel and goods on board were then advertised in the *Royal Gazette*, by McKinnon and LePage, to be sold at auction on the 29th of the current month, as forfeited to the Government of the Island; that on the 27th of the same month, Mr. Clark, the Collector, seized the vessel, and took her out of the Preventive Officers' hands, together with the goods on board, and stated to them at the same time that the Lieutenant Governor was going to fine the captain £100 sterling and give up the vessel. This appears to have been done shortly afterwards, and £100 currency was accepted by the Government as the penalty. The bills of expenses incurred by the Preventive Officers, amounting to about £17, were handed to Mr. Clark, at his own request, but not since paid. That McKinnon has since been sued in the Small Debt Court for seven pounds of the amount, and judgment recorded against him, with expenses.

"Your Committee would therefore, under all the circumstances, recommend to the House the necessity of providing for the payment of the expenses incurred, as well as a fair remuneration to be paid to the proper parties for the services performed by McKinnon and LePage, in seizing and detaining the schooner *Dragonet*.

"The minutes of evidence taken before the Committee are herewith submitted to the House."

DEBATE ON THE LATE PREVENTIVE OFFICERS' CLAIMS.

After some irregular discussion relative to the foregoing report, the House resolved itself into a Committee of the whole

for the better consideration of the matters referred to therein—Mr. Muirhead in the chair.

The evidence taken before the special Committee having been read by the Clerk Assistant, the Hon. COL. SECRETARY remarked on the contradictory nature of the statements before them—the petitioners stating that the seizure had been made by the orders of the Collector, Mr. Clark, while that officer stated it was done on the responsibility of the petitioners themselves. As to the gun, which it appears McKinnon had retained, he was guilty of most unjustifiable conduct. What would be thought in the United States of the Government and people of the Island, when it was known that a subordinate officer had refused to restore that article to its owner, when ordered to do so by the head of his department?

Hon. Mr. PALMER.—The Hon. Col. Secretary had asked what would be thought in the United States about the Government? He would ask what would be thought of the fine of £100 which had been exacted from the captain? How could the Government justify that? If the vessel were seized according to law, it was legal and necessary to detain her. As to the discrepancy in the statements referred to by the Hon. Col. Secretary, it was only to be found on the side of the opponents of the petition. The Government did not deny the exaction of the penalty under the seizure, which the Collector says was made by him—thus admitting the legality of the act. This shewed that the petitioners had a legal claim. The vessel had in fact been seized for some act done at Tracadie, which had rendered her liable to forfeiture. As to the story about her having on board goods contraband of war, it was a mere afterthought, a pretence set up as a bar to the petitioners' claim. He would ask the Collector of Charlottetown if a vessel were not entitled to twenty-four hours in which to enter? The only difference which existed between the Preventive Officers and the head of the department was, that the former might have thought that they could put the vessel up to auction, and sell her as they would a cask of spirits which might have been seized. He had taken pains to set them right, and had given them to understand that their only course was to prosecute to condemnation in the Vice Admiralty Court. Had that course been pursued, she would have been condemned and the lion's share of the proceeds would have gone to the seizing officers, agreeably to law. Any dispute between the Collector and McKinnon should not be regarded by the House. The true question to be considered was, did the vessel become liable to seizure at Tracadie? There was another question, who discovered the gunpowder? The Government acknowledge that the petitioners should be paid certain fees, and they should not shiver too closely by refusing a fair remuneration for services performed, from which they had received £100. As to the observations about the petitioners' acting in opposition to their superior officer, suppose the Attorney General had prosecuted the vessel to condemnation in the Court of Vice Admiralty, and the Government had then given her up, and the officers had brought their case before the House, they would be considered entitled to redress. The parties were in precisely a similar condition now. Would the House then say to the officers, although you have acted rightly we will condemn you in the costs of the proceedings? It had been admitted that the vessel was legally forfeited, therefore she was legally seized; and he would not hesitate to give the seizing officers all that remained after deducting the expenses.

Mr. McINTOSH understood that the expenses had been tendered to the parties, or that it was intimated to them that they would be paid. He thought their notion in coming before the House was to see how much they could get. There was something strange about this matter from the beginning. There was, it appeared to him, a great difference of opinion among the lawyers. He was in favour of awarding to the officers a reasonable portion of the penalty after deducting expenses, as there was no doubt that they had been instrumental in obtaining £100 for the Government.

Mr. McDONALD did not agree with the hon. member, that Government should give petitioners a portion of the £100. Still it was doubtful if the Government would have received the £100 but for petitioners. His opinion was in favour of paying their bill of expenses.

Mr. DOUSE agreed with Mr. McDonald, that the parties should be reimbursed, and hoped Government would make them a reasonable compensation. Without proper encouragement, it was useless to expect that revenue officers would do their duty.

Mr. CLARK said, that at the time of the seizure McKinnon did not know that there was an ounce of powder on board. He was willing to pay the expenses, but even that was setting a bad example—parties might subject themselves to heavy expenses, and then petition to be relieved of the consequences of their own misconduct in having acted in opposition to the laws of the land and the instructions of their superior officers. The Government had taken a great deal of trouble to protect the petitioners in this matter. Writs had issued or were about to issue against the parties, and the Government had made the abandoning of the proceedings against them a condition of the settlement. As to the gun, it was true that no foreign vessel was allowed to carry guns on board, but it would be unreasonable to say that a man should not have a musket or fowling-piece, which might often prove of most essential service. Let that be as it might, however, there was no shadow of right in McKinnon to retain the article. There was nothing to show that the Collector had seized the vessel. The fact was she had been seized by the Controller under the Imperial statute—previous Colonial officers had no such powers. The Colonial Act was defective. The legal seizure took place after the discovery of the gunpowder, by virtue of the British Acts.

Hon. Mr. MONTGOMERY thought that the hon. member had certainly made use of an extraordinary argument when he said that the Government had fined a man £100 to get the petitioners out of difficulty for illegal acts. On what grounds did they take the £100? The vessel had been detained fourteen days, during which time she would probably have been in the United States instead of Charlottetown. If she were not liable, why take £100 from the captain? If he had acted in accordance with the law of the land, the tribunals were open to afford him redress. Although the conduct of the petitioners might not have been strictly legal, it was the duty of the Government to protect their officers. He trusted that they would pay the expenses and remunerate the officers, as they had received from the captain funds to do it with.

Mr. YEO thought it unfair to deprive the officers of their proper remuneration.

Hon. Mr. WHELAN would offer a resolution which he thought would be expressive of the views of a majority of the Committee. Before doing so, he would refer to the repeated arguments urged by the several speakers in favour of the petitioners, that the Government having received £100 should give a portion of it to them as having been instrumental in obtaining that sum. This he emphatically denied. The evidence of the hon. member, Mr. Clark, went to shew quite the reverse. The vessel could not be seized by the petitioners under a Colonial Act; but she was seized by the Controller under an Imperial Statute. The hon. member for Charlottetown (Hon. Mr. Palmer) had admitted that they had acted wrongly, and the Government had told them they were wrong. It was necessary, in order to form a correct judgment on the matter, to keep two important facts separate and distinct from each other. They were the two seizures. The first, by McKinnon and the late Mr. LePage, was clearly unlawful. The second, by the Controller, was perfectly legal and correct, and with that the petitioners had had no connection, therefore it was that he considered that they were not entitled to anything more, especially when it was borne in mind that they had acted in opposition to positive orders. He agreed with the hon. member, Mr. Douse, that it was the duty of the Government to protect its officers; but that duty could only attach while the officers were acting in accordance with their instructions. He hoped that they might never see the time when a subordinate officer should say to his superior—"I will act in defiance of your orders, or without reference to your instructions, as the Legislature will save me harmless." The Government had acted liberally in offering to pay the expenses incurred by the erroneous proceedings of the petitioners, and their generosity in making that offer had been misrepresented as evidence of their complicity with the misconduct of the officers. Such a line of

argument was unfair and ungenerous. The Government had a right to and did say to the captain, that instead of condemning his vessel they would accept a fine of £100, as an atonement for the violation of the law of which he had been guilty, on condition that he would abandon all proceedings against the officers. A compromise was effected which probably saved those officers from ruin. The hon. member then moved the following resolution:—

"Whereas certain proceedings taken by the late Napoleon LePage and John McKinnon, late Preventive Officers, with respect to the seizure of the American Schooner "Dragonet," were in direct opposition to the orders of the Collector of Excise and of the Government, and were entirely erroneous; but nevertheless the Government offered to discharge the necessary expenses incurred by those proceedings, in order to save the then Preventive Officers harmless; and whereas the conduct of the late Napoleon LePage and John McKinnon, in adopting a course at variance with the commands of their superior officers, would, if recognized and encouraged, be subversive of that due subordination and regularity which should at all times prevail between superior and subordinate officers. Resolved, therefore, that it is inexpedient to entertain the application now before the Committee for a grant of money from this House, the Government having already, as above stated, offered to pay the necessary expenses attending the unauthorized seizure, and the House in Committee of Supply will make good the same."

Hon. Mr. LORD thought that the only party having cause of complaint was the Captain. The Government had no right to the £100. What were the facts of the case? A man leaves Salem on a trading voyage. In Tracadie he sells a basket full of goods, comes to Charlottetown. On his arrival, he is informed that he has twenty-four hours in which to enter his vessel. He goes to see Mr. Dean, the American Consul. On his return, he finds two revenue officers on board, and is informed that his vessel is seized. Such seizure was unlawful, as the time allowed by law to report his arrival had not expired. Had he (hon. Mr. L.) been the owner of the vessel, he would have walked the officers over the side pretty quickly. He was of opinion that the £100 was unlawfully taken, and trusted that it would go abroad. The seizure had been unlawfully made; but the officers retained possession. After she had been detained some twenty-four hours, the discovery of the Gunpowder was made. It might be matter of doubt how far it was right to seize Gunpowder put on board for a trading voyage to the Labrador. Such conduct is unjust and ungenerous towards a stranger arriving in our ports, and should not be sanctioned by any Government, or any party. What right had they to seize the vessel on mere rumours that she had been illicitly trading in Tracadie? While officers should be protected in the discharge of their duties, such proceedings as those under consideration should be discontinued. He was at first disposed to give both officers a small amount, but he did not feel sure how he might be influenced by the consideration that the parties had acted in opposition to the Government in this matter and the advice of the Attorney General.

Hon. Mr. PALMER said that the hon. member had expressed his opinion of the wrongs of the injured foreigner with considerable feeling, and had declaimed strongly on the illegality of taking the £100. Waiving, for the sake of argument, the propriety and right of receiving that amount, it was only common justice, now that they had received it, to make a fair division of the spoil. Hon. members were wrong in attributing to him the opinion that the officers acted improperly in seizing the vessel. He had given no such opinion. He had advised that she could not be sold without previous condemnation by the proper tribunal. She might be seized and held, till the question of her forfeiture were decided. It had been attempted to be shown that there was no colonial law rendering her liable to forfeiture. It was not necessary to use express words to declare what is a natural and inevitable implication. He could not accord his support to the resolution which denied justice to the officers on the alleged ground of insubordination. Now, how stood the case? The superior said that the vessel could not be seized. The subordinates said she could be, and the result shewed that the latter were right. It would be discreditable for the Government to deny

justice to individuals because they might have given them offence. If the rights of the petitioners have their origin in services rendered to the Colony, it was incumbent on the House to watch that the personal claims of meritorious public servants should not be neglected to gratify personal or political feelings. He trusted there was sufficient independence in the House to respond to an appeal for justice, and until the Government should acknowledge that its conduct was illegal, he was warranted in saying that the seizure by the petitioners was legal, and that the liability to forfeiture occurred in Tracadie Harbor. No matter if the powder were discovered in Charlottetown, it was on board at Tracadie, consequently the plea of having twenty-four hours in which to report was a mere subterfuge.

Hon. Mr. WHELAN said—that the course pursued by the hon. member for Charlottetown on the matter under consideration, was prompted by the strong feelings of resentment he entertained towards the present Government, and he was in hopes of a division adverse to the Government, which could be bruited abroad as a strong censure on them. The views he (Hon. Mr. W.) took of the case were based on admitted facts, namely, that the petitioners had acted in disobedience of orders, and that they had nothing to do with the seizure by the Controller, which was unconnected with the first seizure by the Preventive Officers. As to the advice about the division of the spoil, he would inform the hon. member that to the victors belongs the spoil, and that his argument had no weight, from the simple fact that the petitioners had done nothing to entitle them to participation in the proceeds. He was somewhat surprised at what had fallen from the Hon. Mr. Lord. That gentleman had condemned the conduct of the officers, but said he would grant them a small sum. Now, if their conduct had been right, they should have a respectable remuneration—if otherwise, they were entitled to nothing.

Hon. Mr. LONGWORTH moved an amendment recognizing the claims of the petitioners, and in doing so, produced portions of two affidavits to prove that the subsequent seizure had been made by the Controller on behalf of the petitioners, and that that officer had stated that he would do so. One thing was clear, that £100 had been gained by the seizure, and it was but fair that the officers should receive a portion of it.

Hon. COL. SECRETARY would have gone for paying the officers had they obeyed their orders; they refused to do so, and McKinnon said that he would retain the gun, which he had done, and therefore must be considered as having been paid. He was not surprised at the course pursued by the opposition. It was usual with them to encourage subordinates to oppose the Government. He trusted there would not be found a majority to sanction such conduct. As to the doctrine that the vessel had incurred forfeiture in Tracadie harbor, it was not correct. He would ask the hon. member if he would forfeit a vessel because the captain or one of the crew should be detected in smuggling, it might be a pound of tobacco, without the knowledge of the owner? The clause of the Act protecting seizing officers had been partially abrogated by the Reciprocity Treaty. As to the motives which the hon. member had attributed to the Government, there existed no foundation for his insinuations. As one member of the Government, he could assure the House that he had taken more trouble to prevent the officers getting themselves into a false position than he had ever taken for his strongest supporters. The £100 had not been received through the instrumentality of the petitioners, who had acted illegally; and the sanction of their conduct by the House would have the effect of inducing parties to defy their superior officers to disregard the orders of the Government. If Government were actuated by the feelings imputed to them, would they have stipulated for the cessation of legal proceedings as they had done? Had the gun been given up, the parties would have been paid for their trouble and reimbursed their expenses. The seizure under which the £100 were received was made by the Controller.

Hon. Mr. LORD would ask, did the Government allow the officer to keep possession of the gun? It might be the owner's only protection to life or property. He was astonished to hear a native of the Island admit that such conduct had been tolerated.

Hon. Mr. LONGWORTH.—The officer had probably received instructions from his principal.

Mr. CLARK.—McKinnon was ordered to give up the gun, which he declined. He (Mr. C.) might have said that ammunition and arms were liable to be seized. He was not aware that the gun had been seized until the captain cleared out. It was then that McKinnon refused to obey the order to restore it. The order to restore the vessel authorized him to pay expenses since she came into his hands, which was done.

Hon. Mr. WIGHTMAN considered that the alleged intention of the master to proceed to the Labrador was not the case. He lay for sometime in Georgetown; after leaving that port he proceeded to Tracadie, and if he was trading there, why did not the officers of the district do their duty? It appeared, however, that he had been allowed to remain there and trade, and he afterwards came to this place. It is true that he had twenty-four hours to enter his vessel. The probability was that he was endeavouring to effect bargains before entering, and paying duties on his goods. Meanwhile, the officers seized the vessel against the opinion of the Attorney General, the official adviser of the Government. Under those considerations, the parties should receive punishment instead of remuneration. The Government was prepared to pay the expenses, but not compensate its officers for illegal conduct. The legal seizure having been made under the Imperial Act, Government was not bound to pay the petitioners, but notwithstanding that they had no claim, would defray the expenses. The party taking the gun had been guilty of a trespass for which he should be punished; and the Government, in his opinion, should withhold any payment until the gun should be restored.

Hon. Mr. MOONEY said that the gun had probably been kept by McKinnon as a kind of forlorn hope. It was most unreasonable to deprive a man of an article which might be so essential to his safety in foggy weather, or in case he got aground. Subordinate officers were unjustifiable in opposing the instructions of their superiors. Not content with the opinion of the Attorney General, they had applied, it appeared, to another gentleman of the long robe, to whom it would be a labor of love to set things in confusion.

Mr. COOPER considered that the petitioners were not bound by law to apply to the Attorney General. Their official duties were prescribed by the law, and if they, not being men of legal education, had misconstrued the law, they should not be held strictly accountable for any unintentional deviation from its provisions. If their seizure led to the discovery of the powder, they were entitled to some part of the proceeds.

Hon. Mr. PALMER said that the Act 6 Vic., cap. 14, declared the vessel forfeited. As to the implied censure on the Tracadie officers by Hon. Mr. Wightman, a good justification was to be found in the affidavit of Mr. Leitch, a landing waiter, which he read. He was sorry to see that hon. members were inclined to act as though convinced when really they were not so. A great noise had been made about a gun. If a man was justifiable in other respects, would they deny him justice on account of a worthless rusty old gun? Members should be ashamed to avail themselves of such an excuse. Let them candidly say that the officers were opponents of the Government, and therefore justice and principle must be disregarded, because the Government is in danger. That cry had been got up in many cases this session, and the drum had been beaten to call the supporters of the administration to quarters.

Hon. COL. SECRETARY was not surprised that the petitioners were astray when they received their version of the law from the hon. member for Charlottetown. The law quoted by that hon. member only refers to goods being landed between sunset and sunrise. [He read the section.]

Mr. McDONALD said they were differing about a shadow. The general opinion was, that the parties should be paid the amount of expenses and for their time, in all about £17. There was no use in further discussion. He would vote for the resolution.

Mr. LAIRD would go for paying petitioners, as the seizure by them led to the discovery of the powder.

Hon. COL. SECRETARY.—The Government were willing to pay the expenses, but not pay for the time of the petitioners.

spent on board of other vessels, for which they received four shillings a day.

Hon. the SPEAKER said that the legal questions relative to the revenue laws had been sufficiently discussed. There was no doubt on his mind that the officers had acted in a spirit of insubordination to their superior officers, and in opposition to the opinion of the Attorney General. He felt it to be his duty to maintain due subordination from inferiors towards their superiors. By some means £100 had found its way into the public purse, and this seemed to be an attempt to get some of it out. He did not think the petitioners had established a claim. The seizure by them, in the first instance, was illegal. The Government afterwards seized the vessel, as they were empowered to do under the Imperial Act. He agreed with the Hon. Mr. Lord, that if any person had cause of complaint it was the captain, between whom and the Government the matter lay.

[The resolution moved by Mr. Whelan, and given in a preceding column, was then agreed to in Committee, and the House was resumed.]

Mr. HAVILAND had been silent hitherto, because he was of counsel for the captain of the schooner, when she was seized. He was amused at the different grounds of argument which had been used by the opponents of Mr. Longworth's motion. The Hon. Col. Secretary had denounced the first seizure as illegal, but justified the second as legal. The Hon. Mr. Lord, who was, he supposed, either *de facto* or *de jure* a member of Government, had given the Government a most violent castigation, and he agreed with him that it was a most high-handed proceeding on their part to take £100 out of the master's pocket. Then the Hon. Mr. Wightman said the vessel should have been seized in Tracadie—that it was never intended to proceed to the Labrador, while the Hon. Mr. Lord rests his argument of the fact of that intention. These differences reminded him of the pleas set up by the defendant in an action for the recovery of an iron pot lent. He pleaded, first, that he never had the pot; secondly, that it was cracked when he borrowed it; thirdly, that it was whole when he returned it. (Laughter.)

Hon. COL. SECRETARY could assure the hon. member that there was no difference of opinion among members of the Government. The Hon. Mr. Lord, though now no longer in the Government, liked occasionally to have a fling at them—a practice he sometimes indulged in while belonging to the Executive. Under the Imperial Act, the Governor solely, not the Government, levied the £100 penalty. He did not say that the Council had not been consulted. The hon. member, Mr. Haviland, had mistaken or misrepresented the Hon. Mr. Wightman, who had not said that the vessel should have been seized in Tracadie, but asked why, if engaged in smuggling, she had not been?

Hon. Mr. PALMER said, if anything shewed that the Government were ashamed of their conduct, it was this recourse to various expedients. Now they make His Excellency the scapegoat, and when they are driven into a corner, they acknowledge their illegality of their proceedings. They had indeed received a severe castigation at the hands of their former colleague, Hon. Mr. Lord.

Hon. Mr. WHELAN.—The feeling of the hon. member towards the Government had led him into error. It should be stated that the Governor, as Head of the Customs department, had exercised his discretion in taking the £100.

Hon. Mr. Longworth moved to amend the resolution reported from the Committee, by substituting the following:—

“Resolved that the late Napoleon LePage and John McKinnon, late Preventive Officers, were entitled to be reimbursed in the expenses incurred by them about the seizure and detention of the schooner “Dragonet,” as well as a fair remuneration for their services in that seizure.”

The House divided. For the amendment—Hons. Messrs. Longworth, Montgomery, Palmer, Yeo, McDonald, Cooper, Douse, Laird—8.

Against it—Hons. Messrs. Whelan, Col. Secretary, Wightman, Clark, McGill, Lord, Mooney, Munro, Muirhead, McIntosh—10.

The original resolution was then agreed to, and the House adjourned.

LEGISLATIVE COUNCIL.

THURSDAY, March 6.

The Bill relating to Buoys and Beacons was read a third time and passed.

The following petitions were presented:—

By the Hon. Attorney General, from William Mugford, of Charlottetown Royalty, a helpless cripple, praying relief; from inhabitants of Townships Nos. 54 and 55, for aid to improve their road communications; from inhabitants of Trout River, for same object; from inhabitants of Cascumpec, for aid towards cutting road from Kildare river to the sea; from the same, for grant to build a Court House for Commissioners of Small Debts.

By the Hon. Mr. Walker, from inhabitants of Cascumpec, Kildare and adjacent places, for the erection of a Light House on the North Cape; from inhabitants of Cascumpec, Kildare, Tignish, Nail Pond and adjacent settlements, for grant towards completion of wharf at Cascumpec.

By Hon. Mr. Craswell, from inhabitants of Townships Nos. 17 and 1, severally praying aid to improve their road communications; from Patrick Power, postmaster, Summerside, for increase of salary; from Thomas Mansfield, teacher, Nail Pond, Lot 1, for remuneration for twelve months services.

By Hon. Mr. Wright, from William Wright, for compensation for care and maintenance of John Rice, an aged and infirm person.

By the Hon. Col. Swabey, from John Mackieson, as Chairman of the Prince Edward Island Medical Association, praying for an enactment which will place the medical profession in as advantageous a position as in other countries, and meet the wants of the Colony, in the suppression of the practice of ignorant and unqualified pretenders to medical knowledge; from inhabitants of Amherst and North Shore of the County of Cumberland, in Nova Scotia, praying that such measures may be adopted in conjunction with the other North American Colonies, as will encourage the placing of Fog Bells on Cape Traverse and Cape Tormentine and the erection of a Light House on Cape Tormentine.

By Hon. Mr. Haythorne, a petition of inhabitants of Village Green and Monaghan settlements, Lot 49, praying aid to extend Village Green road; from Sarah McDonald, St. Peter's River, Township 34, widow of the late Alexander McDonald, praying relief; from inhabitants of New Glasgow and Princetown Road, for new line of road; from inhabitants of Townships Nos. 34 and 35, for a sum sufficient to extend the wharf at Appletree Farm.

By his Honor the President, from William Heard, Esqr., of Charlottetown, Merchant, for aid in behalf of the steamer “Rosebud;” from divers inhabitants of Charlottetown, recommending the prayer of the preceding petition.

These petitions having been read, the Hon. Col. SWABEY said—that while he had no desire to press hardly upon a gentleman who had lost money by a speculation, particularly where that speculation was the result of Island enterprise, yet he felt it to be his duty, as a member of the Government, to repudiate the idea that the Government had been actuated by any desire to injure Mr. Heard. On the contrary, though much pressed on the subject, and though their conduct towards Mr. Heard had been animadverted on, they had not made public the report which compelled them to decline the employment of Mr. Heard's boat, to a greater extent than their own justification before the country required. No one could read that report and believe that the Government could have acted otherwise than as they had, without incurring serious responsibility and grave censure, more especially after the

sad accident which occurred a short time ago. If, however, it were thought necessary, the report might be laid before the House. It might be matter of consideration as to how far it might be just to the public contractor to give public money to a boat to run in opposition, and thereby deduct from the receipts of the Boat in the Government service. But still he thought there would be a desire to assist Mr. Heard, who had been so unfortunate or ill-advised in his speculation.

The above several petitions were ordered to lie on the table.

The Hon. Attorney General introduced "a Bill to authorize the Government to prevent the exportation of Saltpetre and other Chemical Salts," which was read a first time.

FRIDAY, March 7.

The Hon. Col. Secretary brought from the House of Assembly a Bill entitled "an Act to facilitate proceedings before Justices of the Peace, in cases of persons charged with indictable offences."

The following petitions were presented:—

By the Hon. Attorney General, from Margaret Collins, Montague River, widow, praying relief; from the Trustees of Bodeque Central School, for an allowance to Elizabeth Wilson, for 3 months services as teacher; from inhabitants of Townships Nos. 59, 61, 63 and 64, for the removal of certain grievances respecting the Ferry between Montague River and Georgetown; from inhabitants of St. Eleanor's, recommending aid to Edward Brian, in destitute circumstances; from Samuel Hyde and others, Elliot River, for aid towards building a wharf on the north side of said River; from John Lawson, Esq., and others, Office-bearers of the Charlottetown Horticultural Society, praying a grant in aid of the Society's funds; from inhabitants of Township No. 52; praying aid to improve their Road communications; from inhabitants of Montague, Lot 50, for aid to extend and repair wharf; from inhabitants of Montague Brook Settlement and vicinity, praying remuneration for labour performed on road.

By the Hon. Mr. Haythorne, from inhabitants of Lot 49, for aid to extend wharf at Pownal Bay; from inhabitants of Township No. 33, praying the adoption of measures to prevent the evils arising from the running at large of Hogs.

By the Hon. Mr. Walker, from inhabitants of North Lake, Township No. 47, for aid towards the erection of a bridge at the mouth of Surveyor's Inlet.

By Hon. Mr. Bagnall from inhabitants of the western part of the Island, for Lighthouse at the North Cape; from inhabitants of western portion of Prince County for a division of the same.

By Hon. Mr. Craswell, from Nicholas J. Brown, Esq., Postmaster at St. Eleanor's, for increase of salary.

By the Hon. Mr. Wright, from inhabitants of Traveller's Rest and vicinity, Township No. 19, against the running at large of Hogs.

The Bill to authorize the prohibition of the exportation of Saltpetre and other chemical salts, was read a second and third time, and passed.

SATURDAY, March 8.

The Bill to prevent fraud by Secret Bills of Sale was read a third time and passed.

The following petitions were presented:—

By the Hon. Mr. Craswell, from the Trustees of the district School, Townships Nos. 7 and 8, praying aid towards the erection of a new School House; from inhabitants of Townships Nos. 31 and 68, for aid towards the erection of a wharf at McEachern's point, Elliot River.

By the Hon. Mr. Walker, from inhabitants of eastern section of King's County, for aid to improve road at eastern end of Souris bridge; from Michael Conroy, Township 44, for remuneration for labor at bridge near Leslie's saw mills.

By the Hon. Attorney General, from William H. Nellis, for aid to enable him to proceed to the United States, where his family resides; from Isabella J. Ross, widow of the late Clerk Assistant to the House of Assembly, praying aid to enable her to support her family; from inhabitants of Dog River settlement, Township No. 31, for aid to improve road communications; from James Roberts and others, Trustees of the Brudenell River district school, and others, inhabitants of Brudenell, praying allowance for Robert Blake Irving, unlicensed teacher, for his services as teacher for six months; from inhabitants of Union River, Township 51, for aid to improve their road communications; from John McLaren and Malcolm McLean, Township 51, for reimbursement of loss sustained on contract to build a bridge at Brudenell River in 1853; from Lawrence Curren, Georgetown River, Township 51, for compensation for loss in building a bridge over Union River.

The Hon. Col. Treasurer, from the House of Assembly, brought up the Bill to prevent the exportation of Saltpetre, &c., agreed to without amendment.

The Council was then adjourned to Monday, the 17th.

MONDAY, March 17.

The Hon. Attorney General moved the second reading of the Bill regulating the proceedings of Justices of the Peace with respect to summary convictions and orders.

Hon. COL. SWABEY explained the object of the Bill, which was to ensure uniformity of practice, and prescribe forms to be used by Justices of the Peace in cases of the nature specified in the title. There was one novel feature in the Bill, which was an improvement. It was generally the practice for Magistrates to make warrants and summons returnable before themselves. The Bill contemplated making the writs returnable at a certain place specified before any Magistrate. The other parts of the Bill were principally forms, tending to establish uniformity of practice.

The Committee rose and reported progress.

TUESDAY, March 18.

Hon. Col. Swabeby, by command, presented an extract of a letter from Sir C. E. Trevelyan to Herman Merivale, Esquire, on the subject of the Prince Edward Island Bank Act.

The Hon. Attorney General, by command, laid before the House despatches communicating the royal assent to six Bills passed last session.

The Hon. COL. SWABEY presented the report of the Trustees of the Lunatic Asylum and House of Industry, and the report of the Medical Attendant, and in doing so, stated that his connection with the institution rendered it necessary that he should briefly explain the present condition of the institution. Last year the Legislature voted £350 in addition to a like amount previously voted, making the whole £700. It had been found that the darkness of the places where the lunatics were confined had counteracted any, to a great degree, the benefits of otherwise beneficial treatment; and it had been deemed advisable to provide a properly secured yard in which they might take out-of-door exercise, and increase the accommodation for them within the building. This had absorbed about £300; the cost for additional bedding, painting and other necessary improvements had exceeded the vote by some £35. That was rendered necessary by the increased number of individuals taken in, as it was a well ascertained fact that it was easier to effect the cure of those received in an early stage of their malady, than of those whose affliction had gained strength by neglect of proper treatment. The correctness of that opinion, he was happy to say, had been fully verified in

some instances he alluded to. The lunatics were tolerably well provided for, but the number of imbeciles was so great that additional accommodation should be provided. Numerous applications for admission of individuals of that class have been constantly refused for want of the proper accommodation. He hoped that a sufficient amount would be placed at the disposal of the Government to meet the exigencies of the case.

Hon. Mr. Mooney, from the House of Assembly, brought up the Licence Act.

Hon. Col. Swabey presented the report of the School Visitor. Hon. Attorney General presented a petition from divers inhabitants of Prince County, praying a division of the County and an increase of its representation in the House of Assembly.

Hon. Mr. Haythorne presented a petition from the Royal Agricultural Society, for the establishment of a Model Farm.

The Bill regulating the proceedings of Justices of the Peace with respect to persons charged with indictable offences in Committee; progress reported; and Licence Act read the first time.

WEDNESDAY, March 19.

A Bill relating to Indians was introduced, and read the first time.

The Committee of the Bill regulating the proceedings of Justices of the Peace in cases of indictable offences, was resumed, and Bill agreed to with certain amendments.

The following petitions were presented, read and laid on the table:—

By Hon. Mr. Wright, from inhabitants of Lot 12, praying aid towards the erection of a bridge; from inhabitants of Tryon River and Crapaud, for aid towards the extension of a wharf at the west side of Crapaud harbor; from inhabitants of Lot 14, for altering a line of road; from inhabitants of Bideford, for aid to Silas and Honor Ford, an aged and infirm couple; from inhabitants of Lots 13 and 14, for opening new line of road.

By Hon. Mr. Walker, from Donald Wall, for land granted to his late father, the grant of which was lost.

The Licence Bill was committed and progress was reported.

THURSDAY, March 20.

INDIAN BILL.

The Hon. Attorney General presented a petition from the Indian Commissioners, praying to be heard at the Bar of the House in support of the Indian Bill, which having been agreed to, Theophilus Stewart, Esquire, one of the Commissioners, appeared at the Bar, and addressed the House as follows:—

Your Honors having been pleased to accede to the desire of the Indian Commissioners to be heard on the subject of a law proposed to be laid before the Legislature, whereby the protective supervision of the Executive Government may be extended over any lands belonging to the Indian population of the Colony, one of the Commissioners is now for the purpose before your Honorable Board.

That the Indian population of this Colony come under the appellation of a neglected people, is a truth which we apprehend will not be disputed; while, from time to time, an ameliorative process has been in operation for the improvement and advancement of their white brethren in all useful arts, it does not appear that they have, in any measure, participated therein. That individual instances exist among them of that variety in circumstances arising from a course of successful industry and good conduct (elsewhere observed) will not be disputed—still as a body they remain, as it were, without the pale of civilized life. An individual case or two may be cited illustrative of the dependent condition of the resident Indians which came under the Commissioners' notice and observation so recently as the 20th March, 1854; at that

time four Indian families were encamped on Lot or Township No. 48, within about four miles of the ferry opposite Charlottetown; in one of the camps the Squaw had been ill during the whole winter, and was then confined to her camp, nursing an infant of six months old; they had reached that period without having had a particle of a blanket or other description of bedding whatever. On enquiry as to how their lives had been preserved from the effects of the extreme cold in such a state of destitution, it was replied that they had been obliged to keep up the fire all night, as well as day. The case of this particular family, as well as of the others encamped in the neighborhood, being brought before the Assembly then in Session, as well as before charitable members of the community, they were relieved. Under successive Administrators of the Government, many grants of money, as well as of grants of land, have been made to the Indians, shewing the sympathy and desire of the local Government to extend its protection and care to that people; and to the credit of an individual proprietor, the Hon. Charles Worrell, 200 acres of land on the Morrell, Lot 40, was, in 1842 or thereabouts, laid off by that gentleman for the exclusive use and benefit of certain resident Indian families and their descendants. In the case of the last named gift or testimonial, the head of one of these families evinced such interest in the cultivation of his particular allotment, as to have succeeded in annually raising a considerable crop of wheat and other useful articles of produce. This poor fellow, after exhibiting the greatest possible ardour in its cultivation and improvement, has been temporarily despoiled of the fruits of his industry, by yielding to the solicitations of some of his villainous white brethren, who, with a paltry pecuniary bribe, seduced him to give up his little possession, whereby himself and family have been again cast adrift, like a ship without an anchor. They have been since wandering from place to place, without any settled habitation. The remainder of the tract of 200 acres being parcelled out in a similar manner, has all shared the same fate, the parties designed to be its occupants having given way to similar solicitations, and been thus defrauded of their little patrimony.

Under this state of facts, as well as from considering that in the case of most of the grants of land made by the Executive Government, little or no actual benefit has accrued to the parties sought to be benefitted thereby, it is manifest that something is wanting to effectively carry out the object and principle of protection to that part of our population; that something, it is conceived, will be found on reference to the proceedings of the neighbouring Legislatures, where, for a series of years past, enactments have been made authorising the different Governments to appoint Commissioners to take the supervision and management of all lands belonging to the Indians, and of their affairs generally; and who, at the same time, have been provided with funds to stimulate the Indians to habits of agricultural industry, &c. With such luminous precedents and guides as are afforded by the enactments in question, your Honors will doubtless be greatly relieved from any apprehension of encouraging useless legislation, by being parties to the support of the law now proposed for the consideration of your Honors.

The Indian Bill was then read a second time.

SATURDAY, March 22.

The Hon. Attorney General presented a petition for the incorporation of the members of St. David's Church, Georgetown; also, from Rev. David Fitzgerald and other Protestant Clergymen, and from the Free Presbytery of the Island,

praying the adoption of measures to prohibit the traffic in intoxicating liquors, except for Medicinal or Mechanical purposes.

By Hon. Mr. Beaton, petition from Archibald C. Beckford, teacher Lot 8 district school, for remuneration for services.

By Hon. Mr. Wright, from certain inhabitants of Cascumpee, for aid to repair road.

Hon. Mr. Wright obtained leave of absence for a week.

The Bill transferring to one of Her Majesty's Secretaries of State the powers and estates heretofore vested in the Board of Ordnance, was read a first time, and the House went into Committee on the Licence Bill. Hon. Mr. Bagnall Chairman.

On the clause authorising the Grand Jury to withdraw licences, Hon. Mr. HAYTHORNE was not aware of the reason for such provision. He had understood that the great complaint against the law as it stood was, the power vested in Grand Juries, which had refused to grant licences to respectable housekeepers, some of whom had been deprived of their means of obtaining a livelihood, pursued by them for years without complaint or objection. The present clause he considered equally objectionable, as it would still subject people to the same tyranny.

Hon. COL. SWABEY said that the Bill was rendered necessary by the mistaken view Grand Juries had taken of their powers. While the spirit and intention of the law was, that they should exercise due discretion as to the individuals to whom they might grant licences, they had claimed the right of withholding them in toto from respectable persons. This course was wrong and involved inconvenience to the public and loss to the revenue. The present measure was in many respects similar to the old law. It was not contemplated to deprive the Grand Jury of the power to withdraw licences, on proof of a violation of the conditions on which it was granted.

Hon. Mr. BEATON had no objection to the clause. By the Bill, it was necessary that the applicant for a licence should produce a certificate of having accommodation for man and beast. If that condition were deviated from, it was only right to give the Grand Jury power to cancel the licence. Parties might be reluctant to come before a Magistrate, but a body constituted as the Grand Jury would attend to those cases and see that the law was complied with.

Hon. COL. SWABEY thought Hon. Mr. Beaton had adduced a very strong argument in favour of the Bill. Parties would be unwilling to inform to a Magistrate, and therefore, if the power were not vested in the Grand Jury, there would practically be no check.

The Hon. the PRESIDENT said it was their duty to protect the public interests. He regretted that the House of Assembly had altered the system by withdrawing from the Grand Jury the granting of licences, but would be sorry to see the clause struck out. He could not agree with the Hon. Col. Swabey and Hon. Mr. Haythorne, that the Grand Jury had exceeded their powers in refusing to grant licences. The law gave them full power to determine whether licences should be granted or withheld, and in coming to the latter decision, they had not exceeded the scope of their instructions. They should receive credit for having acted according to their convictions of their public duty. The old clause had been in operation since 1846, and no complaints of its working had previously been made.

Hon. Mr. HAYTHORNE would not devolve upon an individual the necessity of coming before a secret conclave like the Grand Jury, to give evidence against his neighbour. Such system might lead to much injury from malicious motives.

Hon. Mr. BEATON. — It was necessary to produce a certificate of two Magistrates and six neighbours that the necessary recommendation was provided. He knew cases of the removal of the accommodations after the licence had been obtained. Therefore, it was necessary to empower some persons to see that the law was observed; and a great difficulty would be experienced in getting witnesses to go forward as informers before Magistrates, whereas the name of the informant before the Grand Jury need not be divulged.

The Hon. ATTORNEY GENERAL was more in favour of the clause than previously. The power of Grand Juries would be the same as those of Justices of the Peace. He would consider the decision of the principal men of a County, on a subject of this nature, entitled to as much weight as that of the Judges of the Supreme Court.

Hon. Mr. CRASWELL agreed in the necessity of withdrawing licences from improper houses. He knew instances in Prince County where parties were afraid to complain of houses kept in violation of law. He was of opinion that the Grand Jury had abused their powers, and that it was their duty to see that suitable public houses were provided for the travelling public throughout the Island.

After some conversation, progress was reported.

MONDAY, March 24.

Hon. Mr. Beaton presented a petition from Hugh McVarish, praying compensation for loss of a house formerly used as a temporary hospital, and destroyed by fire.

THE MEMORIALS AND PETITIONS OF LANDED PROPRIETORS.

Hon. COLONEL SWABEY.—Mr. President, on the 17th I gave notice that I would call the attention of this House to certain documents which had been laid before it, on the subject of the Rent Roll Tax Bill and the Tenants' Compensation Bill, and that I should move a resolution on the subject. I now proceed to do so, and approach this subject—one which, from the character of some of the allegations in the papers I refer to, is of a very serious complexion, not as a member of the Government, but as member of the Legislature—as a man jealous of the reputation of the Legislature, jealous of the character of the people of the Island, jealous of the reputation of Her Majesty, which is reflected on. I wish to be understood as not in the slightest degree denying the right of parties to represent their cases to the Colonial Office in terms as strong as they may please, but they should contain no expressions reflecting on the Legislature, which would be considered disrespectful, if embodied in a petition to this House. One part of the documents states that the legislation of the Colony for some years has been based upon injustice. If that assertion be true, then has this House been unjust, the House of Assembly unjust, His Excellency unjust, and Her Majesty unjust. Such imputations should not be tolerated by the Legislature. Are we to be told that we are systematically doing injustice to individuals? And the most reprehensible feature is the imputation that is conveyed against the population of this Island, that they are not to be believed upon their oaths—that, in cases brought before the courts, the juries would perjure themselves. The petitioners should have pondered seriously before they made such assertions. I shall now proceed to shew that these observations are not made without grounds to justify them. The petition of Mr. R. Bruce Stewart contains the following passage:—

"By one existing local law of this Colony, the landlord is debarred from the remedy open to all other classes of Her Majesty's subjects—the Small Debt Courts; by another existing law, the process of distraint for rent is rendered so difficult as to be almost impossible, especially on property managed by agents."

I call attention to this extract, because at the time of the passage of the law all branches concurred in sanctioning it. I would never restrict legislation to any particular limits—the same principle, which, in one state of circumstances, would be quite proper, might, from another point of view, be quite inapplicable. The particular circumstances of a country should be regarded in any measures which may form the subject of its legislation. The next extract to which I request your Honors' attention is the following:—

"The present Act does certainly seem to me a monstrous innovation upon all those principles which I had been accustomed to consider fixed and established by justice and usage in regard to such property. But the evil of such an Act as this would be less extreme in Great Britain than in this Colony, wherein ninety-nine persons out of every hundred have a direct fellow feeling and personal interest on behalf of the tenant, and quite the reverse towards a landlord. I do not hesitate to say that justice is quite out of the question, and could not be hoped for under such arbitration. The Act would have, and is intended to have, in connection with other Acts, the effect of depriving the landlord of every remedy other than the expensive one of an action at law in the Supreme Court of Judicature, the defendant being generally destitute alike of property and principle—the jury being unavoidably composed of tenants or persons interested for tenants, or hoping themselves to become freeholders, without purchasing their land, and the sanctity of an oath being but little regarded when a proprietor is to be injured by its infraction."

Now, Sir, I consider it monstrous to charge upon the Legislature, as matter of censure, that they have acted unjustly in establishing a tribunal of arbitration. As to the statement that the parties constituting the juries, where the cases may be carried to the Supreme Court, would unavoidably be tenants, I am at a loss to know on what it is founded, for we have as many freeholders as tenants. As to the reference to arbitration, there is nothing in the Tenants' Compensation Bill, which restricts the choice of an arbitrator by the landlord to any particular class. In case of an appeal, the landlord can, if he pleases, have a special jury. I have, Sir, made those remarks merely to expose the untenable character of the statements I have cited, and to shew that no principle of justice has been infringed by our legislation in the Bills. I will ask you, Sir, and the Hon. Attorney General, how many cases have come within your knowledge, as legal gentlemen, of parties being found guilty of perjury in the Island? My recollection enables me to refer to but one; and in view of that fact, I can but characterize this wholesale slander of the population of the Colony as most disgraceful to its author.

I come now to another portion of Mr. Stewart's remonstrance, which reads as follows:—

"In an Act relating to highways, there is the following clause: 'When land held by a tenant or lessee under lease or agreement, or a part thereof, shall be laid off, or taken for a highway or road, the tenant or lessee shall be discharged from any further or future payment to the lessor or landlord, in respect of the said land, or of a part or proportion thereof, according to the extent or area of the land taken for the highway or line of road.'"

Now, Sir, I ask what right has a landlord to complain, if he does not receive from the tenant rent for land taken for public purposes, and for the benefit of that landlord's property? Would there be any justice in making the tenant pay for such land? As to the observations on the law giving the possession of the area of a road stopped up, Mr. Stewart admits that it did not pass this House; yet we find him abusing the very parties who have protected him. The remonstrant states that the Act to compel landlords to put their titles on record was subversive of the rule of law, which prevents the tenant from disputing the title of his landlord, and that it was introduced as a Government measure. As to the first allegation, I cannot see how the fact of a landlord's title being recorded will violate the principle alluded to; to the last, I offer the most unqualified denial. It was not brought in as a Government measure. As to the remarks alleged to have been made by the Hon. Col. Secretary in the House of Assembly, I do not intend to trouble the House by reading them, as they are in possession of hon. members, and properly have no relation to the action of this House; but this I will say, that, if they were intended to convey the meaning that the proprietors, during a long course of time, having done little or nothing to encourage enterprise and develop the resources of the country, and elevate the intellectual and moral condition of its inhabitants, and that those benefits would result from compulsory legislation of an indirect character, and to a moderate extent, I will avow my agreement with them and will readily endorse them.

The second document is the Memorial and Petition of Mr. Robert Bruce Stewart and Mr. Charles Wright. This being almost a recapitulation of the former, I shall only allude to those portions of its contents which do not appear in the other. The first paragraph which attracts my notice is the following:—

"That certain local enactments, passed during the last five sessions of the Legislature, have called forth various remonstrances on the part of owners of Township Lands in this Colony, respectfully urging the attention of the Colonial Minister to the serious consequence of such measures, as affecting the value and security of property throughout this Island; the object of the Legislature being to force land into the market, with a view to its being purchased by the Government, under an Act passed for that purpose, and thereby affect its reinvestment in the Government, by the working of oppressive statutes, whose operation, if sanctioned, will be tantamount to the confiscation of lands so situated."

Now, Sir, the inaccuracy of this statement is so glaringly absurd, that I cannot pass it by without requesting your attention to it. The Act alluded to, as that by which the Government could purchase land, was not passed till subsequently to those which are stigmatized as tyrannical and unjust. It is not necessary that I should occupy the time of the House in commenting on such sentiments as are here expressed. The objects of the Acts were fair and just—they were to tie parties to an honorable and equitable construction of their bargains. It was proper that actions for arrears of rent should not be brought in the Small Debt Courts. I deny that the landlord has not facilities for the collection of his rents. The remedy by distraint is one peculiar to proprietors, and is of much more speedy operation than any other; and on affidavit that there is not sufficient distress on the premises, the landlord can recover his debt in the Small Debt Courts, and can arrest the person of the debtor.

Another passage in this document deserves a passing notice at my hands. It reads as follows:—

"Among the unusual privileges conferred on tenants by local statutes, stock, if distrained for rent, cannot be sold

between November and June, comprising six months of the year—the tenant being required to give a bond that such stock shall be forthcoming at the time when sale thereof can be legally affected. All hay and provender found on the premises being reserved for the use of the stock; and no stock can, under any circumstances, be removed to a greater distance than five miles from the premises, without the consent of the tenant."

That Act, Sir, was passed with the consent, if not at the instance, of the proprietors. In this House it received the support of the present Judge Peters, at the time agent for one of the principal proprietors; and it was dictated by proper and human feelings. The difference between that provision and the law in Great Britain was rendered just and necessary by the different circumstances of the two countries. In the latter, a distress can be taken at any time; here, if it were enforced at the beginning of winter, the tenant, being deprived of the benefits of his stock all winter, would be unable to cultivate his land in the ensuing season. By the law as it at present stands, the landlord has security that the property levied on shall be restored, and thus receives his demand without injuring the tenant.

As to the Bill for taxing the rent rolls of proprietors, the petitioners state that—

"Apart from the unjust principle of partial taxation, your petitioners contend that the provisions of the Act are arbitrary and inquisitorial—the security required by it, difficult to be complied with, and the penalties to be incurred, needlessly severe, extending even to lunatics, idiots and insane persons; and it can only be regarded as part of a plan for extinguishing the rights of proprietors, by means of an aggressive system of legislation, which, your petitioners humbly conceive, bears more affinity, in the present instance, to a statute for the punishment of offenders than to an Act for contributing towards raising a revenue by fair and legitimate taxation."

Now, Sir, the only principle on which that Bill was based is, that land should be subject to a reasonable share of taxation, and the remarks about insane persons have no connection with the subject. Insane persons own landed property in England; that property is taxed, and the same is the case every where.

The next paragraph to which I shall here allude is to be found in the petition which stands third in the order of publication. It is in the petition of the owners, and has much in comparison with those I have briefly reviewed. It says of the Rent Roll Bill:—

"It is one of a series of measures, the avowed purpose of which is, to compel the owners of Township lands to convey the same to the local Government of this Island, to be by it disposed of to the present tenantry in freehold, and to those usually termed "squatters," who have taken and held possession without the consent of the owners."

Now, Sir, I stated at the beginning of these remarks, that I did not, for one moment, deny the right of parties to petition or remonstrate against any measure they might deem affecting their interests. I repeat the sentiment now; but while I would be the last to abridge the liberties of the subject, I contend that their complaints should be couched in proper and respectful forms, and should contain no expressions derogatory to the character of the Legislature—that nothing should appear in them which would be deemed disrespectful in a petition to either branch of the Legislature. It is untrue that the object of the Bill was to make "squatters" freeholders.

Now, Sir, there is a paragraph in the document under review which comes within the scope of my objections to the offensive tone of these communications. It is with reference to the

Rent Roll Bill, and when I read it, I think this House will feel it due to its dignity and self-respect to denounce it, as conveying most unjust and calumnious reflections on this House:—

"The joining in one Bill two objects totally unconnected with each other, and which ought to have been made the subject of separate Bills, is a clear proof that there is no immediate intention of raising any armed force, and that the mention of an armed force in the Bill is only for a cloak to the real object of the Legislature, a determination to harass the proprietors and render their property of less value."

Now, Sir, we here find it broadly asserted that we have assented to pass a law with an object different from that which it expressed. The petitioners say that this House, the House of Assembly, and the Lieutenant Governor, in their respective capacities, unite in passing measures, the real intention of which is cloaked. Can any thing be more disrespectful than such an imputation. I ask you, Sir, would you allow the reception of a petition to this House containing similar expressions?

There is also in this petition a passage which, in my opinion, justifies me in requesting the attention of the House. That extract says:—

"That the very fact of the improvements being to any amount greater in value than the rent in arrear, is a convincing proof that the tenant has had a beneficial use of the soil, and that there is no injustice in compelling him to dispose of those improvements at public sale, or by private contract, and first discharging the debt which honor and honesty alike require him to pay, appropriate the residue at his own will and pleasure."

Those statements purport to express the opinion that no matter how great the value of the improvements effected by the tenant may be, there is to be no account, he should not be reimbursed the value of his expenditure beyond the claim of his landlord. That, in fact, the latter may seize upon and appropriate to his own benefit the property of his tenant. This view is so absurd, that I need not occupy the time of the House in confuting it. As to the argument that the Tenants' Compensation Bill was not called for by any acts of oppression by the proprietors, I need only say, that although the reference to the number of cases of ejection for non-payment of rents, namely, only six in four years, may sound well at the Colonial Office, it is so delusive, that it should not pass without remark. Is it to be inferred that because but six cases occurred within four years wherein actions of ejection were tried in the Supreme Court, that, therefore, that was the number of all by which the tenantry suffered? How many are the instances of compromise? How many cases in which the tenant has been compelled to settle on the terms proposed by the landlord? Every agent of the proprietors knows of such instances. The reference, therefore, to the number of recorded cases is unfair and calculated to convey an impression which a knowledge of the true state of the facts would not warrant. Sir, without troubling this House with further extracts from the documents under our considerations. I may say that they convey most scandalously unjust imputations against the Legislature and Government of the Island, which are charged with entering into a hateful conspiracy to carry measures, the real objects of which are concealed by false professions; and that our only motive is the subversion of the rights of property. They who have put their names to such statements must either never have read the Bills, or wilfully misrepresented their character. We have been charged with having legislated with a view to sell the lands to the friends of Government. Sir, is there any thing in the Land Purchase Bill which makes a distinction

between the friends and opponents of Government? Those and the other charges are equally absurd and offensive. I find, Sir, that I have overlooked one charge which as being made against the head of this House should not pass without notice. It is said by the positioners with reference to property in Charlottetown, which they assert does not bear a fair proportion of the public burthens, "Why property of the above description which, in case of invasion, would be the very first to suffer from the fire and depredation of an enemy, should be wholly exempted from a tax, the implied object of which is to provide for the defence of the colony, may possibly be in a measure accounted for by its being owned in three of the cases referred to, by gentlemen who were members of the Executive Government and leading men in the Legislature, at the time the Bill was passed, as will appear by the names mentioned in the margin; the last named gentleman having only resigned his seat at the Executive board about six weeks ago, when on the eve of his departure for England, but he still holds his valuable property in Charlottetown." The names referred to, Mr. President, are your own and those of the Hon. Col. Secretary and the Hon. Mr. Lord. Now here is a gross insinuation made against the head of this House, and although the allusion certainly conveys no compliment to the gentlemen named, as individuals, it is still more offensive to us as a body, because if our legislative conduct is actuated solely by considerations of self-interest, are we to be charged with abetting them in their corrupt proceedings? Is so scandalous an imputation to be borne? Sir, the reasons for the Bill were fully stated here, when it was under discussion, and it was shown that property in the city was subjected to greater taxation than Township Lands, and now it has to bear the added burdens imposed by the Act of Incorporation. If, therefore, such property was exempted, it was so for good reasons, and an additional tax would have increased its burdens beyond the amount borne by Township Lands. That was the reason for the exemption, and it is most improper that we should be assailed as we have been. I shall trouble the House with no more observations, but in moving for a Committee to prepare resolutions expressive of the sense of the House on the remonstrances and petitions before it, I shall merely repeat that I have no design to restrict in any, the slightest degree, the right of any man or body of men to petition against any law so long as they do so in becoming language and confine themselves to the expression of proper sentiments.

Hon. Mr. HAYTHORNE.—I do not rise, Mr. President, with the intention to justify every expression in the documents before the House, but I must say that his honor Colonel Swabey, having given notice of a motion on the 17th, has had ample time to bring forward some definite resolution; and it was but half an hour since I had any idea of what this motion was to be. I have made a few notes of his honor's observations; but, really, he went over such varied ground, and took so discursive a range from one side of the documents to the other, that I find it difficult to follow him. As to his remark upon the parties who caused the disallowance of the Bills, I will suggest the old saying, "Let those laugh who win," and I think the laugh is decidedly against his honor. In the extracts from the despatch from Sir George Grey, the whole of which has not been produced, although it has been asked for in the House of Assembly, we find it stated, that "If the Legislature of Prince Edward Island should find that the Revenue of the Island is not sufficient to defray the public expenses of the colony, and if those expenses cannot be diminished by any economical revision, without detriment to the public service, a general tax, affecting alike all incomes arising in any way from land, from houses, from trade, from

manufactures, from salaries, or from any other source, might be a fair and proper mode of providing the requisite funds; and if such an Act were passed, (with sufficient reason shewn for it), applying equally to landowners and tenants, to proprietors and occupiers, such a measure would be free from objection." Now, sir, the petitioners acknowledge their willingness to submit to an equal and proportionate taxation with their fellow colonists; but say that it is not a British principle nor in accordance with British practice, to tax one portion of the community for objects affecting the general population. I trust that principle of the constitution will always be recognized. I consider, Mr. President, that the course pursued by his Honor is unfair. I do not think it right that he should in his capacity as a member of this House make the severe remarks he has upon individuals. On one he has been particularly hard. That gentleman has a right to his opinions, and I do not consider it proper to make public attacks on private persons on account of their personal sentiments. The gentleman alluded to, may have been situated very differently from others; he may have experienced difficulties in collecting his rents, and his temper may have become soured, in consequence of which he may have exceeded the legitimate bounds of remonstrance. His honor has remarked that the reference made by the petitioners to Acts passed here some time since, convey censures on the Government and Legislature. Well, his honor is an old business man, and in England must have frequently seen instances of petitions against the passage of laws on the ground of injustice. Such cases are of constant occurrence. In England the press gives every information to the public. It is considered a duty to put intelligence before the public at the earliest possible time. Such is not the case here. The public have the first intimation of a law when it has passed. His honor has made some strong remarks on the comments of the petitioners on the arbitration clause in the Tenants' Compensation Bill. I will recall to his honor's recollection what occurred at the time when the amendments made by this House were rejected by the other branch of the Legislature. He adhered to one amendment, and the Bill was sent down again with amendment. There was one clause which excluded leaseholders from acting as arbitrators, who were to be taken from among the freeholders exclusively. That clause passed this House almost unanimously, it was opposed but by myself and another. The opinion of the House at that time was that freeholders would act independently, which leaseholders would not. His honor alluded very lightly and guardedly to the extracts from the speech of the Hon. Col. Secretary, quoted by the petitioners. I, sir, for one, consider that speech as one of the principal causes of the disallowance of the Acts. His honor will, I know, pardon me for reminding him that he was not a liberal in England, nor I believe was he a very prominent liberal for some time after his arrival in this Island; but, I presume, the air of the Island has wafted on its wings some balm, which has had the effect of changing his honor's views. As to his honor's remarks about the exclusion of the landlord from the Small Debt Courts, I may mention that the liberals in England, (I do not know whether his honor belongs to them) contemplate giving the landlord his remedy in the County Courts. The law of distraint is in force, but it is proposed to put the landowners on the same footing as other debtors. His honor has extended a vast amount of indignant eloquence on the petitioners alleging that the avowed object of the Rent Roll Tax Bill was not the true one. That allegation is, in my opinion, sufficiently proved by the extracts from the Hon. Col. Secretary's speech. The Bill purports to be for two very different objects—to provide a military force, and to ex-

tend education. The union in our Bill of two objects so dissimilar goes far to convince me that the sentiments expressed by the leader of the Government in introducing the Bill into the House of Assembly, revealed the motives which it originated. As I suppose, sir, that his honor's motion for a Committee will be granted, I shall have a better opportunity of dealing with the subject when their report shall be before us. In conclusion, I must say, that I consider his honor has failed to show any reason for his motion, and he appears to me to be in what is styled in modern phrase, "a fix." Perhaps, although he has a good deal of time already, it would be better if he would take a little more, and not press his motion till to-morrow.

Hon. COL. SWABEY would merely remark as to the advantage of time, as suggested by his honor he (Hon. Col. Swabey) was generally ready to take his part in any debate that might be going on, but had been frequently met by applications for further time, particularly from his honor Mr. Haythorne. He did not intend to follow his honor in discussing the reasons for the disallowance of the Bills—he had confined himself to the disrespectful statements made by the petitioners. He had expressly disclaimed any censure upon the parties for endeavoring to prevent the bills receiving the royal assent, but he denied their right to treat the Legislature of the Colony in a manner which in Great Britain would ensure punishment. Doubtless every public measure was in England discussed in all its bearings, but no one would be allowed to impute corrupt motives to the Legislature—that was the boundary the boldest dare not cross. With respect to the statements of his Honor on the clause excluding leaseholders from arbitration under the Tenants' Compensation Act, if the petitioners had confined themselves to stating that that class had been excluded, no blame could be attributed to them for the statement of a particular fact; but if the bill actually was so, that afforded no grounds for the wholesale slander upon the juries of the Island contained in Mr. Stewart's letter as to the proposed remedy in the County Courts in England, it may be advisable in the opinion of the Liberal party there, but restraint formed part of the law of the land, and probably would ever do so. It was always considered, and he hoped would be so here, that the Landlord should have a speedy remedy for the recovery of his rent. As to the remarks about the objects of the Rent Roll Bill, did he understand his honor to say that there was to be no Military force?

Hon. Mr. HAYTHORNE.—No, I believe his honor prepared for it—

Hon. COL. SWABEY.—The Government acted on it, and rather prematurely.

His Honor the PRESIDENT.—The troops were sent here by the British Government.

Hon. COL. SWABEY.—As to the Educational portion of the Bill, it was introduced merely to absorb any surplus which might remain after providing for the military changes.

His Honor the President saw no objection to the appointment of a committee to prepare resolutions expressive of the opinion of the House on the documents on the table. When that Committee shall have made their report, the whole matter would come up and each of their honors would have an opportunity of expressing his sentiments. There was no intention on his part to deny the right of parties to petition. The only question was, had that right been exercised in a proper and constitutional manner? This our opinion was that the petitioners had exceeded the legitimate bounds of remonstrance. It was due to the dignity of the House, to express its opinions firmly and unequivocally. When the matter should come up for discussion, he should give his opinion with reference to the allusions to himself, which were contained in one of the documents which had been submitted.

The Hon. Col. Swabey then moved the appointment of the committee, which was agreed to, and the Hon. Col. Swabey, Hon. Mr. Walker and Hon. Mr. Craswell, were appointed. An amendment moved by the Hon. Mr. Haythorne, that further action of the House was useless and derogatory, was not seconded.

The Hon. Attorney General, by command, laid on the table the report of the Commissioners of the Patriotic Fund, and copy of the Despatch relative to the delay in assenting to the Bank Bill. The Indian Bill was committed and agreed to with amendments.

The Bill for transferring to one of Her Majesty's Secretaries of State the powers and estates vested in the Boards of Ordnance, was then committed and agreed to.

TUESDAY, March 25.

The Indian Bill was read a third time, and passed.

The House of Assembly requested a conference on the License Bill. A Bill for regulating the proceedings of Justices of the Peace in summary convictions and orders, a Bill to increase the Capital Stock of the Charlottetown Gas Light Company, and one to incorporate the members of St. David's Church, Georgetown, were received from the House of Assembly.

The Bill to facilitate the proceedings of Justices of the Peace in cases of parties charged with indictable offences, was read a third time and passed.

The Hon. Attorney General presented a petition from divers inhabitants of King's County on the subject of mill-streams.

The Bill regulating the proceedings of Justices of the Peace in cases of summary convictions and orders was committed. The Hon. Attorney General explained that it was principally a copy of an English Act, and contained forms which would be of great use to Justices of the Peace, for whom it would serve as a Manual. Progress as reported.

WEDNESDAY, March 26.

The Bill transferring the powers and estates of the Board of Ordnance to one of the Secretaries of State, was read a third time and passed.

Hon. Col. Swabey presented a petition from John Holland, Ferryman, Cardigan River, praying reimbursement of loss sustained on contract.

The Licence Bill was recommitted,—read a third time and passed.

The Act relating to summary convictions and orders by Justices of the Peace, was recommitted, and agreed to with amendments.

THURSDAY, March 27.

The Justices Summary Convictions and Orders Bill was read a third time and passed.

The Gas Company Bill, the object of which was to increase the Capital Stock from £9000 to £12000, and prospectively to £18000, was read second time, committed and agreed to, as was the Bill for incorporating the members of St. David's Church, Georgetown.

The Hon. Attorney General introduced a Bill to improve the Law of Evidence. He explained the nature of the Bill. At present it was necessary, in cases where parties claimed by will, to produce in evidence the Will or the Probate of it. In England, the Will is locked up in Doctors Commons, and the Probate may be in the hands of the representatives of the testator or testatrix, who may have a direct interest in withholding it. The Bill makes an exemplification of the Will all that will be required to make out a *prima facie* evidence of its contents, also certificates of marriage, baptism, or burial. *prima facie* evidence of the facts respectively set forth in it. The Bill also allowed a party to give testimony in contradiction of a witness produced by himself an alteration, the necessity of which was apparent to any lawyer in practice, as it frequently happened that a witness whom a party was obliged to call was most adverse to him. The Bill also did away with the necessity of restricting the proof of documents to the evidence of the attending witness. If a witness makes any statement, the party who shall be able to prove his having at any time made a statement to a contrary purport, must give the witness full particulars as to the previous occasion shall suffice to inform the witness of the particular occurrence referred to.

FRIDAY, March 28.

The Bill incorporating the members of St. David's Church, Georgetown, was read a third time and passed, as was also the Gas Company Bill.

The Hon. Attorney General submitted the Impost Accounts for Charlottetown and the Outports of the Island.

The Bill for improving the Law of Evidence was read a second time.

Hon. Mr. Beaton obtained leave of absence.

HOUSE OF ASSEMBLY.

THURSDAY, March 20.

The House was occupied in Committee a considerable part of this day in discussing the principles of the Bill sent down by the Legislative Council to prevent fraud by secret Bills of Sale of personal chattels—which have been noticed at some length in the report of the Legislative Council proceedings in reference to the said Bill, and published in these columns.

Hon. Mr. Palmer introduced a Bill to regulate the public printing by tender. The Bill was read a first time.

The Bill to alter and amend the Act to incorporate the Charlottetown Gas Light Company was read a second time—committed to a Committee of the whole House and agreed to therein with some amendments. Ordered to be engrossed under the title of "an Act to increase the stock of the Charlottetown Gas Light Company."

House adjourned until Saturday next.

SATURDAY, March 22.

Mr. Clark, in his place, presented the usual Custom House returns for the past year.

Mr. Clark presented a petition from inhabitants of Lot 18 and others, praying for the opening of a road to connect the Fermoy and Irishtown settlements, by running on the line dividing lands of George Ramsay and William McKenzie. Referred to the special Committee for opening new roads.

Mr. Clark read in his place a petition of certain inhabitants of St. Eleanor's, praying that an Act may be passed to render the Legislative Council elective; but the Hon. Speaker declined to receive the petition, on the ground that it was a printed one, and contrary to parliamentary practice to entertain such.

Hon. Mr. Whelan presented a petition from inhabitants of King's County, praying for the passing of an Act to regulate the use of streams of water between mills on the same stream, and the overflowing of water by reason of mill-dams. The petition was referred to the following special Committee to report thereon by Bill or otherwise:—Messrs. Whelan, Dingwell, Wightman, Lord, Cooper, Laird, and the Col. Secretary.

The House then went into Committee of the whole on the consideration of Ways and Means (Revenue Bill.) Hon. Col. Treasurer in the chair.

FALSE STATEMENTS OF THE ISLANDER.

Some unimportant discussions occurred on several matters connected with the Revenue laws, when—

The Hon. Mr. LORD stated that he observed that the Editor of the *Islander* has stated that the Colony is greatly in debt. Now, Sir, I should like to know how he got the information? If the Chairman of the Committee on Public Accounts did his duty, he would not allow him to examine them. I have seen a certain gentleman going about the rooms, and all I can say is, that if his friends allowed him to examine the accounts,

they acted very improper. He asked some explanations as to the statements in the *Islander*, for according to the old follow who edited it, the Colony was ruined.

Hon. COL. SECRETARY.—Mr. Chairman, the hon. member, in alluding to the statements which have appeared in the *Islander*, with reference to the financial state of the Colony, has asked for some explanation. Well, Sir, I do not wonder at his being surprised at the strange statements put forth, though by this time one would suppose that nothing appearing in that paper would astonish any one. His wonder as to the source from which the editor obtained his information, is much more natural. How could he obtain it save from the Committee on Public Accounts? Before going into detail on the assertions in the *Islander*, I must observe that the House may be called upon to take action if its official printer should be found guilty of falsifying public documents, for the purpose of deceiving the people. The very fact of the situation being held by the proprietor of the *Islander*, would have the effect of obtaining credence to statements, however false, and however maliciously inserted. I find, Sir, that I am charged with having received £15 for a visit of inspection to Mill River Bridge. Now, Sir, I defy the editor of the *Islander* or any other man to put his finger on a single item in the accounts, to shew that I ever received one single farthing for such service. I made three or four visits to the bridge, but all at my own expense, and never made any charge for them. There was a claim made for an amount exceeding the contract, and when the Government refused to pay any thing beyond the sum specified in the agreement, the matter was referred to arbitration, and the contractors were awarded this amount. So much for the truth of that assertion.

Hon. Mr. LONGWORTH.—Mr. Chairman, we are in Committee of Ways and Means, and it certainly appears to me that it is out of order to discuss articles appearing in newspapers.

Hon. COL. SECRETARY.—It is quite proper, Mr. Chairman, the hon. member, Mr. Lord, having called attention to the statements in this paper. The next item is, £130 to the Clerk of the Council, over his stated allowance of £120. Now, Sir, the Government have nothing to do with that, the Council may pay what they please from their contingent fund; and whatever the officer alluded to receives, I believe he earns. Next we have £20 to the Assistant Clerk of the Legislative Council, and £10 to the Assistant Clerk of the Executive. Well, Sir, I contend that those amounts are very moderate for the work performed. The article continues with £100 to the Road Correspondent, being £60 more than was paid by the *ancien regime*. Now, Sir, under the old system, the Road Correspondent's office was united with that of Provincial Secretary, and it was proved here last year that it was absolutely necessary to separate them; and hon. members generally concurred in the propriety of appointing a Road Correspondent, who should also be Assistant Clerk to the Councils. The Tory party, when they last held the reins of office, decided on the appointment of an Assistant Clerk to the Councils, and also that he should receive £100 a year. This shews conclusively, as far as they are concerned, that the present Government is not liable to the charge of extravagance in respect to this office, more especially when it is borne in mind that the officer unites in his own person the functions of Assistant Clerk of the Council and those of Road Correspondent. Formerly not more than £2000 annually passed through the Road Correspondent's hands; now that officer disburses some £9000 or £10,000; and it was found impossible that his duties could be performed in the Secretary's office. Next we have £10 for indexing the laws; in this item there is no change from previous years. £100 to Mr. Daly, junior, as Private Secretary. That vote, Sir, was generally adopted by this House. The next charge is, £75 instead of £50 to the Superintendent of Public Works, and £22 10s. for travelling charges to the same officer. Now, Sir, the duties of that officer have much increased, and besides that, the Superintendent now furnishes plans without charging for them, as has formerly been the case. But the lie contained in the next item will shew the spirit and intention of the writer—he says £10 was paid to the Superintendent for the plan of a new market house, because he was a useful political agent. Now, it so happens, that it was not

paid to Mr. Barnard at all, but, on the contrary, to one of the supporters of the Tory party, Mr. Henry Smith, who, for aught I know, may be as useful a political agent as the other. £946 for the Colonial Building, of which we are told £14 was paid for a pole and flag on the building. No doubt the gentleman from New London, who penned this article, was astonished to see the flag of England waving over the building. The next item is £1516 10s. 6d. for Government House. That, Sir, was a legacy left us by the old Government, and about £400 went for furniture, which had to be obtained, the former not having been replaced since Sir Alexander's time. Then £300 for land near Government House. Hon. members all know why that was expended, as the propriety of the purchase was generally admitted by both sides of the House last session. £26 2s. 6d., additional to the amount provided by statute, for completing the census returns. That statement is false. It is for making an abstract of the returns. Mr. Cundall performed the former duty; Mr. McNeill the latter. The next matter refers to the pay of the Queen's Printer. As that gentleman is not in his place, I shall content myself by passing it over, and allow him to make his own observations. Then follows, £100 to Sir Alexander Bannerman for dissolving the late House of Assembly. Sir, the writer of this knew, when he penned it, that he was penning a gross falsehood. Even, were it true, it would be money well spent, as the country has derived great benefit from the dissolution. We all know that it was voted to reimburse Sir Alexander money he had advanced to Mr. Stark. The matter will be found, as the writer well knows, in the debates of last session, when it was well discussed. £300 to Mr. Stark, School Visitor, for not delivering lectures on agricultural chemistry. Now, Mr. Chairman, it has been found that the great number of schools has occupied so fully that gentleman's time, that he cannot pay the proper visits of inspection if he has to deliver those lectures. £300 for Commissioner of Crown Lands. Well, Sir, at that he is not better, and I doubt if as well, paid as certain land agents who have made fortunes from the properties entrusted to their management. £250 salary to the Surveyor General. Now, Mr. Chairman, without following the writer through the tissue of lies accompanying this item in his paper. I may say that I believe that the principle of fixed salaries is a good one; but I can assure the writer, of what he probably was well aware, that no fees are received by that officer for the many plans he has to furnish, and for each of which the fee is five shillings. This goes into the Treasury, and consequently is an offset to the amount of the salary, so far as the public chest is concerned. The next is, £37 2d. for travelling to Lot 11, to crack a bottle of wine with my friend, the Hon. Col. Treasurer. Well, Sir, I do not know how many bottles were used, but I hope that they had a good time of it. We have next, £475 12s. 10d. cost of the so called "Ragged Regiment." Well, Sir, as the gallant Major is present, he might give us any information we might require; but I may briefly state that £1000 was placed at the disposal of the Government, by the House last session, to provide a force; and the Rent Roll Tax Bill having passed here, it was necessary that some effective protection should be provided in case of any serious disturbance; and the troops were sent to us by the British Government, which afterwards, at the instigation of the very party which make these charges, disallowed the Bill. The next item is £269 11s. 11d., Land-waiters' fees. As to the comments on this and the sympathy the writer expresses for Messrs. McKinnon and LePage, I can tell him that these officers received more than any others on the Island. Now we have £9 10s. for an alleged pleasure trip of the Hon. Col. Treasurer to Halifax, to purchase a bill of exchange. Well, Sir, I hope he had a pleasant trip, but he was sent because a bill for the amount of the Patriotic Fund vote could not be obtained here. £24 10s. 2d. law costs incurred by a snatcher road overseer. Sir, it is frequently the duty of every Government to protect officers acting honestly in their official capacities, according to the circumstances of the particular case, which, in this instance, fully justified the action adopted by the Government. I have now gone through the several items, and must call the attention of the Committee to the observations which follow:—

rants for payments which he knows to be unlawful? Just this, that Governor Daly, in public honesty and decency, is no better than his Snatcher councillors, that he has obtained nearly £2000 of public plunder for his 'comforts,' and that his servants may do with the balance of the revenue as they list. That neither Mr. Daly nor any other Governor cares a straw if the top of our highest hill was forty fathoms under water, if the Island serve him for a stepping stone to a better office, and he safely floated off in another ark."

Now, Mr. Chairman, I ask any member of this Committee where is the proof that His Excellency ever received one penny of what is here termed "public plunder?" The charge is so glaringly absurd that it is hardly worth while to brand it as a gross and most malicious falsehood. If the writer supposed that he can induce the people of the Island to believe that the Governor is pocketing the public money, he has made a great mistake. Even His Excellency's fees are paid into the Treasury. Such vile slanders reflect discredit on the party which supports a paper capable of making such statements against any person holding the situation of His Excellency. As to myself, I have become so case-hardened to what appears in the *Islander* respecting myself, that I care nothing about it. I am glad to have had an opportunity of reviewing those statements, more particularly as they appear in a paper which officially publishes the debates of the House. The natural inference from their publication in this journal would be, to many minds, that they are correct. They were intended, as all the original articles of the *Islander* are, to injure the Liberal party, but misfortune always defeats its own objects.

Hon. Mr. LORD.—Mr. Chairman, I merely wished to elicit discussion, and I must say that it is most unfair that statements of this nature should go abroad to the public before the Committee have reported, and before the members of the Government and of this House have had an opportunity of seeing the accounts. They certainly were entitled to have a sight of them before they found their way into print. I am much surprised. It is very certain that there has been improper conduct somewhere. Hon. members may laugh, but I can tell the Chairman and members of the Committee of Public Accounts, that this matter reflects no credit on them.

Mr. McDONALD.—Mr. Chairman, as I have been alluded to by the hon. member, as being Chairman of the Committee of Public Accounts, I can tell him, that I have been unfairly charged. I have held no communication, with reference to those accounts, with any but members of the Committee. I cannot, of course, be responsible for the conduct of others.

After a short time, the Hon. Mr. Whelan was in his place, when the Hon. Mr. LORD asked an explanation of the amount alleged by the *Islander* as having been received by him. It amounted to £1035 7s. 8d., including more than £100 for stationery. It seemed a very large item, and it was but right that the public should have every information, as the charge appeared in one of the public prints.

Mr. WHELAN.—I am much obliged to my hon. friend for calling my attention to the observations which have appeared in the *Islander* with respect to myself. I need not state, I think, that so far as I am personally concerned, the misrepresentations of the paper alluded to never give me the slightest annoyance—indeed if I have any feeling at all about such a small matter, it is, that I should much rather be censured and belied than praised by such a print. But as I understand that the Hon. Col. Secretary has refuted the calumnies contained in the last No. of the *Islander*, with the exception of the paragraph relating to the Queen's Printer's accounts, which he left for me, I will content myself by stating briefly but emphatically as my command of language will allow, that there is not one single sentence referring to me in the observations alluded to, which is other than an absolute falsehood or gross perversion of facts. By what means the writer obtained possession of the figures which are so strangely misapplied, I know not; but as the subject of the public printing will, as I perceive by the Order Book, shortly come before the House, I will take an opportunity, perhaps, when that subject comes up for discussion, to enter somewhat into detail as to the actual cost to the Colony of its public printing. It appears that I am charged with having received last year over a thousand pounds for the

"And what shall we say about His Excellency signing war-

service alluded to; but that is wholly untrue. The whole amount of the Queen's Printer's accounts for last year was £332 16s. I need not inform the Committee that that amount does not go into the pocket of the Queen's Printer, in the same way as the salary of a public officer, but is subject to very heavy deductions for labour, paper, printing materials, and a hundred other expenses. The Queen's Printer has nothing more for his services than the profit which he can make on the work turned out of his office, in the same manner as a merchant might make profit on a bale of goods for which he had paid a heavy price in the Colonial or English market. There is no doubt that the sum mentioned by the *Islander*, as being the cost of the public printing last year, includes the charges for printing the Journals of the two branches of the Legislature; but as those journals are contract works, and can be taken by any printer who will do them at the lowest price, it is exceedingly unfair and untrue to state that they form part of the emoluments of the Queen's Printer. But, Sir, there is another statement in the paragraph relating to myself, which is a very novel one. It is this, that I received £100 for supplying the Government with stationery last year. Now, Sir, I never had stationery to sell, and I defy any one to prove that I have ever yet made a charge against the Government for stationery to the value of one sixpence. But if the very ingenious person who supplied the editor of the *Islander* with his curious statistics, would take the trouble to examine the detailed public accounts, he would find that a very large proportion of the demand for stationery was incurred by the Tory party while in power under the name of the Hall and Palmer Government, and probably the person who gave the information to the *Islander* was a member of that Government himself.

The Committee having risen, the Chairman reported the following resolution, as agreed to in Committee, and it was adopted by the House.

"Resolved, that the several rates and duties imposed and levied under the Act 18th Vic., cap. 35, be continued and amended for one year, from and after the first day of May next."

Messrs. Clark, Warburton and Wightman were appointed a Committee to prepare and bring in a Bill pursuant to the foregoing resolution.

The Bill to increase the Stock of the Charlottetown Gas Light Company was read a third time and passed.

The House then adjourned.

MONDAY, March 24.

The Bill to incorporate the trustees of St. David's Church at Georgetown was read a second time, committed to a Committee of the whole House, and agreed to therein without amendment. Ordered to be engrossed.

The Hon. Col. Treasurer, from the Committee appointed therefor, presented a Bill for raising a revenue, which was read a first time.

In the afternoon sitting the Hon. Col. Secretary presented by message from His Excellency the Lieut. Governor the first report of the Royal Commissioners of the Patriotic Fund to the Queen; and also a despatch from the Secretary of State for the Colonies, relating to certain Acts of the last Session of the Provincial Legislature, submitted for Her Majesty's confirmation.

The Bill for raising a Revenue was then read a second time—committed to a committee of the whole House, and progress reported thereon.

[The discussions on this Bill, in the course of its progress through Committee, had principally reference to the establishment of Bonded Warehouses, first in Charlottetown and secondly in those other considerable ports of the Island where the Governor and Council might deem a bonded warehouse necessary. Considerable debate also occurred on the proposition to lessen, in connection with the establishment of bonded warehouses, the length of credit to be given on bonds.

The provisions of the Bill relating to bonded warehouses were ultimately agreed to.]

Mr. H. Haviland, by leave, presented a Bill for barring estates tail, which was read a first time.
House adjourned.

TUESDAY, March 25.

Mr. Munro presented a petition from inhabitants of Lot 50, setting forth that petitioners are tenants residing on those parts of said Township known as fishery reserves, and praying for the adoption of measures to secure them the undisturbed use and occupation of such reserves, until required for the purposes for which they were originally intended. Referred to a Special Committee to report thereon by Bill or otherwise.

The Act to facilitate the performance of the duties of Justices of the Peace, &c., was read a third time and passed.

Mr. Douse, from the special Committee appointed therefor, presented a Bill to alter and amend the Act incorporating the Minister and Elders of St. John's Church, Belfast, which was read a first time, and referred to the Private Bill Committee.

The Bill for barring Estates Tail was read a second time, committed to a Committee of the whole House, and progress reported thereon.

The Private Bill Committee having reported on the St. John's Church Bill; it was read a second time, committed to a Committee of the whole House, and progress thereon reported.

The Bill for raising a revenue was again committed to a Committee of the whole House, and progress reported.

Conferences were then held with the Legislative Council on the Licence Act.

The Hon. Col. Secretary, from the Committee appointed to report by Bill or otherwise on the expediency of making a provision for Schoolmasters under the Free Education Act, when obliged from continued sickness or old age to discontinue teaching, presented to the House the report of the said Committee, which report being again read, was agreed to as follows:—

"Your Committee appointed to report on the expediency of making provision for sick or aged teachers appointed under the Free Education Act, have to report—that they are of opinion if a provision could be made it would tend to encourage teachers to greater exertions to provide permanent residences, and would be an inducement to them to continue teaching in the Island.

"Your Committee are not aware of any method whereby to provide retiring allowances for teachers, other than by their paying a small annual sum, say one or two pounds, into the Treasury, for a certain number of years, previous to the individual making application for such retirement, and then by producing a certificate of incapacity to teach, from the Board of Education, to the Government, he or she should be entitled to receive a sum not exceeding twenty pounds per annum; but as the Free Education Act will expire next year, your Committee recommend that the further consideration of the subject be deferred until the next session."

The Legislative Council sent down an Act which they had passed, relating to the Indians of this Island, which was read a first time.

The Bill to incorporate the Trustees of St. David's Church, Georgetown, was read a third time and passed.

The Legislative Council sent down, agreed to, with one amendment, the Bill intituled "an Act to facilitate the performance of the duties of Justices of the Peace in this Island, with respect to persons charged with indictable offences."

The amendment was agreed to, and the Bill sent back to the Council. House adjourned.

BONDED WAREHOUSES.

In the afternoon sitting the House resumed the consideration of the Revenue Bill, when the subject of the establishment of Bonded Warehouses came on for discussion. Our Reporter was not present during the whole of the debate, but when he took his seat—

The Hon. Mr. PALMER was expressing his opinion in favor of Bonded Warehouses. He considered that the means to be adopted to remedy the inconvenience at present experienced should be discretionary with the Government. The absence of such warehouses had long been a reproach to the large mercantile community of Charlottetown. As had been observed by the Hon. Col. Secretary, parties selling on commission had the opportunity of turning their money twice before they need pay the duties; and it was but false economy to make the cost an objection to so great an improvement.

Hon. Mr. LONGWORTH considered that the Warehouse would probably be a source of revenue, as the only current expense would be the salary of the keeper, whose duty it would be to receive the rents. Great benefits had been found to result from such places of deposit in Halifax and other places, and such would probably be the case here, where only seven-eighths of the duty were allowed on goods exported. This he considered a hardship.

The Hon. the SPEAKER said, that the real question was whether it was desirable to shorten the period of credit at present allowed to importers. Though in favour of the Warehouse system, he would not abbreviate the present term of credit. True, that the practice in other countries was different, but money was more abundant in them than with us. Our present credit was not too long. We allowed twelve months without, and three months with interest, making fifteen months in all.

Hon. COL. SECRETARY thought nine months without and three with interest sufficient on all sums over £100. The present extended credit might operate unfairly to sureties. He considered that it would be better to give three, six and nine months credit on all sums under £100.

Hon. Mr. WIGHTMAN considered the time at present allowed was well adapted to the circumstances of the country. A person importing goods to the value of £1000 is frequently unable to realize a sale and profit on those goods within twelve months. True, that there were numerous warehouses in Halifax, but these were rendered necessary by the fact of Halifax being a great depot for West India produce, intended for exportation. The case was different here, where all the importations were intended for home consumption. He was in favour of establishing warehouses, as the system would enable an importer to go round and make bargains for the sale of his goods. There would be an additional expense, but he thought that the sooner we had warehouses the better.

Mr. H. HAVILAND could not consider the Government entitled to the appellation of a happy family. The Hon. Mr. Lord, whom he might consider as an honorary member, was opposed to Warehouses. The Hon. Colonial Secretary was favourable to Warehouses and short credits, while the Hon. Mr. Wightman was in favour of Warehouses and long credits. Had we had Bonded Warehouses years ago, we would have been in a much more prosperous condition now. The Island would have been a depot for the supply of the small traders in the ports in the Gulf, who now draw their supplies from

Halifax, and who would find this a more convenient resort than the distant port of Halifax. He was surprised at this being an open question. The leader of the Government should have called his supporters together and got their opinions, instead of coming to the House for votes from among the ranks of his own supporters, the opposition and the "loose-fish."

Hon. COL. SECRETARY said that the Hon. Mr. Wightman had commenced by arguing as though he were opposed to the introduction of the Warehouse system. No man on the Island was better able to pay for his importations than that gentleman. Warehouses would give us a large proportion of the Canadian trade, as it would diminish the risk of the long voyage from Halifax to Canada. The produce of the fisheries and lumber were sent to Halifax and the West Indies, and the returns were made in the West India produce shipped to Halifax, because that place had Bonded Warehouses. At present Canada received a large portion of its supplies via Portland. The Warehouse system would save a large amount of money and encourage the trade of the Island. Under the present system, at the opening of the navigation, it may be reported that prices of West India produce are rising in Halifax, and are likely to rise; the consequence is, that orders to a large extent are given, a glut ensues, and the importer may be ruined. Such contingencies would be to a certain degree prevented by the establishment of Warehouses.

Mr. YEO saw no benefit from Warehouses. He had never listened to greater nonsense than had been urged in favour of them. The only good would arise to the man who should be paid for looking after them. Could not a man buy goods and deposit them in his cellar? The circumstances of Halifax and St. John were different from those of the Island. Here we could not lay in a stock of goods from November to May.

Hon. Mr. WIGHTMAN was surprised at the opposition of the hon. member. The Hon. Col. Secretary had mistaken his meaning. He had not argued against Warehouses, but merely intended to shew that the benefits to be derived here would not equal those enjoyed in Halifax, from the different nature of the business carried on by individual merchants.

Mr. McDONALD thought the present system, by which an importer of goods, the duties on which amount to £10, received the same credit as he who imported property liable to £49 duty, required alteration.

Mr. CLARK was surprised that hon. members should not recognize the necessity of shortening the present period of credit. A man may be perfectly good for the amount of duties at the time he executes the bond, but in fifteen months may be ruined. It was hard for the Collector to know a man's position. He was in favour of doing away with £10 bonds, as merchants import just enough to make the duties come to £10, in order to get the credit. He would reduce the time from twelve to nine months.

Mr. COOPER was in favour of shortening the credit and establishing Warehouses. The larger importers must be supposed to have means in proportion to their business transactions.

Hon. COL. SECRETARY would move that the credits be for three, six and nine months, without, and three additional with interest, thus making twelve months in all.

The Hon. the SPEAKER thought that the interest on three months was so trifling that it was not worthy the consideration of the House. He was not opposed to the Ware-

housing system, but feared its benefits would be experienced only in Charlottetown.

Hon. Mr. MONTGOMERY thought it unfair to curtail the period at present allowed. There were many parts of the country in which Warehouses could not be established, and which were deprived of many advantages possessed by Charlottetown.

Mr. H. HAVILAND thought that the argument adduced by the hon. member, Mr. Yeo, was of great force in favor of extending the credit to the merchant. Our isolated position during the winter months compelled him to get all his goods in the autumn. Perhaps he imported too largely, and an extended credit was but reasonable under a state of circumstances which had no analogy to those of Nova Scotia and New Brunswick.

Mr. CLARK thought the clause had better be altered, and he would suggest that but two terms of credit be given.

The Hon. the SPEAKER moved that the present credit be continued.

Hon. Mr. PALMER wished the motion deferred until the question of Warehouses should be decided.

The motion was carried and progress reported.

Mr. H. Haviland presented a Bill for extending the elective principle to the Legislative Council, which was read a first time.

Hon. Mr. Mooney, from the Committee to whom was referred the petition of the School Trustees of Dunstaffnage district, to examine the same and report thereon, presented the report, which was agreed to as follows:—

"Your Committee to whom was referred the petition of the Trustees of Dunstaffnage School, have to report—that having carefully examined the matter of the petition, as also several persons respecting the same, they have come to the conclusion, that the said Trustees were guided by their counsel in the matter, and that they acted solely for the interest of the school district, without any pecuniary advantage to themselves, and also suffered much inconvenience and loss of time, besides being made liable for a large amount of costs in law. Your Committee would therefore recommend their case to the favourable consideration of the House, when in Committee of Supply."

In answer to Mr. MCGILL, whether he intended to take any, and what action, on the subject of the Ferry Wharf, Hon. Mr. PALMER stated that there was a petition on the table in reference to the matter numerously and respectably signed. His own opinion was unchanged. Perhaps the best way would be to test the sense of the House in Committee, and he would move that it be made the order of the day for to-morrow.

Hon. Mr. LONGWORTH introduced a Bill defining the limits of the City of Charlottetown, and the jurisdiction of the Mayor's and Police Courts, and transferring to the City fathers the exclusive jurisdiction of the Small Debt Court over matters arising within the limits of the City. Bill read a first time.

Hon. Mr. WHELAN gave notice of his intention to move the House into Committee on the following day, on the subject of amending the election law, and increasing the number of members.

House adjourned.

WEDNESDAY, March 26.

Hon. Mr. Wightman, from the Committee appointed to report generally on Light Houses, presented to the House the

report of the said Committee, which was referred to the whole House in Committee, and agreed to therein, and is as follows:

"Your Committee appointed to report on the subject of Light Houses, and to whom were referred various papers and petitions, with reference to Lights and Light Houses, presented to the House in the present session—having given the subject and the various matters connected therewith their best attention—have to report—that they have had under consideration two despatches, dated 6th September, 1855, and 15th January, 1856, addressed by Her Majesty's principle Secretary of State for the Colonies to the Lieut. Governor of this Island, inviting the co-operation and assistance of the local authorities, in common with those of other Colonies, in order to bring about a more efficient and economical system of management, in the erection and maintenance of Colonial Lights than that which exists at present; and also a letter dated 15th August, 1855, from the office of Privy Council for Trade, addressed to the Colonial Office, on the same subject, together with the Imperial Statute, 18th and 19th Vic., cap. 91, passed to facilitate the erection and maintenance of Colonial Light Houses.

"The system contemplated by the despatch, letter and statute in question, appears to be, to raise funds payable into the Imperial Treasury, by means of tolls levied on ships which derive benefits from lights, whether they go to ports in the Colony in which the light is situate or not. These tolls are intended to be imposed by Her Majesty in Council, and made payable to the Collectors of Light Duties throughout the British Possessions, who are to pay over the amounts received by them to Her Majesty's Paymaster General, to be appropriated to the building and maintenance of the several light houses; provision is made for procuring advances for building as well as maintaining lights. Your Committee beg leave to refer to the above documents for a more detailed explanation of the proposed system.

"Your Committee consider the matter as one of great importance, and one on which no hasty decision should be taken, and that it is desirable to ascertain what action the neighboring colonies are taking or propose taking in the matter, they therefore recommend that the Government open a correspondence with the Governments of Canada, New Brunswick and Nova Scotia, with a view of ascertaining the sentiments of those Governments with respect to the above proposed system. In the meantime they recommend that legislative action on the subject be suspended or deferred.

"Your Committee have further to state that they have made a careful examination of the expenses arising from the maintenance of light houses, buoys and beacons for the past three years, the cost of which is shewn to be £1559 3s. 9d.; the expense of sites, building of light houses and Keepers' houses amounts to £542 7s. 6d.; the further cost of lamps and lanterns for the same space of time is £691 7s. 6d.—making a total of £2,792 19s. 9d.; and the receipts arising from light and anchorage dues for the same period of time appears to be £2,107 15s. 6½d.—shewing a balance against the Colony of £685 4s. 3½d.

"Your Committee have also had under consideration two petitions from the inhabitants of Tignish and North Cape, praying for the erection of a Lighthouse on the North Cape, and also on the East Point of this Island. That the erection of Lighthouses on these Capes would be essential to the general interests of the mercantile community, and would be of equal if not of greater benefit to the shipping of the neighbouring Colonies, Great Britain and the United States, than to that of this Island; and that, therefore, those countries should be called upon to contribute towards their erection and maintenance, more particularly as there does not

appear to be any surplus fund at present in this Island available for the purpose. This contribution would, to some extent, be obtained, if the uniform system of co-operation, above alluded to, on the part of all the Colonies and the mother country were to be carried out.

"The Committee have also considered the petition of the Keeper of Point Prim Lighthouse, as well as that of the Keeper of Panmure Island Lighthouse, praying severally for an increase of salary; but they cannot, at present, recommend the prayer of these petitions.

"The Committee have likewise considered the report of the Superintendent of Public Works, showing the necessity for an alteration in the construction of the Lighthouse at Cascumpec; and they recommend such improvement to be made as will afford that benefit to the public which was anticipated; they further submit that the efficiency of the light on Fish Island, Richmond Bay, be enquired into by the Government, with a view to its improvement.

"Your Committee have also considered the petition of Thomas Robson, of New Brunswick, for a grant for his invention of a Fog Bell, as also the petition of certain inhabitants of Cumberland, N. S., praying the House to adopt measures in conjunction with the other British American Provinces, for the purpose of constructing Fog Bells on Cape Traverse and Cape Tormentine, and a Lighthouse on the latter Cape. Although the construction of these works is set forth as being of importance to the welfare of the Island, yet your Committee cannot, at present, recommend the prayer of the said petitions."

Mr. Muirhead moved that the House do adopt the following resolution:—

"Whereas the House, in the last Session, adopted the following report:—Your Committee who were appointed to report by Bill or otherwise on the petition of the inhabitants of Lot 19, praying for a Small Debt Court in their vicinity, have to report, that as the Session is now so far advanced, it is inexpedient to take up the matter this session, as they consider the Small Debt Act requires amendment, your Committee recommend that it be taken into consideration at an early day of the next session. Therefore resolved, that the said Small Debt Act be amended, so as to enable the Government to appoint additional Small Debt Courts where required."

On the question of concurrence being put on the foregoing resolution, the House divided:

For the resolution—Messrs. Muirhead, Lord, McIntosh and Whelan—4.

Against it—Messrs. McGill, Yeo, Perry, McDonald, Clark, Colonial Treasurer, Wightman, Montgomery, Laird, Munro, Dingwell, H. Haviland, Col. Secretary, Mooney, Longworth—15.

The Hon. Col. Treasurer read in his place a petition of Thomas Robson, Sackville, N. B., praying that if it shall be deemed advisable to place Fog Bells at Cape Traverse and Cape Tormentine, such may be erected on the plan invented by him. On a motion being made to receive the petition it was resolved, that as the report of the Committee on Lighthouses has been adopted by the House, it is unnecessary to entertain the prayer of the said petition.

Mr Laird presented a petition from persons styling themselves electors of P. E. Island, praying that an Act may be passed this session to make the Legislative Council elective. Petition laid on the table.

The Legislative Council sent down a Bill passed by them intituled "an Act for transferring to one of Her Majesty's Principal Secretaries of State the powers and estates vested

in the principal officers of the Ordnance;" which was read a first time.

A conference was then held with the Council on the Act relating to licenses for the sale of spirituous liquors.

The Act relating to the Indians of this Island was then read a second time and committed to a Committee of the whole House, when Theophilus Stewart, Esquire, one of the Indian Commissioners, was heard at the Bar of the House, in support of the claims of the Indians. A speech on the same subject delivered at the Bar of the Council Chamber, by the same gentleman, has been already given to the public—that before the House was nearly to the same effect; and it is therefore unnecessary to publish the latter.

Hon. Mr. Palmer presented a petition from certain inhabitants of Charlottetown, praying the House, for reasons therein set forth, to adhere to their previous resolution to construct a ferry wharf at the end of Prince Street; and also a petition from certain other inhabitants of the City, and others, praying for the like object. Both petitions laid on the table. Then the House adjourned.

THURSDAY, March 27.

Mr. Perry presented a petition from certain electors of P. E. Island, praying for an Act to render the Legislative Council elective. Laid on the table.

The engrossed Bill from the Council relating to the transfer of estates vested in the principal officers of Ordnance, was read a second time—committed to a committee of the whole House, and agreed to therein without amendment. The Bill was read a third time and passed.

The Bill relating to the boundaries of the city of Charlottetown and the jurisdiction of the Mayor's and Police Courts, was read a second time—committed, and agreed to with some amendments. The House then adjourned.

FERRY WHARF.

In the afternoon sitting a long discussion again arose out of a motion made by the Hon. Mr. Wightman to rescind the resolution adopted by the House on a previous day, relative to the erection of a public wharf at the end of Prince street, and recommending the House to go into Committee again on the consideration of certain petitions against the contemplated Ferry wharf. But as the principal arguments used both for and against the wharf at the place indicated, have been already fully given to the public, it is unnecessary to occupy space with a repetition of them here.

When the discussion was brought to a close the House divided. For Hon. Mr. Wightman's motion:—Hons. Messrs. Wightman, Mooney, Montgomery, Lord, Messrs McDonald, Yeo, Laird, Douse, McGill—9.

Against it—Hons. Col. Secretary, Col. Treasurer, Messrs. Whelan, Longworth, Palmer, Dingwell, Munro, Perry, Muirhead, McIntosh, Cooper, Clark, H. Haviland—13.

The motion was therefore lost, and the House shortly after adjourned.

FRIDAY, March 28.

The House resumed the further consideration of the Revenue Bill. After a short time the Committee rose and progress was reported.

The Legislative Council sent down a message informing the House that they had agreed to the Bill regulating the sale by license of spirituous liquors, and also the Bill relating to summary convictions and orders before Justices of the Peace, with some amendments, which were agreed to by the House. The Council also passed the Bill to incorporate the Trustees of St. David's Church in Georgetown, without any amendment.

Hon. Mr. Wightman, from the committee appointed to present an address to His Excellency, respecting the report of the House on the Post Office department, reported the delivery of

the address, and stated that his Excellency would comply with the desire of the House.

Mr. H. Haviland, from the Committee to whom was referred the petition of the Medical Association praying the House to pass an Act to regulate the practice of Physic and Surgery in this Island—reported that it is inexpedient to legislate on the subject matter of this petition. The committee was composed of nine members—five signed the report, which was to the foregoing effect, and four declined to sign it.

Hon. Mr. Longworth introduced a Bill in further amendment of the Act to incorporate the Minister and Trustees of St. James's Church, Charlottetown. Read a first time. House adjourned.

In the afternoon sitting, the Bill relating to the City of Charlottetown, and the jurisdiction of the Mayor's and Police Courts, was read a third time and passed.

Mr. McDonald, from the Special Committee, presented the report of said Committee on Public Accounts, which was read, and ordered to be taken up to-morrow.

The House then resumed the further consideration in Committee of the Bill to alter and Amend the Act incorporating the Minister and Elders of St. James's Church, Belfast. The Bill was agreed to in Committee, with some amendments.

PETITIONS AND REMONSTRANCES OF THE PROPRIETORS.

The order of the day for the House to go into Committee on the consideration of the Message of His Excellency the Lieutenant Governor, of the 20th February last, transmitting extract of Despatch and copies of Letters, Memorials and Remonstrances of certain Proprietors and Agents of Land relative to the Rent Roll and Tenants' Compensation Bills, being read, the House went into Committee, Mr. McDonald in the Chair.

Hon. COL. SECRETARY.—Mr. Chairman, the House being aware of the nature of the contents of the Petitions, it will not be necessary to impose on you the duty of reading them at length, unless it is wished that the opinions of the petitioners on this House and others should be heard again. It may be as well, perhaps, to read a few extracts; and firstly, I will take up the extract from Sir George Grey's despatch, wherein he says:—

"I regret to be obliged to inform you that Her Majesty's Government find themselves unable to advise Her Majesty to give Her assent to either the one or the other of these Acts."

Sir George Grey concludes his despatch by remarking:—

"It is needless to enumerate all the objections which apply to this measure, and the more so, as they are ably stated in the memorial presented against it by some of the owners of land, and transmitted with your Despatch of the 2nd July last. But I cannot refrain from remarking that those lands in Prince Edward Island, on which any great improvements have been made by tenants, were let in a state of wilderness, at the almost nominal rent of ninepence or a shilling an acre, on the express understanding that they were to be brought into cultivation by the tenant; that to secure to the tenant the enjoyment and profit of his improvements, leases of extraordinary length were given; and that a tenant who, by misfortune or other cause, is unable to pay that insignificant rent, is always at liberty to sell his lease to the best bidder, and thus to realize in the market the value of the improvements he may have made."

I suppose Sir George Grey was so alarmed at the bundle of petitions, that without reading them through, he took it for granted that such bulk must, under any circumstances, contain at least some good reasons against the Bills. As to the Tenants' Compensation Bill, I cannot agree with him. A measure of that nature has been sought for years, not only by the inhabitants of this Colony, but by the tenant population of Ireland. It has been received with considerable favour in the Imperial House of Commons; therefore, it cannot be so unconstitutional for us to pass a measure involving the same principle. The proprietors state that there is no necessity for the Bill, as there have been but six cases of ejectment in the Supreme Court in four years; therefore, Sir, if that is the case, why not pass a measure which would so little interfere with the proprietors. The first document emanates from a most important personage truly. Sir, it would be hardly worth noticing anything that gentleman may write, if it did not come before us in the present shape. He begins, Sir, by stating that he is the proprietor of

80,000 acres of land, but yet, poor man, he is unable to get his living. This may be true, but I have heard queer stories of that gentleman, of his going about the country to collect his rents, provided with a few cold potatoes, and going to a tenant's house, warming and eating some, and replacing the remainder in his wallet to sustain him during his further progress. I have been told of another instance of his penuriousness, which is certainly amusing. On one of his collection tours, he was invited to dinner by one of the most respectable freeholders in the Island. During the repast, his host apologised for the absence of anything but water to drink. The guest said it was of no consequence, and very coolly produced a flask from his coat pocket, from which he helped himself, then quietly replaced the cork, restored the flask to its pocket, and went on with his dinner, without asking the man whose hospitality he was enjoying to participate. The memorial of this gentleman with reference to the Rent Roll Bill states that—

"The late Col. Lane, when acting as administrator of the Government, after the death of Sir Donald Campbell, assured me that he had instructions forbidding any such employment of the military force," (that is, aiding the civil power in the collection of rents.)

Why, Sir, the Government has been frequently taunted with intending to provide a Military force, to facilitate the collection of the proprietors' rents; yet we are told in another place that in Sir Donald Campbell's time the troops were not allowed to be applied to such purposes, as appears from the extract I have just read. So, Sir, under these conflicting statements, we are not to be blamed if the rents of the proprietors are not very regularly collected. Mr. Stewart goes on to state in opposition to the Tenants' Compensation Bill:—

"But the evil of such an Act as this would be less extreme in Great Britain than in this Colony, wherein ninety-nine persons out of every hundred have a direct fellow feeling and personal interest on behalf of the tenant, and quite the reverse towards a landlord. I do not hesitate to say that justice is quite out of the question, and could not be hoped for, under such arbitration: The Act would have, and is intended to have, in connexion with other Acts, the effect of depriving the landlord of every remedy, other than the expensive one of an action at law in the Supreme Court of Judicature,—the rent being no more than one shilling per acre per annum, the defendant being generally destitute alike of property and of principle, the jury being unavoidably composed of tenants, or persons interested for tenants, or hoping themselves to become freeholders, without purchasing their land, and the sanctity of an oath being but little regarded when a proprietor is to be injured by its infraction. Under all these adverse influences or circumstances, the landlord has but little chance of succeeding, and still less chance of benefiting by his success, if he should gain his suit. Direct intimidation and threats then are brought to bear against any person daring to take, or to treat with the landlord for taking the vacant farm—intimidation and threats of injury both to property and person."

Now, Mr. Chairman, I consider that it behoves this House to deny the foul libel I have read: it is a gross slander on the tenant population of the Island, and should not be allowed to go abroad uncontradicted. We should not, as representatives of the people, pass over in silence the gross and wilful aspersion on their character. As to the charge of want of principle on the part of the tenantry, I feel sure that they will bear comparison in that respect with their maligner; and as to the hardship to result from the Bill, I can see no injustice to the proprietor from his having to pay for improvements which would become his property. I find another curious charge against the Legislature preferred by Mr. Stewart:—

"In an Act relative to Highways there is the following clause: When land held by a tenant or lessee, under lease, or agreement, or a part thereof, shall be laid off or taken for a line of highway or road, the tenant or lessee shall be discharged from any further or future payment to the lessor or landlord, in respect of the said land, or of a part or proportion thereof, according to the extent or area of the land taken for the highway or line of road."

I believe this enactment to be an unprecedented novelty in legislation, and quite unjust in principle. The Land Assessment is levied upon the entire area of each Township, road and all. The Act of which the above extract forms a part, or some other Act, was passed by the House of Assembly with a provision, that in case a road-way should ever be stopped up, as not being required, the fee simple of the area which had been occupied by the said road-way should go to the tenant and not to the landlord. This enactment was not passed by the Legislative Council."

Now, Sir, I do not consider this a case of very grievous hardship. By the original grants the proprietors are bound

to give up land required for highways. Why, Sir, should the tenant pay rent for land so taken? As to the Act being unjust in principle, I can only say that it received the sanction of the Imperial Government, and it contained no provision of the nature alluded to. The next extract contains the writer's opinion respecting the Bill passed last year in this House to compel proprietors to put their titles on record:—

"I may also state that an Act was passed by the House of Assembly during its recent Session, requiring proprietors to put their titles on record before recovering rents from their tenants under lease, agreement, or otherwise. I need scarcely point out to your Lordship how directly such an enactment would strike at the root of a great principle hitherto recognised in the letting of real property, that the tenant cannot question his landlord's title. The Legislative Council have not passed this Act, but it was brought forward as a Government measure. As such it was passed by the House of Assembly, and it has been published as having been passed by the Legislative Council, so as to lead the country constituency to believe it to be the law of the land, and thus to be strengthened in their obstinate resistance to the landlord. These facts are proofs of the animus entertained towards the proprietors."

Sir, it is false that the Bill alluded to was brought in as a Government measure, or that the people have been led to believe that it is the law of the land. If such was the case, I can only say that it is the first time I have heard of it. We are next treated to what purports to be extracts of a speech delivered by me when the subject of escheat was under discussion. Well, Sir, the writer might have remembered that I was then opposing escheat, and if all the Township lands held by the large proprietors were sold under the Land Purchase Bill at the price specified in that Bill, I believe the holders would get more than they were ever entitled to receive in justice or equity; and, Sir, I find the name of one gentleman attached to the petitions who has purchased a large portion of an estate for less than the Government were authorised to give by the Land Purchase Bill; yet he is not afraid to invest his money in a country from which he deliberately says that our Legislature is driving away monied men. I next come to the concluding paragraph of Mr. Stewart's memorial, and which I must say is at least deserving of commendation for the impartiality of its allusion to the two parties in this House, if it had no other merit:—

"I am no party man. The two opposing parties who divide our little state, abusing each other under the names of Tory and Liberal, or in Colonial phrase, "Snarler and Snatcher," differ solely upon the division of the spoil, and are, as it were, constantly bidding against each other for popularity, by promising their constituents, and so far as they are able, performing their promise, to keep up an incessant and sweeping attack upon all the rights of property and laws of justice. It is to Her Majesty's Home Government alone that I can look for either protection or redress against whatsoever party may, by such promises and performances as I have mentioned, happen to be in possession, for the time being, of the reins of local rule in this Colony. If an impartial view were taken of almost every Act sent home from this Colony, during many past Sessions of our Legislature, they would appear like guns in a long line of battery, converging upon one devoted point of attack, the Proprietor's interest. I beg to assure your Lordship that I can confidently and safely challenge the most searching enquiry into the lenity of my own conduct towards my tenantry; and further, that during the nine years that I have been in this Colony there has not been a single instance, on the part of any Proprietor, of that oppression and tyranny with which we are charged by the demagogues who gain their bread by asserting falsehoods."

As to Mr. Stewart's lenity, on which he vaunts himself, he manifests but little of a lenient spirit when he endeavours to save a few shillings of compensation to a tenant, by stating falsehoods, and when he makes such statements they should be contradicted. I next come, Mr. Chairman, to a document bearing the joint signatures of Mr. Bruce Stewart and Mr. Charles Wright, two very fine gentlemen and well adapted to unite in such an effusion. My opinion of the great Mr. Stewart has just been expressed; and as to Mr. Wright, there is no doubt that he is a very important gentleman, a very rich man, lives in great style; I presume he is above allowing one of the poor Snatchers to enter the doors of his house. His hostility to the Liberal party has been of some service to them. I fear, however, that it will be long before he or his friend, Mr. Stewart, represents a constituency in this Island—hence their opposition, particularly to the Legislative Council, to which, if sent there, Mr. Wright no doubt thinks he would be

an ornament, and if he could get a seat there he probably would be content to adopt a different course. As to the remarks in this and other of the documents, on the composition of the Legislative Council, I think it not out of place to notice them here, although the body reflected on are well able to defend themselves. Sir, the practice formerly was to appoint to that body none but those who were interested on behalf of the proprietors' claims. None other had seats in the Council, for many years, than they who were bound to oppose any measure affecting the proprietors. I am happy to say that the faction is now nearly extinct. At the Council Board there is but one advocate for the proprietors, and he, on questions of another nature, is generally found to record his vote in favour of Liberal measures. This fact may be made use of as an argument by the opponents of the Government, as proving the partial character of the Council; but is it to be supposed that any Government would appoint its opponents? In supplying the vacancies which have occurred by the resignation of members, the Government have adopted the principle of selecting members from different sections of the country; and notwithstanding the assertions of the petitioners, I contend that gentlemen of property, who have families growing up in the Colony, have a greater stake in the prosperity of the country than any man whose sole claim to a seat is the possession of a few thousand acres of land; and I say that Her Majesty's Commissions to the recently appointed members are in themselves sufficient answer to the objections urged by the petitioners, and are instructions to the Lieutenant Governor. On looking over the names subscribed to those documents, I find some that require a passing notice. I see among the list the name of Mr. Peter McGowan. Now there is no doubt, I presume, that Mr. McGowan is a very wealthy gentleman—owns extensive tracts of land, and would, as a natural consequence, be well qualified for a seat in the Legislative Council. The hon. member, Mr. Douse, whose name figures in three or four places, was, I believe, behind the door when the Tenants' Compensation Bill passed: That Bill passed without division, and the Journals shew that there were but two members opposed to the passing of the Rent Roll Bill, namely, Mr. Haviland and Mr. Palmer. There is, Mr. Chairman, another name attached to the petitions which I cannot pass over without remark, that of Mr. W. H. Pope. He certainly is a most influential personage, and would no doubt, in his own estimation, make an excellent Legislative Councillor. He has taken a very good way of realizing his wishes for land agencies, by abusing the other branch of the Legislature, and I would advise the hon. member for Belfast to look well after his Lordship's shoes. In the petition to the Queen signed by Mr. Pope, I see the following paragraph:—

"That it is a specimen of class legislation of the most odious kind, and can serve no other end than to reduce the value of real estate, already at a very low rate, as may be seen by the price paid by the Government for the estate of Charles Worrell, Esquire.

That the Bill is impolitic, having a tendency to drive all monied men from the Island, as no one will be inclined, or can be expected to invest capital in the purchase of land, which he is deprived of the power of turning to a beneficial use, and may be prevented from reaping the just profits of, under the sanction of law."

Now, Sir, that is rather queer doctrine to be promulgated by Mr. Pope, who has fleeced the country by getting from the public double the amount he and his associates paid for the Worrell Estate. As to driving monied men out of the Island, there would be no great loss to the country if it were rid of some of the petitioners. The parties who signed the next document, as it recommends the prayer of the others, are responsible for all the charges preferred against the Government and Legislature, and I am surprised that they should have seen fit to name individuals in the manner they have done, charging them with legislating with a view to save their own properties. Now, Sir, property in Charlottetown,

is already heavily taxed under the Education Act and the Act of Incorporation. There is a great outcry made against the measure, but I ask is it right that parties not resident in the Island should annually draw from it large sums of money without contributing anything to the revenue? Their poor tenants pay far more into the Treasury. The next extract I shall read to the Committee is as follows:—

"Your petitioners are of course unacquainted with what arguments the Lieut. Governor may make use of in support of a measure to which he has already assented in his place in the Legislature, or how far such may influence a Colonial Minister in the final disposal of the same. But your petitioners humbly apprehend, that the Lieut. Governor's recommendation of any measure introduced by that Government of which he is the head, and carried through both Houses of the Legislature, it must be assumed with his full knowledge and concurrence, is afterwards assented to and recommended by him, in the ordinary course of proceeding in such cases. And any other course would appear inconsistent with the good understanding usually supposed to exist between the Governor of a Colony and his sworn confidential advisers, and might also operate prejudicially towards His Excellency, by a vote of "want of confidence" being passed on him, by a resolute and unscrupulous majority in the Assembly."

Well, Sir, the Governor, as a matter of course, assents to measures introduced by the Government. If he differs from his Executive Council, as regards any measures of Government they may wish to introduce, it is their duty to resign their seats and offices. That is the only constitutional course, and it is not very likely they would pass a vote of censure on His Excellency. I am surprised at three of the names attached to the petitions. The parties I refer to hold public offices, and I consider that they should have resigned their situations before they expressed themselves as they have done. They are in the receipt of large sums from the people whom they so grossly libel, and it is but a paltry apology to assert that they did not read the papers to which they have put their names. I have no wish to abridge the right of these gentlemen to petition, but they should not libel the Government whose bread they eat. No Government could be properly carried on with the opposition of its own officers. Would a private individual keep in his employ a servant who abused him?

I come now, Sir, to the despatch of Mr. Labouchere, which is certainly conciliatory in its tone, and his suggestion for converting the present tenants into freeholders may come up for discussion at some future day. The desire of the people for such change has been manifested on the Worrell Estate, notwithstanding the high price rendered necessary by the proceedings of one of the petitioners, whom I will not call a pettifogger, but a lawyer who, in conjunction with another Trustee, had sent a letter to Mr. Worrell, which prevented him selling directly to the Government at a far lower price than they had afterwards to pay. Those gentlemen say the Land Purchase Bill will ruin the country. Why, Sir, I maintain that, even if the Government should lose a little on the Worrell Estate, it was wise to take the lands out of the hands of parties oppressing the tenants. Mr. Labouchere says:—

"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."

There is little wonder that the Bills did not receive the royal assent, when the influence brought to bear in opposition is considered. One of the proprietors is a brother-in-law of the Prime Minister. Sir George Seymour, another of the proprietors, has considerable influence. The recommendation of Mr. Labouchere to convert tenants into freeholders, shews that he was not informed of the Land Purchase Bill, which has that change for its object; and if the proprietors had

acted in good faith, large tracts of land would have been brought under its operation. The Government had sent circulars to the proprietors, requesting proposals for the transfer of their Township lands, but they had received no attention. The despatch goes on to say:—

"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 revenue 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."

The last sentence of this paragraph seems to imply a disposition on the part of the Imperial Government to guarantee the repayment of any loan which might be necessary to get rid of the obnoxious system altogether; the sum required will not be very large, and if the Imperial Government should find that the proprietors will not sell at a fair price, they may not object to measures to get rid of them altogether. About £150,000 would be sufficient to buy up the titles, and it would be a blessed thing for the Island if it paid £1000 a year for a few years—the resale of the lands would meet the amount of liability assumed by the Government. If the Imperial Government gave the desired guarantee, the money could be raised at $\frac{3}{4}$ or 4 per cent.

Mr. YEO.—Mr. Chairman, I ask is it gentlemanly conduct for the Hon. Col. Secretary to keep the House waiting until the gallery is full, that people may hear his abuse of Mr. Stewart? That gentleman's father purchased the property he now owns, and if he did not resist the attempts made to deprive him of it, he would be unworthy the name of a man. Mr. Stewart may be mean, but if he is, he is at all events honest. There was a time when the interests of the proprietors were well represented in this House. In those days tenants were largely buying up the freehold titles of their lands. The case is now different, when we have a set of agitators in the Assembly. As to the remarks of the Hon. Col. Secretary about Sir George Seymour, that gentleman had a right to use his endeavours to prevent his being robbed, and I do not know that he is a rich man. I would ask if the Hon. Col. Secretary would not oppose his whiskey kegs being taxed?

Hon. COL. SECRETARY did not intend to follow the hon. member in his personalities. He had, however, fathered Mr. Stewart's assertions; and by so doing, had adopted the opinion that the tenantry were not to be believed on their oaths. As that hon. member was returned by a tenant constituency, he was certainly paying them a great compliment. The hon. member had represented Sir George Seymour as a poor man who could not afford to be robbed. The hon. member was Sir George's agent, and it was just possible that he might be robbed, particularly of his timber, as there was a good deal of ship-building done on his property.

Mr. DOUSE.—Mr. Chairman, as the Hon. Col. Secretary has alluded to myself in connection with these documents, I can tell him that I am prepared to meet him on any of the statements to which I have signed my name. I have not put my signature to any assertion that I would not repeat to-morrow. I have a right to defend the property for which I have worked hard. It is thirty-three years this day since I left my parents to seek my fortune in Prince Edward Island, and during that time I can honestly say that I never wronged any one. When the hon. member chooses to attack individuals, he becomes low and uncourteous. I must say, Sir, that a greater jumble of ideas and blundering stuff I never listened to. It is a pity that Mr. Labouchere and Sir George Grey were not here to-night; if they had been, they would have had an opportunity of forming an opinion of the talent possessed by the Leader of the Government. I am not to be threatened with the farce and humbug of a forced sale of my property. As to the self-sustaining Worrell Estate, I have my doubts; it may be found self-sustaining to those who have the management of it. As to the gross attack upon Mr. Pope, I would ask why should he be blamed? The Hon. Secretary would have done the same

self-sustaining to those who have the management of it. As to the gross attack upon Mr. Pope, I would ask why should he be blamed? The Hon. Secretary would have done the same thing himself. Who could blame me if I purchased all the property for which I am agent? I hope the country will not be gulled by the baits thrown out by the Hon. Col. Secretary.

Hon. COL. SECRETARY.—If Mr. Labouchere and Sir George Grey were here they would at least have an opportunity of seeing Lord Selkirk's agent. As to the hon. member's remarks about the management of the Worrel Estate, his own experience in managing property has probably induced him to believe the opinion he has expressed. However, if the Government were selling that property on terms which suited the purchasers, what business had the hon. member to do with it? The warmth manifested by the hon. member and Mr. Yeo was natural, as they both represented proprietary interests.

Mr. DOUSE.—I ask the hon. Col. Secretary if he supposes I am so silly as to pay any attention to his nonsense about buying out the proprietors? £150,000, indeed, to be borrowed at a time when money is worth six per cent! It may do to gull the Frenchmen about Rustico, but I pay no attention to such trash.

(To be continued.)

LEGISLATIVE COUNCIL.

MONDAY, March 31.

The Bill to amend the law of evidence was read a second time, and agreed to.

The Bill defining the limits of the City of Charlottetown and the jurisdiction of the Mayor's and Police Courts was brought up from the House of Assembly, and read a first time.

The Hon. Col. Secretary informed the Council that the House of Assembly had agreed to the amendments of the Council to the Bill regulating the proceedings of Justices of the Peace in summary convictions and orders.

The Hon. Attorney General presented a petition from the Trustees of the Dunstaffnage School, praying the concurrence of the House in a grant to reimburse costs and damages incurred in legal proceedings in connection with the said school house.

The Hon. Attorney General introduced a Bill to amend the law of limitations of actions for real estate. Read a first time.

PETITIONS AGAINST THE TENANTS' COMPENSATION AND RENT ROLL TAX BILLS.

Hon. Colonel Swabey moved a Committee of the whole on the resolutions reported from the Special Committee.

Hon. Mr. Walker in the Chair.

The resolutions having been read, Hon. Colonel Swabey moved that they be adopted.

His Honor the PRESIDENT.—I think it is the duty of this House to record its sentiments on the Journals with reference to the manner in which it has been treated. I say this, believing that the acts in question are essentially necessary to the welfare of the Island. Therefore, it is that I consider it due to the dignity and character of this House to record its opinion of the manner in which the petitioners have expressed themselves, with reference to the action we adopted in our legislative capacity. I must not be understood as desiring to infringe on the right of any man or body of men to petition or remonstrate against the passage of any measure they might deem prejudicial to their interests, and using every legitimate mode of opposition; but I go no further—I concede to them no right to abuse any Legislative body, or to allude offensively and unjustifiably to individuals,

as these petitioners have done. They have exceeded the bounds of common courtesy, and in some instances of common decency. They have expressed, with offensive freedom, their opinions on individuals, on the Legislature, and on the character of the whole population. Under these circumstances, I cannot consider it improper for this House to repel the charges and imputations that have been dealt out in such profusion. I do not intend to enter into the particular statements contained in the various documents. If I did, I could easily prove the falsity of many of the assertions, which cannot be substantiated. I do not purpose to enter the lists as a rival to the petitioners in slander or abuse; such course would be undignified in this House; but we ought to shew the sense we entertain of the petitions by a resolution appearing on our Journals. The resolution reported from the Committee is, I think, well framed; it is to the point, and contains a sufficiently clear expression of the opinion of the House.

Hon. Mr. CRASWELL.—In rising to support the resolution now before your Honors, I shall endeavour to express my opinion on the documents which have caused it to be laid on the table of your Honors' House, as well as my regret that the Colonial Minister for the day should have stooped from the dignity of his position to receive petitions couched in language so unqualified and false; stigmatizing Her Majesty, her then advisers, the Government of the Island, both branches of the Legislature, and also basely slandering the inhabitants of the Island, from north to south, from east to west, the whole length and breadth of the land; and charging this branch of the Legislature with corrupt and unjust motives in the discharge of their duties. I would ask your Honors, looking at the feeling that exists in a neighboring country, if such is the way a British Colonial Minister expects to keep unsullied the loyalty of eighty thousand of Her Majesty's subjects, by receiving and acting upon documents that libel and traduce, to the lowest degree, the character of the people of the Island? I think not. What, your Honors, would a respectable person think of, on arriving on the Island, he were to read those documents? Would he not say, petitions written in such foul slang were more like the ebullition of some pestiferous pot-house than language of persons who were seeking their rights, and would wish to be thought of sane minds? Such, I think, would be the stranger's opinion. With the permission of your Honors, I will now refer to those documents, which are so mixed up each with the other, that it is impossible to separate them. In the first of these petitions part of the second clause reads thus:—

"I do not hesitate to say that justice is quite out of the question, and could not be hoped for, under such arbitration. The Act would have, and is intended to have, in connection with other Acts, the effect of depriving the landlord of every remedy, other than the expensive one of an action at law in the Supreme Court of Judicature,—the rent being no more than one shilling per acre per annum, the defendant being generally destitute alike of property and of principle, the jury being unavoidably composed of tenants, or persons interested for tenants, or hoping themselves to become freeholders, without purchasing their land, and the sanctity of an oath being but little regarded when a proprietor is to be injured by its infraction."

Here, your Honors, is one of the most foul stain spots that can possibly be laid to the charge of the people of the Island, which I feel bound to repel with disdain, and hurl back upon the slanderer the foul assertions. What, your Honors, men called by their country to sit as jurors upon the life or death of their fellow man, care not for an oath, when arbitrating upon the paltry sum of five or ten pounds! Hide your diminished head, you slanderer, you are unworthy the countenance of your fellow man! The next section in this document, to which I will draw your Honors' attention, is the Record Bill, a measure, I think, very necessary, requiring

all proprietors, large or small, to record their titles. This Bill, which has not become law, is represented in the petition to my Lord John Russell, as being a Government measure—a statement without the least foundation of truth; and the allegation of its being published as having been passed by the Legislative Council, so as to lead the country constituency to believe it to be the law of the land, is equally untrue and unfounded. On the same page there is a reference to the speech of the Hon. George Coles, the Leader of the Government, which I will read:—

“I beg to submit to your Lordship some extracts from a speech made by the Colonial Secretary, the Hon. George Coles, in the House of Assembly, on March 26th last, in the course of a debate on the old subject of escheat. Your Lordship will see that these extracts are not mere expressions of feeling uttered during the heat of debate, but they are deliberate avowals of the past policy and present views of the speaker: ‘Believing that escheat was impracticable, I have introduced and carried other measures for the benefit of the people, at the expense of the proprietors, &c. &c. I have followed the same policy of dealing with the land question moderately, but to some practical effect.’” &c. &c.

Here, your Honors, is a bold and manly statement made by the Leader of the Government, giving opportunity to his opponents to meet him on fair and even grounds; not like the base assassin who, hiding himself in the dark or behind the screen of deception, plunges his dagger into the character of an offending and unprepared people. No meed of praise must be placed to the credit of the Leader of the Government for suppressing escheat. No, no, nothing done for the good of the country must be attributed to the present Government, that proceeds from other causes. With regard to escheat, I beg to state, I have always been opposed to it—but I now positively say that if escheat was again to blaze forth in all its former fury, I would not dip my finger in water to cool the demon's tongue. Those petitioners appear to be sadly at a loss to know what the Leader of the Government means by an equitable settlement of the land question. I think, your Honors, if they will look at the Land Purchase Bill, they will there see the price at which the Government can afford to buy land; and the land obtained under the provisions of that Bill and re-sold, will amount to about the price they admit they are glad to catch; and if they get that they will think themselves fortunate.

The next charge is made against the Hon. Joseph Wightman, who, in the same debate, says:—“Before long, I have no doubt, that the proprietors will be glad to sell their lands to the Government, the land tax they will find to be a somewhat heavy burden, which is not without its influence upon them now.” If your Honors will refer to another portion of the correspondence, you will there see the acknowledged confession of the petitioners themselves, almost in the very words used by the Hon. J. Wightman: “For the heavy tax on wilderness property has obliged proprietors to let lands without much discrimination as to the circumstances of the settlers, &c.” I must now call your Honors' attention to the last paragraph of this grandiloquent document, which I certainly cannot pass without reading; and I must say, had the Colonial Minister condescended to peruse it, he must have been satisfied that the whole of the petitions were founded on misrepresentations and falsehood. The One-ninth Bill is also made a subject of complaint. I have been on the Island nearly fifty years, and I never heard of more being demanded, but in two cases; a state of things which clearly proves that the Bill is now what it was intended to be, a one-ninth Bill. The petitioners complain they have almost given their lands away by letting them for 999 years, at the yearly rent they say of £3 15s. British sterling. Now let us see, your Honors, how far this is a just ground of complaint. The landlords, for that length of time, will receive, according to their own statement, a very pretty sum, amounting to about £3746,

and land tax saved to the amount of about £400, making in the whole between four and five thousand pounds sterling, for one hundred acres, and the land will then fall back into their or their assigns' hands again. This is certainly something to complain of. Those petitioners also complain of the line of distinction drawn between proprietors of not more than five hundred acres and those of a larger quantity. If, your Honors, the large proprietors had looked with less jaundiced eyes, they would have been convinced that part of the Act was altogether in their favour, as the purchaser of 500 acres, the moment he made his purchase, commenced to pay an annual tax of six shillings and eight-pence on every hundred acres, and the proprietor or seller of the same land ceased to pay the tax immediately. Therefore it would stand thus—the purchaser of 500 acres of land would have to pay an annual tax of £1 13s. 4d., while the large proprietor would not only save the tax of £2 5s. 10d. yearly, but create a capital by such saving equal to £45 18s. yearly, in addition to the purchase money, say £50 per 100 acres, £250, which amount at five per cent is equal per year to £12 10s. This very Act, all unprejudiced minds must see, is, although designated by the petitioners as odious, very favourable to the proprietors, while its usefulness benefits both parties.

The Tenants' Compensation Bill, one of the rejected Bills, I now call your Honors' attention to. This Bill, had it become the law of the land, would have had a most desirable effect in setting at rest for ever the bad feelings that have existed for so many years between landlord and tenant.

It would have given the tenant a stimulus for improvement and exertion, and by proper encouragement from the landlord, enabled him in a few years to have overcome a number of difficulties that now prevent him from meeting the demands of his landlord, and would also have helped him to make his family more satisfied, comfortable and happy. The petitioners state this Act to be fraudulent; I deny it; and we find the petitioners saying of the tenant, they have an unwillingness to interfere with or prevent his making the necessary improvements, resting satisfied that by so doing he was promoting the interest of the tenant, and enabling him to pay his rent with greater ease in future years; the very intention of the Legislature. This Act is made to appear in the petitions as class legislation of an odious kind, and to serve no other end than to reduce the value of real estate, as may be seen, they say, by the price paid by the Government for the Worrell estate. This, your Honors, is certainly a turning of the tables, for when the Worrell estate was purchased, the Government was grossly attacked and charged with extravagance; and the Act was designated as a most odious measure, which would induce a wasteful expenditure of the public money, and every species of slander was at the time heaped upon the Leader of the Government for the shamefully extravagant price paid for it; and now it is referred to as being bought at a reduced price. Verily, we have strange bipeds in this Island; possibly the proprietors have never given the question of the sale of their lands to the Government a proper consideration. I will therefore, your Honors, endeavour to demonstrate the advantage that would accrue to them by selling to the Government under the Land Purchase Bill. Suppose A and B had each 20,000 acres of land; A will not dispose of his unless he obtains 10s. per acre, taking it good and bad, and holds his land for twenty years, at which time he sells it for 10s. per acre, realizing £10,000; out of which, for the time he has kept it, he has paid tax, say £1800; that will leave A a clear sum of £8,200. B sells his 20,000 acres to the Government at the present time for 4s. per acre; this will amount to £4,000; that in twenty years, at five per cent, will realize £4,000 more; the tax saved £1,800;

which being added to the two former sums will amount in the aggregate to £9,800, leaving a balance in favour of B over A of £1,600; but should B have placed the saved land tax at compound interest, it would have amounted to a much larger sum in his favour, besides being clear of the trouble that attends the occupation of lands in Prince Edward Island.

I now come, your Honors, to the last of these nondescript petitions; and as the others have columns of untruths and mistatements, this will make the cap-stone of shame to that mass of corruption and slander, and with one more reference to them, I shall commit them to the sink of iniquity from which they emanated. The last reference I have to make alludes, I believe, to myself and my friend, the Hon. Mr. Walker. There is, your Honors, if I may so speak, an arrow shot into this House, and while the shaft may be intended to inflict pain on your Honors, the barb was intended for myself and my honorable friend. In one place the petitioners state "that members of the Legislative Council are not qualified, according to either the letter or spirit of the royal commission and instruction," and in another, that "late appointments to that body would lead to the conclusion that a property qualification, if not altogether done away with, is at least not essential." I have yet to learn whether the ownership of 100, 1000, or 10,000 acres of land can enrich the mind of any man, and render him more capable of serving his country than the possession of but one acre. No doubt, your Honors, the petitioners think the only road to a seat in this House is the possession of a ragged polluted rent roll, and that no honorable member can give a conscientious vote unless he holds one. While I assure them that I hold no such plague spot, I regard with contempt and scorn the slanderer who made the assertion. It may not be known that, when the first Responsible Government was formed, I was requested to accept a seat in this honorable House. I declined the offer, for I resided at a considerable distance from Charlottetown, and I considered that there were many in the country, better qualified than I, who could attend with less personal inconvenience, to the duties of legislation. When, four years later, I was again solicited to take a chair at this table, I considered that, if my services could be beneficial to my country, it was my duty to render them. I took my seat here, and it will ever be a pleasure to me to reflect that, since I did so, I have been associated with gentlemen, who, in the intercourse of social life, are second to none in the Island; gentlemen who, as Legislators, are competent and willing to discharge their duties honestly and beneficially for the interests of the people and the welfare of the Country; gentlemen from whom I have received every kindness, attention and courtesy, the recollection of which will, as I said before, be always a source of pleasure to me. But, your Honors, there are men whose political orgies have caused a cess-pool, the fumes arising from which have polluted the moral, social and political atmosphere around them—cess-pool in which they love to grovel and pander to the worst passions of their depraved natures, mad to think that they cannot draw down to their own degraded level all around them,—a cess-pool over which political death rides laughingly triumphant, with his uplifted dart ready to plunge into their guilty hearts, when their odious sinful cup of political iniquity is full, and then this Pandemonium of their own creation will disgorge and spew them out on its own filthy edges, there to writhe and crumble into dust like the carcasses of traitors who have dropped peace-meal from the gibbets on which they have been executed. The aim and object of our gracious Queen is the happiness of the people over whom she reigns, and who could have walked more in Her Majesty's steps than our beloved and respected Governor, when he gave his sanction to Acts

of the people whom he was appointed to Govern. I have no doubt that those, or similar Bills, will yet become law. Let the people be true to themselves, and their representatives act with firmness, they will find in this House a disposition to do what in us lies for the advancement of the true interests of the Colony. I am yet, your Honors, notwithstanding their bad conduct, willing to extend to this little faction of petitioners the right hand of fellowship, if they will promise to cast away their sinful opposition, which, in my opinion, is maintained merely for its own sake, and unite with us in giving a long pull, a strong pull and a pull all together. Then we may make such laws as shall make all classes, from the old man, drawing to the close of his earthly pilgrimage, to the child in the cradle, sing with joy, and as the happy sound leaves the smiling infant, may it be taken up by angels, echoed and re-echoed in strains breathing heavenly love, peace, prosperity and happiness to the people of Prince Edward Island. I must apologise to your Honors for the length of time I have occupied in making these observations, which, it appears to me, are justified by the documents before us.

Hon. ATTORNEY GENERAL.—I consider, your Honors, that no apology is necessary from the hon. member for the length of time his speech occupied. I have been much gratified at many of his remarks, and if I have any complaint to make against him, it would be that he has gone so fully into the several matters contained in the documents before us, as to leave but little for myself or others to say. I shall content myself by pointing out a few instances in which, I conceive, the statements contained in the Memorials are, to use the mildest term possible, incorrect. It is stated in one of them, and pretty well endorsed by the others, that by an existing local law, the process of distraint is rendered so difficult as to be almost impossible, especially on land managed by agents. Now, I am at a loss to know to what law this complaint refers, for, so far as I can call to mind, the Law of Distress is exactly the same here as in England, except in cases of distress of cattle, &c., made between the first days of December and June; when the tenant, under the provisions of our statute, on giving a Warrant of Attorney with securities for the forthcoming of the property, can postpone the sale of the property seized until the first of June. Now this does not render the process of distraint difficult, it only makes a humane provision, called for in a country like this, where, during winter, stock are almost unsealable, or saleable only at a fearful sacrifice. The landlord is amply protected, so far as the property levied on is concerned; he has security for its forthcoming, and the law merely postpones the day of payment, to prevent the property of the tenant being sacrificed by a hasty sale, a result which no landlord, possessed of humane feelings, would desire. Indeed in many instances this provision must work beneficially for the landlord, as well as the tenant. The last Act passed on the subject of distress, 14 Victoria, cap. 13, with which some of the Memorialists appear much displeased, is taken wholly, or at least with very little alteration, from the British statute. It is a just and beneficial measure, and its object is to prevent tenants being oppressed by undue expenses when their property is distrained upon. It worked well in England, and I cannot see what just cause of complaint, against its operation here, any individual can justly adduce. How, too, can the allegation made by some of the memorialists be sustained, that landlords in this Colony are debarred from suing in the Small Debt Courts. That assertion is manifestly incorrect. Before the passing of the Small Debt Act the Landlord had, and still has, various remedies for the recovery of his rent. He can distrain, or bring an

action of debt, or he may bring an ejectment on the covenant in the lease for renting, in case of non-payment of rent. The latter course can in general only be adopted where a distress has been made, and sufficient property to countervail a half year's rent is not found on the premises. The Small Debt Act does not deprive landlords of their right to sue, it merely says to them, "before you do so, you must pursue your remedy by distress, and if you cannot find sufficient property to meet your claims, you may bring your suit in the Small Debt Court." The right to sue, is, consequently only postponed, not taken away. The rent can still be recovered by distress, by suit in the Supreme Court, by suit in the Small Debt Court after exhausting the process of distraint, or lastly, by ejectment to re-enter on the land according to the nature of the case. There is one clause in the remonstrances which to me appears childish and ridiculous in the extreme. It is that in which it is stated, "That in all Acts of Parliament hitherto passed, either in the Parent State or its Colonies, infants, married women, lunatics, idiots, or insane persons, have been considered entitled to the special protection of the law, whereas in this Bill they are specially excluded and rendered liable, not only to the payment of the tax, but to all the fines, penalties and forfeitures imposed by it." Now if any of your Honors will take the trouble to refer to the English Income Tax Act, I believe you will find that the clause in question contained in the Rent Roll Bill is taken almost *verbatim* from that act—a fact which the memorialists ought to have ascertained before making assertions directly to the contrary. Great stress is also laid upon remarks made by the Leader of the Government in a speech made by him in the House of Assembly last session. There is scarcely a column in which some allusion is not made to that gentleman's remarks. He is represented as saying that the imposition of the Rent Roll Tax would compel proprietors to sell their lands to the Government under the Land Purchase Bill, and he is denounced for daring to give breath to such a sentiment. Now, your Honors, without pausing to ascertain whether the language imputed be correct or not, it appears to me, on a reference to the records of former years, somewhat strange that such utter condemnation of the spirit of those statements should emanate from some of the memorialists. I will refer your Honors to the Journals of the House of Assembly for the year 1837. I there find a despatch from Lord Glenelg, at that time His Majesty's principal Secretary of State for the Colonies, in which despatch, after stating that His Majesty's Government declined advising His Majesty to take measures for escheating the Townships, his Lordship points out what he considered to be the proper mode of meeting the difficulty, and bringing about a settlement of the Island. He states that in other North American Colonies similar difficulties had arisen, which their various Legislatures had endeavoured to remedy by taxing the lands, and he recommended the adoption of a similar course here. Now, your Honors, this is in my opinion a direct recognition and recommendation of the principle of taxing lands, which may be held in large quantities by individuals, in order to force a settlement. But on turning to page 33, of the same Journal, I find that the House of Assembly, acting on Lord Glenelg's advice, took up the question of land assessment, and passed certain resolutions on which the Bill afterwards introduced was based. I will particularly call your Honors, attention to the third resolution which is as follows:—

3. Resolved, That His Majesty having been advised to disallow the establishment of a Court of Escheat, for vesting in the Crown such lands as might be found liable to forfeiture for the non-performance of the conditions imposed on the Grantees, and having suggested the adoption of a measure whereby all lands in this Island would be made to contribute towards the general Revenue of the Colony, and this Com-

mittee coinciding in opinion with His Majesty's Government that such a measure would be the means of inducing the proprietors of large tracts of wilderness lands speedily to settle or dispose of the same, and thereby lessen the burthens which have hitherto been borne by the resident Colonists only, they recommend to the House to order a Bill to be brought in, for imposing an assessment on lands within the Island."

The meaning of that resolution was, that as Escheat could not be had, (the Hon Colonial Secretary is represented as saying he believed it impracticable), the then House of Assembly were of the same opinion as his Majesty's Government, that a tax should be put upon lands to induce proprietors to settle on disposed of the same. In the majority which voted in favour of the resolution, and thereby declared their approval of the principle it embodied, are to be found the names of Mr. Nelson, one of the memorialists, now, strange to say, denouncing in unmeasured terms the enunciation of such sentiments by the Hon. Colonial Secretary, also the names of Mr. Palmer and Mr. Pope. The despatch, it must be remembered, was a deliberately written state document, and the resolution was passed after mature deliberation, and not put forth, as the words complained of were, in the heat of debate. It appears to me that the Hon. Colonial Secretary is in the same predicament with Lord Glenelg, Mr. Nelson and the others, and in their company I shall leave him. But as his Honor, Mr. Craswell, justly remarked, an unfair spirit pervades the whole of the memorials, and it is easy to perceive in them a spirit of determined hostility to the Government, cloaked under the guise of remonstrance against its measures. The very remarks alluded to were made, not in a debate on the Rent Roll Bill, but when the speaker was pointing out the evils and utter hopelessness of agitating a much more extreme and violent measure—namely, Escheat. All this, however, is carefully and most ungenerously kept back, and I will ask in what manner is any measure the Government may bring in, invariably met by these parties? The Government is reviled; improper motives are imputed; epithets of reproach, with a repetition of which I will not soil my mouth, cast upon them. I know this well; but I abstain from retaliation, although I have been myself attacked. The measures were introduced by the Government in hopes to satisfy and quiet the public mind. The manner in which they have been met is known to your Honors, and the public will place the responsibility of the failure of those Bills on the proper parties. The Tenants' Compensation Bill has been denounced in an unjustifiable manner, instead of its merits or demerits being fairly and honestly argued. It is taken from a Bill introduced into the Imperial Parliament by Mr. Sharman Crawford in 1847, which did not pass, it is true, but it was met in a spirit very different from that manifested by the memorialists. Mr. Crawford was not charged with improper motives, or a desire to subvert the rights of property, but the Bill was discussed in a gentlemanly and courteous manner. Mr. Labouchere's speech on the occasion, as published in Hansard's debates, shews the spirit in which he opposed the Bill. The details of the bill were objected to, but not the principle on which it was based, namely, Compensation to Tenants. Mr. Labouchere, in speaking to the question, refers to the introducer of the bill, Mr. Crawford, as being a large landed proprietor, a circumstance worthy of notice. I will not detain your Honors with any arguments on the subject of the Rent Roll Bill, as the subject was fully discussed last session, when it passed this House; nor will I comment on the remarks of the memorialists of the constitution of this House, as their object, and the spirit which dictated them, are sufficiently manifest; but I will state that I am not one of those who think a long purse indispensably necessary to make a good legislator, or that the possession of a rent roll supplies the place of brains. I know many men who possess neither the one nor

the other, but who, being men of moderate means, and honest, independent spirits, are, in my estimation, much better qualified for the discharge of Legislative duties than many of those who affect to despise them.

His Honor the PRESIDENT.—It is amusing to observe the manner in which the Tory party in this Island blows hot and cold as it suits their purposes. Formerly, with them, the Liberals were mere men of straw, demagogues, the very off-scourings of the community, legislating merely for their own private purposes. Now, however, they find that some of the liberals actually possess some property, and that appears to have given as much offence as if they were in the other state formerly attributed to them. As far as I am personally concerned, I have much pleasure in thanking them for the notoriety they have conferred on me, as having some property. After the observations of the Hon. Attorney General on the Tenants' Compensation Bill for Ireland, it is unnecessary for me to trouble your Honors with any observations of my own. I will, however, merely observe that the necessity for such a Bill is, to a certain extent, superseded by the establishment of the Encumbered Estates Court. I repeat what I previously said, that your Honors, in passing the resolution which I am glad to see is so moderate in its tone, do nothing but your duty to yourselves and the Country, by expressing in becoming terms your opinions on statements so false and unjust.

Hon. COLONEL SWABEY.—Your Honors, there are two statements of the petitioners which I must say I consider particularly absurd. One is, their declaration that the principle of the Tenants' Compensation Bill is an unprecedented innovation upon fundamental rules of law. The Hon. Attorney General has shown that the principle has been repeatedly recognised in the British House of Commons, and would have been recorded on the Statute Book, had it not been for the difficulty of adjusting the details. I may mention, as proof of the principle of compensation to the Tenant not being considered so monstrously absurd and unjust, that, in 1851, a law was passed allowing the tenant in England, where it is not so much required as in Ireland, at the expiration of his tenancy to remove improvements he had made, although they should be fixtures, including all kinds of buildings, the only pre-requisite being, that they should be offered to the landlord at a valuation to be ascertained by arbitration. There is another strange assertion put forth by the petitioners, namely, that the Government wish to force them to sell their lands for less than their value. We have had recently an instance of an agent purchasing a large tract of land from his principal at a price less than the Government are authorized to give by the Land Purchase Bill.

Hon. Mr. HAYTHORNE. I do not rise, your Honors, for the purpose of justifying all the statements contained in the memorials, but I think a little latitude may be conceded to individuals whose property is attacked, if they should, in their endeavours to defend it, transgress in a slight degree the strict bounds of propriety. Landed property has always been considered the safest investment for capital, and it is not to be wondered at, that parties who may have invested large sums in land, as a provision for their families, should express their opinions with some warmth, in opposition to measures calculated to depreciate their property to a serious extent. At the close of the discussion the other day, his Honor Colonel Swabey offered a resolution for the appointment of a Committee to prepare resolutions, expressive of the opinion of this House on the various petitions against the Rent Roll and Tenants' Compensation Bills. To that resolution, your Honors are aware, I proposed the following amendment:—That any action regarding certain memorials,

addressed to Her Majesty's principal Secretary of State for the Colonies, praying Her Majesty not to assent to two Acts passed during the last Session, (which Acts have subsequently been refused the Royal Assent,) is useless, and derogatory to the dignity of this House." This amendment, your Honors are aware, was not seconded, but although it received so little favor at your Honors' hands, I think that what we have heard on this subject from those who have spoken on it fully, proves the truth of my assertion; for if the statements complained of are, as represented, false, absurd and unfounded, they certainly should be considered beneath the notice of your Honors. If I were insulted, by a man not in possession of his reason, I would not take off my coat to fight him; yet these documents are characterized as the productions of insanity. I should like to know if there are not other documents against the Bills than those on your Honors' table? why should we not have them all? One was sent from myself, which is not produced. The usual course is for the remonstrant to transmit his remonstrance to His Excellency, whose Government thus has an opportunity of forwarding with it such comments as they may deem necessary. The duty lay on the Executive Council to take the sting out of the petitions, by transmitting to the Colonial Office their grounds of opposition to the statements of the petitioners. This course would enable the Colonial Minister to decide as to which side of the question the preponderance of reason and argument was to be found. I do not intend to justify the reference to individuals by name. I agree with his Honor, the President, that such a course is undignified; and I am satisfied that the petitioners have gained no credit with the Colonial Minister by their allusions to individuals; it is unworthy of our notice in our collective capacity. I have no objection to the speech of the hon. member, Mr. Craswell, who has highly distinguished himself as an orator, and I hope we shall hear many more speeches of the same eloquent strain from him. But I may say, that he went a little too far, when he accused others of slandering. He should be careful that he does not afford in his own person an instance of the fault he denounces. As to the allusions to the One-Ninth Bill, I supported it; it received opposition here and at home, and by none was it more strenuously opposed than by the Hon. Charles Hensley.

Hon. ATTORNEY GENERAL would like to know how the gentleman had opposed it at home?

Hon. Mr. HAYTHORNE.—By his protest, which I am under the impression was sent home.

Hon. ATTORNEY GENERAL.—Then the hon. member is misinformed, and I trust that he will take care in future to found his statements on facts.

Hon. Mr. HAYTHORNE.—I regret the error under which I labored. I supported the One-ninth Bill, because it would have the effect of removing a power of oppressing the tenantry, which, although a proprietor, I consider should not be entrusted to any man. As to the Tenants' Compensation Bill, I was always opposed to that measure, as one that is not required, and the reasons for my opposition are recorded in my protest, which appears on the Journals of this House. The tenant gets sufficient compensation now; he has generally eight or ten years without payment of rent; then if able, but unwilling to pay, he should be liable to the provisions of his lease. As to the calculations of the hon. member, based on the very probable supposition of a landlord reaching the age of Methuselah, to prove that it would be more advantageous to sell to the Government than to lease his land, those calculations may be correct, but no people are more opposed to compulsory measures than Englishmen. The principal of the Rent Roll Bill was a violation of British law; and, your Honors, I trust that the day is far distant when we shall witness the recognition of the principle, that it is fair to tax a portion of the community for the benefit of the whole. The hon. member went too far in his remarks on a Rent Roll being a quali-

fication for a seat at this Board. In making these observations, I feel that I stand alone, and conscious that my views will not be adopted by a majority of your Honors, and doubtful if I shall even have my motion seconded. When His Honor the President took his seat at this Board there were but one or two liberals, and I believe his seat was offered him for this reason, if no other, that a solitary Liberal member might not be left to sit alone, without any one to second him. I recollect in the British House of Commons, Lord Palmerston stated on the debate on the Hango massacre, as an instance of British love of fair play, that a butcher, having his knife in his hand, being about to kill an animal, was struck by another man. The bystanders cried shame on the coward who would strike a man with a knife in his hand, which would prevent him from using his fist. His Lordship also cited the instance of a French Cavalry Officer, who, during the Peninsular war, rode furiously up to attack an Englishman, when he discovered that his opponent had lost his sword arm; the gallant Frenchman generously bowed his sword, and making a courteous salute, rode boldly on to seek a more equal foe. Such spirit, it would seem, does not animate the members of this Board. I sit here alone on questions of this nature; there is no one to support me in resisting the attacks on proprietors. I can assure your Honors, that were the case reversed, I would not tamely sit by and see an hon. member wanting a seconder, to enable him to bring his views under discussion. Hon. members may style themselves Liberals. I consider myself one, but I would not extend to them the same treatment that is awarded to me. I wish now, your Honors, to say a word or two on the remarks made by his Honor the Attorney General. It is a pity that he had not used his arguments to the Colonial Minister; they might have had a great effect. I consider that he should have laid on the table the reasons which he urged in favor of the Bills receiving the Royal Assent. They would, I doubt not, be a curiosity; at all events, they would enable your Honors to form an opinion as to whether the Hon. Attorney General or the Colonial Minister had the best of the argument. It has been stated that the proprietors do not benefit the Island. Now, your Honors, I think we have pretty good proofs to the contrary. This building itself contradicts the assertion, and the roads throughout the Island are another refutation. The proprietors at present pay the Land Tax on about 12,000 acres of land, which is taken up by roads. The complaint about want of enterprise comes with a bad grace from those whose conduct has the effect of causing the very evils which they deprecate, for how can an enterprising spirit manifest itself in a country where the rights of property are not on a sure and stable foundation? And so long as the agitation of the land question and the attacks on proprietors continue, so long will the present state of things continue. Before I sit down, I will say a few words on the observations of his Honor, Colonel Swabey, when he alluded to the English Act permitting the tenant to remove buildings. In England the tenant generally holds under lease for a few years, and it is consequently necessary that he should not lose the value of his improvements; and the principle of compensation has been recognized from, I may say, time immemorial. The method of ascertaining the value differs in different places, but it is usual to appraise the value of manure, lime, fencing and the standing crop. Here, however, where leases are held for 999 years, the case is quite different, and the character of the buildings erected by tenants is such, that in 25 years time they would hardly hold a sheep. Before I sit down, I wish your Honors to understand me, as not justifying the tone and many of the allegations contained in the petitions. My object in rising to address your Honors was merely to combat arguments which I considered futile. I may express the hope that the cogent arguments of Mr. Labouchere will deter the Legislature from protracting this pernicious agitation. The present is, I believe, almost the first case of Bills being refused the Royal Assent under Responsible Government, and I cannot but feel humiliated, not at the refusal, but at the fact of the Bills having ever been sent home. I shall move the amendment, although I am aware that my motion is a mere form.

Hon. COLONEL SWABEY.—The allusion of his Honor to the Hango massacre is not very felicitous, for his situation

in the debate bears no analogy to that of the officer bearing a flag of truce. Our position is purely defensive, and we are only repelling the attacks made upon us, while our opponents have no claim to forbearance, because they have raised the standard of war. His Honor seems to think it derogatory in this House to interfere in the matter of these petitions. I can see very good reasons why we ought to notice them. It has been stated that the archives of the Colonial Office are open to the inspection of proprietors, to make them to counteract the wish of the people of the Colony. This, I conceive, renders it necessary that the Legislature should express its opinion on statements so grossly false and injurious as those to which your Honor's attention has been called. No man can say that our Legislature is independent, while any man can truly boast that he can nullify our proceedings. There is no intention on the part of any of your Honors to deny the legitimate exercise of the right of petition, but some regard should be paid to decency of language. I will admit that in some respects those documents are beneath contempt, but who can tell the effect of their going abroad unanswered? Are we not to repel the charge of having acted with systematic injustice for five years? Are we not to notice language so scurrilous, that the very supporter of those who use it, cannot as a gentleman, justify?

Hon. Mr. BAGNALL.—After the length to which the debate had extended, I will not detain your Honors with many observations of my own. I consider that the proprietors have made an outcry greatly beyond what the paltry five per cent tax would justify. If their land is of so little profit, surely it were better for them to sell. I shall give my support to the resolution, and in doing so, I wish to be understood as not limiting in any way the right of the petitioners to state their own case; but in doing so, they should not place those who differ from them in a false position. As to his Honor, Mr. Haythorne's remark, that the proprietors pay a tax on roads, I am not in a position to refute the assertion, but in the part of the country where I reside, the tenant pays far more than the Landlord.

Hon. Mr. WRIGHT moved the addition of the word "calumnious" as an amendment, which was agreed to; and the resolutions of which the following is a copy, was adopted:—

"Whereas this House has reviewed the documents laid before it by order of His Excellency the Lieutenant Governor, purporting to be Petitions and Memorials against Her Majesty's assent being given to two Acts of this Legislature, (namely the Rent Roll Bill and Tenants' Compensation Acts): *Be it resolved*, That it is the opinion of this House, that the language used in these documents, in many parts, cannot be justified by facts, and is grossly calumnious and offensive to the members of this House, inasmuch as it is therein imputed that several laws which have not only passed this Legislature, but received the Royal Assent, during the last five years, are of an unjust and arbitrary character; and the charge, that corrupt motives have actuated the Legislature in passing the two measures more directly the subject of these Memorials, is equally unfounded in fact."

The resolution having been reported, the Hon. Mr. WALKER rose and said:—Mr. President—Not having had an opportunity of making any observations while the House was in Committee, I will now say a few words on the subject of this discussion, without occupying the time of this House by going at length into the question. In doing so, I must say that it ill becomes Mr. R. Bruce Stewart to slander, as he has done, my hard working fellow countrymen—the men on whose toil and industry his existence mainly depends. But with respect to that part of the petition wherein it is stated that my hon. friend, Mr. Craswell, and myself, are not qualified to sit at this Board, I think our right as good as that of any one whose name is attached to those documents. I have been now upwards of eighteen years engaged in business in Charlottetown; during that period I have annually paid into the Treasury from two to three hundred pounds. I am a freeholder. When my father came to this Island, he was about twenty-four years of age. After his arrival he settled on Township 55, where, by hard labor, strict integrity and steady persevering industry, he rendered himself independent, and before

his death, which occurred in 1845, he was enabled to establish all his sons, six in number, as freeholders. How many of the parties who have put their names to the petitions can say as much? Although Lot 55 was escheated that fact did not materially benefit the settlers, as it was mostly regranted to parties residing in Charlottetown, who resold to the tenantry, at prices higher than the proprietors now ask for their lands. I know those parties whose names are signed to those petitions, and I know their antecedents, and if I chose I could make some of them blush to think that they had found fault with my appointment to a seat in this House.

The resolution was agreed to, Hon. Mr. Haythorne being the only dissentient.

TUESDAY, April 1.

Hon. ATTORNEY GENERAL, as a member of the Government, laid on the table a letter of thanks from the Honorary Secretaries of the Patriotic Fund Committee.

The Bill to improve the Law of Evidence was read a third time and passed.

The amendments of the House of Assembly to the Indian Bill were agreed to.

The Bill relative to St. James's Church, Charlottetown, was read a first time.

The House went into Committee on the Bill amending the Act of Incorporation of Charlottetown. Hon. Colonel Swabey in the Chair.

On the clause transferring the jurisdiction of the Small Debt Court for Charlottetown to the civic authorities, His Honor the PRESIDENT alluded to the fact of a serious charge having been made against the Clerk of that Court in an anonymous communication to one of the newspapers. His Honor was happy to state, and he wished it to go forth to the public, that there were no grounds for the imputation. The character of the gentleman alluded was sufficient refutation of the charge.

Hon. COLONEL SWABEY'S official connection with the Court enabled him to say, that no complaint of the character referred to had been made for two or three years. It often happens that a party's own actions delay the receipt of moneys.

Hon. ATTORNEY GENERAL thought that if any one had cause of complaint he should bring it to the notice of the Court. The fact was, that mere rumour in Charlottetown soon assumed the hue of facts.

Hon. PRESIDENT.—It should be made known that no complaint had been brought to the notice of the Court. He agreed with the Hon. Attorney General as to the gossiping capabilities of the people in Charlottetown. The fact was, that if a man rejected nine-tenths of what he had heard, and accepted the one-tenth, he would, in most cases, be giving his credence to nine-tenths of falsehood.

Progress reported.

WEDNESDAY, April 2.

The St. James's Church (Charlottetown) Bill was committed and agreed to with amendments.

The Hon. Col. Secretary brought up from the House of Assembly a Bill regulating the Ferry and other wharfs in Charlottetown.

Hon. Mr. Mooney brought up a Bill incorporating St. John's Church, Belfast. Read first time.

The Committee on the Bill amending the Charlottetown Incorporation Act was resumed.

The Hon. the PRESIDENT stated that he had been misunderstood yesterday when the clause providing for the laying out the streets was deferred. He was not to be

considered as an advocate of the amendments he had introduced; they were handed him by the Hon. Mr. Palmer, with a request to move them. He was not pledged to their support, and would be satisfied with whatever action the House might adopt.

To the clause regulating the opening of streets, the Hon. COLONEL SWABEY objected. The Bill had passed the House of Assembly without those objections; they had not been introduced there, and as they affected private rights he would never give his consent to their being smuggled in in this manner. Parties who would be affected by them had received no notice that their rights were to be invaded. He was cognizant of one instance where a property had been laid off and sold in certain subdivisions with the accommodation of a loan. This clause would nullify that arrangement. The Corporation had just absorbed the Small Debt Court for Charlottetown, and it began to assume such leviathan dimensions, that unless checked, it would probably swallow up the whole Island. He was not disposed to give the power sought, which was of a nature the most arbitrary, tyrannical and despotic he ever knew; it was, in fact, nothing short of undignified spoliation.

Hon. Mr. HAYTHORNE.—I congratulate the hon. member on the change in his political sentiments.

Hon. COLONEL SWABEY had interfered with the claims of the great proprietors as being of public importance, but never had, nor would encroach on private rights. This measure was a despotic infringement of them, which would, therefore, always receive his opposition. If such principle were admitted, a man might find that his property, worth a certain sum per foot one day, was not worth the same amount per acre the next. He knew his Honor the President too well to believe him a party to the measure. He would divide the House against the motion.

His Honor the PRESIDENT was glad that he had introduced the resolution, as it had given his Honor an opportunity of making a speech which he considered was the best of the Session. He could assure their Honors that the sentiments his Honor had just expressed were not exclusively his own, they were the opinions of the Government generally, whose determination was to afford the utmost protection to private rights; but at the same time to oppose, as far as in them lay, the exercise of private rights to the injury of the public at large.

Hon. Mr. BAGNALL did not agree with the Hon. Col. Swabey, that the continuation of the streets of equal breadth would have the effect of depreciating property; on the contrary, he considered it would increase its value; narrow streets were of no benefit; they but increased the risk of fire.

His Honor the PRESIDENT instanced Prince St., which, if continued at the present breadth, would involve compensation amounting to thousands. Where a proprietor had laid off a street of the width of 40 feet, it would be great injustice to take 60—probably worth £1 per foot; besides, as parties to be affected by the operation of the clause had received no notice, he would move that the clause be struck out.

Hon. Mr. HAYTHORNE said it was amusing to see how certain of their Honors became suddenly zealous defenders of the rights of property, when assailed near home. Some hon. members seemed to act as though they considered a foot of land in Charlottetown worth a thousand acres in the country.

Hon. Mr. CRASWELL.—If the continuations of streets were made with the consent of the owners of properties through which they might be carried, it was all very well; but as his Honor the President stated with reference to

Prince Street, it would cost thousands, and might interfere with private property to an enormous extent.

Clause struck out.

The clause authorising the closing of streets less than 40 feet in width, not built upon, was struck out, as conferring a dangerous power, which might be used to deprive a man of access to his own property.

The Bill was agreed to with amendments.

The Hon. ATTORNEY GENERAL, by command, laid on the table the Blue Book for 1854.

THURSDAY, April 3.

BILL OF LIMITATION OF ACTIONS RESPECTING REAL ESTATE.

Hon. ATTORNEY GENERAL.—In introducing the Bill which I am now about to move be referred to a Committee of the whole House, I explained its objects and the alteration it would make in the present law. As some of your Honors, however, were not then present, I shall briefly direct your attention to its features. By the law as it at present stands, a party may bring an action for the recovery of land within twenty years after his right accrued. But if he should be absent from the Colony, it may be thirty years, he still has ten years after his arrival here to prosecute his claim, thus giving him in all forty years. By this Bill it is provided that in cases of parties resident abroad, but represented here by duly authorised agents, the possession of the agent should be considered that of the principal. Where parties reside abroad and have no resident agent, the Bill proposes to bar their claims after twenty years from the appointment of the agent. I may state that this Bill has not been introduced by me as a Government measure. I assume the responsibility of it entirely alone, because I think it a just and proper measure. I shall be happy to listen to any suggestions of improvement which may occur to your Honors in Committee, and to make any alterations which may tend to increase the usefulness of the Bill, to which it cannot be reasonably objected that it tends to diminish the fair protection to which real property is entitled. One case was recently brought under my notice, which is of itself sufficient justification for a measure of this nature. A party had been in possession of property about thirty-five years; it was sold for arrears of land assessment, and the resident agent of the proprietor bought it. When the party came to redeem the land he found that he was without redress, that he had no title, because the full period of forty years had not elapsed. That was surely a case of hardship and injustice. The principle of the Bill is admitted on our Statute Book, and its object is merely a modification of the law, not intended to prevent the proprietor looking after his property, but recognizing the ability of an agent to do so. From what his Honor, Mr. Haythorne, had stated, I believe that he entertains strong objections to the Bill, and will probably, if the Bill pass, send them to the Colonial Office.

Hon. Mr. HAYTHORNE.—His Honor is out of order.

Hon. ATTORNEY GENERAL.—Some may object that this Bill has no precedent. It may be so, and I do not consider it necessary to look for a precedent, for sure I am that we will find no precedent for the manner in which the Crown Land of this Colony was originally disposed of. It was all granted in one day. Its particular state justifies legislation, without precedents drawn from other countries, whose circumstances bear no analogy to our own; for if we search the world over we will find no precedent applicable to the Island; and extraordinary cases require extraordinary treatment. In conclusion, I repeat that I shall be happy to listen to any

suggestions in Committee; and I now move that the Bill be referred to a Committee of the whole.

Hon. Mr. HAYTHORNE.—My chief objection to the Bill is, that no such law is found existing in Great Britain or in any of the neighbouring Colonies; and that being the case, I recommend your Honors to adhere to the principle of the good old maxim: "*Nolumus leges Angliæ mutari*," which has never been improved on. In debate yesterday a good deal of stress was laid on the injustice of legislating on property, without notice to the owners. Now, your Honors, whose properties are to be affected by this Bill? Those of parties thousands of miles away. To whom have they to look for protection? They may have resident agents, it is true, but those agents may prove false to their trusts, and abuse the confidence reposed in them. Take the case of General Littler,—and in citing this instance I do not intend any reflections on his representatives here, but merely wish to give a forcible illustration of the injuries which may result generally from the operation of the Bill. That officer has, I believe, been in the service of his country since the time he was sixteen years of age. A great portion of his life has been spent in India. His attention could not have been devoted to the state of his property here; and suppose that, wishing to rest here in the evening of his days, he should, on reaching our shores, find that a nefarious agent had deprived him of his property? Should he not be allowed to recover it? As I said before, I expressly repudiate the intention of disrespectful insinuations against his agents, but I have put the case as of general application, for the purpose of illustrating and enforcing my argument. Another objection, and in my opinion, a very serious one, is, that the Bill would have a retrospective effect—would be an *ex post facto* law, under which dishonest parties might be protected in their knavish designs of obtaining the property of others, without paying for it. The only class who would be benefited by it are those resident in the Island, squatters, who, by the kindness of the landlord, have been allowed to hold lands for years without paying rent. Those men might avail themselves of the Bill, to deprive the landlord of his property, as a return for the favor and indulgence they had received at his hands. The Hon. Attorney General admits that he can find no precedent for the Bill, and I sincerely hope he may never be able to. I hope the Legislature will always throw the shield of its protection over those whose absence prevents them looking after their own rights. As to precedent, this House is in a state which I believe is unprecedented, when a member cannot obtain even a seconder on any motion affecting the real property of the country. I do not deny that the holding of land by individuals, in large quantities, is an evil. I only ask your Honors to do justice to the absent. Do not impose disabilities on them without notice. If you do, I will not say that you wilfully commit an act of injustice; but I will say, that you act as Legislators ought not to. I move, your Honors, that this Bill be read a second time this day three months.

Hon. COLONEL SWABEY.—As to the argument founded on the absence of precedent, I consider that there is no great force in that. As I mentioned in debate the other day, there was no precedent for the English statute allowing tenants to remove buildings from their lands. That Bill reversed the old rule of law, and became itself a precedent. The fact is, the course of the world and the progress of society render necessary the adoption of whatever measures, and the legislative recognition of whatever principles the ever varying circumstances of mankind may require. The only question for your Honors' consideration is this, will this Bill inflict injustice? I cannot see the slightest proba-

bility of its having that effect. It is only intended to affect those parties who have resident agents. If those agents are inefficient or dishonest, the consequences of their misconduct should be borne by those whom they represent. The Bill does not abridge the period of twenty years, as that giving title by adverse possession; and really if that is not sufficient, I am at a loss to know what would be. As Sir John Littler has been alluded to, I can say that he has been ably represented here, and his rights amply recognized. Suits have been brought in his name, and decisions given in his favor. I cannot understand why the hon. member, Mr. Haythorne, is so thin-skinned about improvements of this nature. I cannot see the injurious effects anticipated by the hon. member, and I consider that the one case cited by the Hon. Attorney General shows sufficient reason for your Honors to pass the Bill.

The Hon. the PRESIDENT—I was not aware of the Hon. Attorney General's intention to introduce the Bill. I at first entertained an objection to it, as it would not prevent a person fraudulently recording himself as Agent, and after twenty years elapsed, shutting out the title of the proprietor himself. At my suggestion the Bill has been altered to make the production of the Power of Attorney under which the agent claims to act *prima facie* evidence only of his authority. His Honor, Mr. Haythorne, says that this Bill is an infringement of the rights of property. Now, what is the object of the Bill? In law the possession of an Agent is the possession of his Principal. If the latter were in the Island twenty years, adverse possession for that period would bar him; then why should it not equally affect him through his agent? The Bill only affects parties beyond the seas, who have resident agents in the Island. It does not interfere with other disabilities, such as idiocy, coverture, &c. I can see nothing in this Bill morally or legally wrong, and I am truly surprised to hear his Honor, Mr. Haythorne, say that the Bill is unnecessary for the Island. Why, your Honors, the monopoly of the lands is the greatest curse to this Colony that could well have fallen upon it, and by creating that monopoly the British Government inflicted on us an injury which it can never remedy. A great cause of the evils which afflict Ireland is absenteeism, and we labour under the same disadvantage. If the proprietors resided among us, and spent their money here, the same necessity would not exist for the Bill. It is an unfortunate condition of affairs, where large amounts of real property are held back for the benefit of private families, instead of being employed in contributing to the general benefit of the people. Such a state of things diminishes the value of property, and retards the general advancement of the country. It is the duty of the Legislature to remove this, in so far as it can be done without infringement of private rights, and every measure tending to that effect shall receive my cordial support.

Hon. ATTORNEY GENERAL would, in view of the suggestion of his Honor, Mr. Haythorne, alter the Bill to prevent its having a retrospective effect, as far as it might be applicable to suits at present instituted. It has been decided in England and here that the old Act was retrospective and prospective.

The Bill was then committed, Hon. Mr. Haythorne dissentient.

The Bill to incorporate St. James's Church, Charlottetown, was passed.

The Act amending the Charlottetown Incorporation Act was also passed.

The Bill incorporating St. John's Church, Belfast, was committed, and progress reported.

Hon. ATTORNEY GENERAL presented a petition for

a Prohibitory Liquor Law, from the Young Men's Christian Association; also a petition from trustees of the Georgetown Grammar School, praying increase of teacher's salary.

Hon. Mr. WALKER presented a petition from the Mayor and Common Council of Charlottetown on the subject of the Common.

FRIDAY, April 4.

The Bill of Limitation of Actions respecting real estate was passed.

The Bill incorporating St. John's Church, Belfast, being re-committed, was agreed to with amendments.

The Ferry Bill was agreed to with amendments.

SATURDAY, April 5.

The Bill to limit Actions for Real Estate was read a third time and passed. As also the Charlottetown Ferry Bill.

MONDAY, April 6.

Hon. ATTORNEY GENERAL, by command, laid on the table a despatch announcing the Royal Assent to four Bills passed last Session.

The Revenue Bill was read a first and second times, and committed.

Progress reported.

Hon. Mr. HAYTHORNE moved to have his protest against the Law of Evidence.

Bill entered on the Journals.

His Honor the PRESIDENT stated that it was optional with the House to allow it or not; but the eighth clause was disrespectful, as containing reflections on the Government and this House.

Hon. ATTORNEY GENERAL would oppose the motion *in toto*. The protest characterizes the Bill as one of a series of attacks on property by the Government. Such was not the case. He had expressly stated that it had not been brought in as a Government measure.

TUESDAY, April 8.

After some time spent in Committee on the Revenue Bill, Hon. Mr. HAYTHORNE moved to have his protest against the Evidence Bill recorded on the Journals. He had altered those portions which had yesterday been construed to cast reflections on the House. It had not been his intention to hurt the feelings of any one, and he had been under the impression that it was the right of any individual member to have his protest recorded; but an edition of May on Parliament, later than that which he had referred to, justified the course pursued by his Honor, the President, in referring it to the decision of the House. He still thought that this was the first time the right had been questioned, and he hoped he would be allowed to exercise it, as it afforded him the only means of recording his opinions, as he stood alone on this question, consequently any amendment he might offer while the Bill was under discussion, not being seconded, could not appear upon the journals.

Hon. COLONEL SWABEY said the House had recently, in discussing the memorials against the Rent Roll and Tenants' Compensation Bills, condemned the imputation of motives, and it would certainly be inconsistent to allow them to appear in a protest on the journals. If they were removed, he did not suppose there would be any objection to the protest being recorded.

The protest was received.

WEDNESDAY, April 9.

House in Committee of the whole on the Appropriation Bill.

On the clause providing for education, the Hon. COL. SWABEY advocated a higher system of instruction in the Academy. A great deal had been done for schools; and he thought the time had arrived for the introduction of a more elevated standard of education in the Academy. The additional expense would be but small, and probably the salaries at present paid to three masters, if divided between two, would secure the object, as the third, or inferior department of instruction was abundantly provided for by the common schools. He wished this suggestion to go forth, that the public might have it under consideration.

The vote for partially reimbursing the trustees of Dunstaffnage school, for expenses incurred in the unsuccessful defense of a law-suit, was agreed to after some conversation, in which his Honor the PRESIDENT stated that his opinion had been given to the trustees in accordance with the judgment of the Court, and had they abided by that the loss would not have occurred.

The Hon. ATTORNEY GENERAL considered that the very fact stated by his Honor shewed that the parties were entitled to the vote, as the public had got the benefit of the decision of a doubtful point, and the trustees had only acted in a public capacity.

Hons. Messrs. CRASWELL and HAYTHORNE thought that if it were allowed it might establish a dangerous precedent. It should be understood that no future grant of the kind would be made.

On Thursday, the 10th April, the Reporter had leave of absence.

FRIDAY, April 11.

ELECTION BILL.

The Hon. COLONEL SWABEY, in moving the second reading of the Election Bill, said that he did so, not as a member of the Government, but as a volunteer; for ever since the introduction of Responsible Government he had been of opinion that an increase of members in the lower Branch was necessary, in order to an efficient carrying out of the principle. He did not state this for the purpose of diminishing the credit of the hon. member who had introduced the Bill into the Assembly, for he was not aware that that gentleman knew his sentiments on the subject. When the Council conscientiously vindicated the liberties of the people, which were imperilled, the majority had the proud satisfaction of seeing their efforts crowned with success. He felt not then greater pleasure than he now experienced. There were many reasons for adopting the measure of general application to any government. There would always be found in any legislative body some unstable minds—some loose fish—whose actions would be swayed by various motives; and no government based on a representative system, could be carried on in ignorance of the way in which members would vote. The class he referred to, were generally men of little talent or strength of mind, and liable to have their judgment swayed by the last speaker. They think they manifest their independence, when they merely lose their consistency. Legislators should attach themselves to some particular party, having general grounds of policy in common; but if they fly off at every little difference of opinion, Government must be changing from day to day. As the constitution declares that those having the confidence of the

majority should hold the reins of power, so they should be put in a position to hold them efficiently. In addition, he considered this Bill as a great popular concession—that the effect of it would be the representation of a greater variety of opinions. Another benefit would be a greater choice of individuals from whom to form a Government than was at present to be had. The novel and most important feature in the Bill, was, the addition of six members to the present number of the House of Assembly. The details had been re-enacted from the present Laws, with important alterations. One was, to facilitate the resignation of members wishing to resign; another rendered it unnecessary in a member holding an office, to vacate his seat on being transferred to another department. The division of the Electoral Districts he did not consider it necessary to enter upon, as that was a subject more particularly for the decision of the House of Assembly. Viewing the matter generally as one that was calculated for the benefit of the people at large, he trusted their Honors would concur in the second reading, and that the Bill would become law.

Bill read a second time.

The Bank Act and Appropriation Act were severally read a third time and passed.

The House in Committee on the Election Bill.

His Honor the PRESIDENT considered the Bill was a step in the right direction, but it did not go far enough. He was in favor of representation being based on population, instead of territorial extent. He was satisfied that the principle of population would eventually be adopted. No Government could be properly carried on with the present number of members in the House of Assembly. The absence of one or two members might, at any moment, cause the defeat of any Government, Snarler or Snatcher.

Hon. Mr. CRASWELL thought Prince County could not be divided better than it was by the Bill.

His Honor the PRESIDENT had been misunderstood by the hon. member. He had not objected to the particular territorial divisions in the Bill. He had merely advocated the adoption of what he considered a more just principle. Suppose the case of one district possessing 5,000 electors and another 10,000; were the 5,000 entitled to the same power in the Legislature as the others? His idea was this, suppose the whole population was 100,000, if it was necessary to have thirty members, he would divide the amount of population by thirty, thus giving equal privileges to all.

Hon. COLONEL SWABEY.—At the time of the Reform Bill in England, two principles were submitted as the basis of representation—that of population was one of them, and it was repudiated. Many places, such as Manchester in England, or St. Eleanor's or Summerside here, might be so differently situated as regards the particular interests to be represented, and the capital invested. In France the rural districts were represented according to population, but the case of the towns and cities was different.

Hon. ATTORNEY GENERAL agreed in the abstract with the principle of representation according to population; but he believed that the Bill had been drawn up with a view to unite, as far as the circumstances of the case would permit, the two principles of territory and population.

Hon. Mr. HAYTHORNE was not present when the Bill was introduced, but supposed, as it had been advocated by the Hon. Col. Swabey, a member of the Executive Council, that it was a Government measure.

Hon. COLONEL SWABEY had expressly declared it was not.

Hon. Mr. HAYTHORNE would, in that case, like to hear the reason why it should not be. It was now five years

since Responsible Government was introduced, and yet important measures were not introduced by the Government. Such a Bill as this should certainly be a Government measure. He did not oppose the Bill; the Franchise Bill added to the representation of the country. Responsible Government rendered necessary an increase in the Lower House, as also in the Upper. In the lower branch no less than five or six out of twenty-four members were in the receipt of salaries, and it would doubtless be for the general good that the number of independent members should be increased. At their own Board four hon. members had seats in the Executive Council, out of a Board which, when full, comprised but twelve. Therefore, if the Government were sincerely desirous to improve the institutions, they should add to the Council. It is reasonable to suppose that a certain number will always be found to side with the Government here, and thus keep them in a perpetual majority. He was surprised that it was not avowed to be a Government measure, because when it was introduced by a private member it was liable to the suspicion of being designed for electioneering purposes, to secure imperilled seats. If it were a Government measure, such suspicion would not attach.

His Honor the PRESIDENT.—The suspicion would in that case be doubled.

Hon. Mr. HAYTHORNE.—It was, I believe, introduced into the House of Assembly by a semi-official member. If the increase of population required an increase of representation, it would be proper to advance step by step as it increased, and let the representation keep pace with the population.

Hon. Mr. WALKER would state, in answer to the allusion made by his Honor, that the introducer of the Bill into the House of Assembly, the Hon. Mr. Whelan, has struck off from his present district a Township (No. 55) where his support has always been almost unanimous, but about twelve persons voting against him.

The Hon. COLONEL SWABEY had omitted to state that, and he considered that the argument that the increase of the number of independent members would do away with any undue preponderance of office-holders in the Assembly, as of great weight in favour of the Bill.

His Honor the PRESIDENT.—There are but five office-holders in the Assembly.

Hon. Mr. HAYTHORNE had always supported Responsible Government without office. He thought the Bill was being passed prematurely. There were no petitions to shew the sentiments of the people, who certainly, on a measure of this nature, should have time to express their views. There were no means of ascertaining whether it was a popular measure or not. It had been introduced into the House of Assembly at the latter end of March, before the people had any notice that such measure was in contemplation. He would wish the Bill to be printed, and remain over till next session. It was probable that the Bill, if it pass, would not be allowed to remain in abeyance for two years, but as it might not be acted on before that time, he would, in consideration of that and of the late period of the session at which it was introduced, move that it be printed for general circulation, and be considered next session.

After some unimportant conversation, the amendment was lost, and progress was reported.

SATURDAY, April 12.

The Election Bill was re-committed and agreed to with amendments, as was also the Revenue Bill. The Weights and Measures Bill was committed and agreed to. The Appropriation Bill was read a third time and passed.

MONDAY, April 14.

The Weights and Measures Bill was read a third time and passed, as also the Election Bill.

On motion of the Hon. COLONEL SWABEY, the Address from the joint Committee on the subject of the Memorials against the Rent Roll and Tenants' Compensation Bills, which had been agreed to by the House of Assembly, was adopted by the Council.

And thus terminated the proceedings of the Legislative Council for the Session of 1856.

HOUSE OF ASSEMBLY.

FRIDAY, March 28.

PETITIONS OF THE LAND PROPRIETORS AND AGENTS AGAINST THE RENT ROLL AND COMPENSATION BILLS.

(Debate continued from page 63.)

Hon. Mr. WHELAN said—The resolutions which I now hold in my hand I intended to have laid on the table as soon as the Hon. Col. Secretary had concluded his speech, so that hon. members would have something tangible to speak to; but I was prevented from doing this by Mr. Yoo's extreme anxiety to rush into debate, in defence of his friend Mr. Robert Bruce Stewart, whom he eulogised as being an honest though a mean man. Now, Mr. Stewart has not been unjustly assailed by the Hon. Col. Secretary. It is true that some personal peculiarities have been noticed, which might as well have been left in obscurity; but considering that Mr. Stewart has calumniated the country and the Legislature to a very great extent, he ought to be prepared to receive even harder knocks than those administered to him by the Colonial Secretary. The hon. member from Belfast (Mr. Douse) was also very impetuous in the expression of his opinions before time was allowed for submitting the resolutions which I hold in my hand. That gentleman seems to labour under the erroneous impression, as he very often does, that the House is about to make some furious attack upon the rights of property, and his eloquence and his indignation are employed to avert the calamity. I am sure there can be no objection on the part of any honorable gentleman to listen to the most eloquent displays on behalf of the rights of property. What I should be inclined to complain of is, that public character as well as property is not likely to have its advocates on the opposite side of the House. The honorable member has amused us with some little witticism about the Worrell estate which, he says, in allusion to a remark often made in this House, is only "self-sustaining" to those parties who are entrusted with its management. The honorable gentleman, no doubt, spoke from experience, and with a vivid recollection of his own proceedings in reference to the Selkirk property. If the Commissioner of Public Lands, who is the principal person engaged in the management of the Worrell property, benefitted in his own person to nearly the same extent as the honorable member did while agent for the Selkirk estate, there might be some reason to throw out hints and innuendos, and to suspect that he was not a model officer, so far as the public interests could be affected. While alluding to the hon. member from Belfast, I cannot help noticing a manifold inconsistency committed by that gentleman in his private capacity. As one of the petitioners, he states that the Government seek to purchase the Township lands of this Colony at one third of their value. Now it is notorious that the honorable gentleman himself went to England a short time since, and purchased from a proprietor there a very valuable estate in this Island at a less price than the Government

would be disposed to give for it. The Government are prohibited from giving more than 7s. 6d. per acre for Township lands. The hon. member from Belfast says this is only one third of their value; yet if any person will take the trouble to go to the Registry office, it will be seen that the hon. gentleman himself has purchased Township lands at even less than what he says is one third of their value. With respect to the petitions and other documents now under the consideration of the Committee, it is quite unnecessary that I should trouble you with any lengthy observations, after the elaborate review which has been given of them by the Hon. Colonial Secretary. I am glad, indeed, to think that those petitions are about to be disposed of, for it appears to be a long time since they were first brought to the notice of the House. Hon. members are, however, aware of the fact, that the consideration of these petitions has been delayed solely on account of the absence, for some weeks past, of several members from both sides of the House. It has been often falsely alleged against the majority of this House and the party in power, that they have been and are in the interest of the proprietors. The calumny has been often refuted, but as the calumniators always pretend to have a great fondness for documentary evidence, it is to be hoped that they will be fully satisfied on that head, if they will only examine the array of petitions against the acts and proceedings of the majority. If the Government and the majority of this House had any desire to promote the exclusive interests of the proprietors, it is by no means likely that the latter would not only oppose the measures of the former, but would couple their opposition with the foulest abuse; and in noticing the opposition of the proprietors to the measures which they have been successful in defeating, I think it will be seen that the majority here have no very affectionate consideration for their good friends the proprietors. That the proprietors exercised a proper and constitutional right in petitioning against measures which affected their private interests, I do not for a moment dispute. That is the peculiar, and, perhaps, one of the best privileges of every British subject. The proprietors, it is said, should not therefore be censured for using this time-honoured privilege. I censure them merely for abusing it—not for using it;—they could have stated their case to the Colonial Office without bringing falsehood and misrepresentation to their aid—without resorting to gross libels upon the inhabitants of the country, and without traducing the character of the local Legislature, both individually and collectively. They allege, in justification of their conduct, that our measures have been of an arbitrary character; but they have said the same thing of every measure adopted by the Legislature of this Colony, affecting in the smallest degree the interests of proprietors; aye, even some measures which did not affect proprietary interests have been denounced by them as arbitrary and oppressive—such as the Elective Franchise and Sheriff's Bills. They petitioned the Crown against these, as well as the Small Debt, the Education and the One-ninth Bills; but, happily for the Colony, the British Government did not consider their representations as worthy of a favorable consideration. As an excuse for opposing the Tenant Compensation Bill, it is stated in one of the petitions, that ejectments seldom occur—that there have been only six cases of ejectment in a period of four years; and that that is a triumphant proof of the lenity and indulgence of the proprietors. Now, Sir, if that statement be true it is an argument against the petitioners; for if there be no ejectments, as a general thing, there can be no compensation, and hence there should be no antipathy to the Bill. But supposing there was only one case of ejectment, even within a period of ten years, and that ejectment was not followed by compensation

to the tenant for any improvements he may have effected. I consider that an act of injustice was accomplished, and sufficient reason shown for the introduction of the Bill so strongly opposed by the petitioners. I am, however, disposed to give considerable latitude to the statement of the proprietors, that there have been only six cases of ejectment in four years. There may be only six such cases on the records of the Supreme Court; but who can tell how many a case of hardship and oppression has occurred, approximating to ejectment, of which the public could have no knowledge? How many a poor tenant has been driven to the verge of despair and ruin by the cruel exactions of his landlord, before the extreme measure of ejectment was accomplished; It is only when more than usual obstinacy is manifested by the tenant that ejectment is resorted to. If the unfortunate wretch will only quietly submit to be stripped, his ejectment may be, if not entirely abandoned, for a long time postponed. With these observations, I will, now read the resolutions I intend to propose. They cannot be agreed to this evening, as they contemplate an address to the Queen; honorable members will, therefore, have sufficient time to give them full consideration:—

Whereas by a Despatch from the Right Hon. Sir George Grey to the Lieutenant Governor of this Colony, dated 17th November, 1855—an extract of which is now before this Committee—His Excellency is informed that Her Majesty's Government could not advise the Queen to give her sanction to two measures passed by the Legislature of this Colony, namely, an Act to impose a rate or duty on the Rents Rolls of Proprietors of Township Lands, and an Act to secure Compensation to Tenants in cases of ejectment,—on account of certain objections urged in memorials to Her Majesty the Queen, and to the Colonial Minister, by Proprietors and Agents for the management of lands in this Island; and whereas those objections, as can be clearly shewn, are, for the most part, based on misrepresentation, and have their origin in selfish motives and interested views on the part of the said Proprietors and Agents of land; and whereas the Right Hon. Sir George Grey himself, in commenting on the Tenant's Compensation Act, has clearly misapprehended the object of that measure, when he states "that its plain and direct tendency is to transfer property in land from the owner to the tenant"—the real object of the Act, on the contrary, being, to use the language of Sir George Grey himself, "to secure to the tenant the enjoyment and profit of his improvements, and to protect him against harsh and oppressive conduct at the hands of his landlord:" *Resolved*, that this Committee deeply regrets the disallowance of the Rent Roll and Tenants' Compensation Acts; that the objections urged against their passage in the memorials and petitions of the land proprietors referred to by Sir George Grey, are untenable, frivolous, and in part highly offensive to the Legislature and people of this Island, and this Committee regards the successful interference of the proprietors of land against the Acts referred to, as derogatory to the honor and independence of the Legislature of this Colony, in so far as its efforts are directed to promote the peace and prosperity of the people committed to its care.

Resolved, That while this Committee fully recognize the inalienable right of Petition, and would not deny its proper exercise to any class of Her Majesty's subjects, yet they cannot hesitate to enter their solemn protest against a most flagitious abuse of that ancient right, as is the case with respect to the petitions and memorials of the land proprietors and their agents, against Acts of the Legislature of this Colony; and that while it is perfectly constitutional and proper to memorialize the Sovereign against the final enactment of any

law, it is a grave offence to misrepresent the conduct of the Legislative bodies in passing such law, and to libel the people with whose interests they are entrusted.

Whereas, amongst other passages of a similar character, in a letter signed "Robert Bruce Stewart," dated at Charlottetown, Prince Edward Island, May 19, 1855, and addressed to the Right Hon. Lord John Russell, the following extraordinary language is used in reference to the Tenants' Compensation Act, viz: "The Act would have, and is intended to have, in connection with other Acts, the effect of depriving the landlord of every remedy other than the expensive one of an action at law in the Supreme Court of Judicature—the rent being no more than one shilling per acre per annum, the defendant being generally destitute alike of property and of principle, the jury being unavoidably composed of tenants, or persons interested for tenants, or hoping themselves to become freeholders without purchasing their land, and the sanctity of an oath being but little regarded when a proprietor is to be injured by its infraction. Under all these adverse influences or circumstances, the landlord has but little chance of benefiting by success, if he should gain his suit; direct intimidation and threats are then brought to bear against any person daring to take or treat with the landlord for taking the vacant farm—intimidation and threats of injury both to person and property." *Resolved*, that the foregoing statements are untrue, both in inference and in fact; that the Compensation Act was not intended to have any such effect as that predicated of it; that the landlords' rights, under its operation, would be fully, as well, if not better protected, than the tenants'; that the annual rent is, in very many cases, more than one shilling per acre; that the allusions to the character of defendants in cases of landlord and tenant, and to the composition of juries in the trial of such cases, are false, scandalous, malicious, and premeditated libels on the whole community, deserving as such the strongest reprobation; and that the statement with respect to threats and intimidation against person and property, being used by any portion of the community, is wholly unfounded,—threats and intimidation being unknown, unless perhaps, in one or two cases, where the title of the claimant of the land was deemed to be unquestionably fraudulent and spurious.

And whereas, in the before mentioned letter of the said Robert Bruce Stewart, the following passage also occurs: "I may also state that an Act was passed by the House of Assembly, during its recent session, requiring proprietors to put their titles upon record, before recovering rents from their tenants under lease, agreement or otherwise. * * * The Legislative Council have not passed this Act, but it was brought forward as a government measure—as such it was passed by the House of Assembly, and it has been published as having been passed by the Legislative Council, so as to lead the country constituency to believe it to be the law of the land, and thus to be strengthened in their obstinate resistance to the landlord." And the following passage occurs in the concluding part of the said letter, viz: "The two opposing parties who divide our little State, abusing each other under the name of tory and liberal; or, in Colonial phrase, 'snarler and snatcher,' differ solely upon the division of the spoil, and are, as it were, constantly bidding against each other for popularity, by promising their constituents, and, so far as they are able, performing their promise, to keep up an incessant and sweeping attack upon the rights of property and laws of justice."—*Resolved*, that the statements with regard to the Registry Bill as being a government measure, and published as having passed the Legislative Council, are utterly untrue; and the imputation so flagrantly thrown out against political parties in the Colony generally, as being actuated by a desire

to attack "the rights of property and the laws of justice," is an unwarrantable and malicious libel.

And Whereas in a Petition and Remonstrance of certain Proprietors and Agents of land in Prince Edward Island, to Her Majesty the Queen, dated 4th June, 1855, it is stated, amongst other things, that under the Land Purchase Bill lands are sought to be obtained for the government at one-third of their value; and in another petition and remonstrance from the land proprietors (many of them being the same parties who signed the previous petition), dated 19th June, 1855, addressed to Her Majesty the Queen, the following statement occurs, in reference to the Tenants' Compensation Act, viz:—"It is a specimen of class legislation, of the most odious kind, and can serve no other end than to reduce the value of real estate, already at a very low rate, as may be seen by the price paid by the government for the estate of Charles Worrell, Esquire;" and in a further petition of owners of land, dated 27th August, 1855, addressed to the late Right Hon. Sir William Molesworth, then Secretary of State for the Colonies, it is stated, in substance, that the Land Purchase Act was passed "to enable the local authorities to resell and dispose of the public lands to their numerous friends and adherents:"—*Resolved*, that the statements thus put forth by the proprietors and agents of land, are, in every respect, unfounded; that the government has not sought to obtain land at one-third of its value; that only one estate has been purchased by the Government under the operation of the Land Purchase Act, and that was purchased at a price considerably higher than that for which the same land was obtained by a private individual a short time previous to the Government purchase; that one of the petitioners who complains of the action of the local authorities in this respect, has recently purchased a large and valuable tract of land in this Island for a price very considerably less than the maximum price in the Land Purchase Act; and that the purchase on his part was effected while the Tenants' Compensation and Rent Roll Bills were under the consideration of Her Majesty's Government,—thus shewing the inconsistency of the petitioner alluded to, when he affixed his name to one of the petitions, wherein it is untruly stated that one of the disallowed Bills, if passed into law, would have a tendency to "drive all monied men from the Island, as no one will be inclined, or can be expected to invest capital in the purchase of land;" and with respect to the assertion that the local authorities either did or ever attempted or sought to resell the public lands to their "numerous friends and adherents," it is wholly without foundation,—all persons in the Island without distinction, being at liberty to purchase from the government lands on the estate alluded to.

Resolved, That nothing has contributed so much to retard the prosperity of this Colony, to foster discontent and agitation, and, at times, seriously to imperil its peace, as the continuance of the leasehold tenure, and too often the absence of a conciliatory spirit towards the tenantry on the part of the owners of landed property; and while the Legislature of the Colony, actuated by a sincere desire to promote public harmony and prosperity, has directed their efforts towards the removal of the evils complained of, by passing such salutary measures as would tend to elevate the character and improve the condition of the great majority of the inhabitants of the Island, without injuring the rights, of property, or pressing unduly on any class, their exertions have been counteracted by an absentee proprietary body, wholly irresponsible to any authority, aided by resident Land Proprietors and Agents who invariably embrace the views of the absentees,—that while such a state of things is allowed to prevail, and while absentee landlords and others are allowed

successfully to thwart the intentions of the Legislature, and thus despotically to wield the destinies of the Colony—it would be in vain to hope that the people of Prince Edward Island can attain to that measure of prosperity and contentment to which their intelligence, their industry, and their fidelity to the British Crown entitle them, in common with other of Her Majesty's subjects in the surrounding Provinces.

Resolved, That an humble Address be presented to Her Majesty the Queen, embracing the facts and views set forth in the preceding Resolutions, and praying that the Royal interference and clemency may be exercised, with the view of relieving the Colony from the anomalous position in which it is placed, from its being practically under the sway of a power so foreign to the constitution as that of a body of land proprietors, chiefly non-resident,—and that the Legislative Council be requested to join in the said Address.

Resolved, That an Address be presented to Her Majesty the Queen, praying that the Imperial Government will aid the local Administration in carrying out the recommendation of Her Majesty's present Colonial Minister, with respect to the further purchase of Township Lands in this Island, and that the Legislative Council be requested to join in the said Address.

Mr. WHELAN continued—These resolutions appear lengthy, but they could not well be otherwise, as it was necessary to recite in the preambles the false statements of the petitioners, which it is our duty to expose and contradict. There can be no doubt that the petitioners have manifested much zeal, (though they have been wanting in discretion and decency), in making out a case for themselves at the Colonial Office. They would fain make the world believe that they are a very much injured class of Her Majesty's subjects—that all the taxation of the Colony is either forced upon them, or attempted to be forced in that direction, and that nearly every Bill which passes this House contemplates a direct onslaught on the interests of the much aggrieved proprietors. Now, Sir, it is quite needless for me to remind you, that the owners of land in this Colony are those who are the least taxed for the maintenance of its institutions. The only tax they have at present to pay is a small one for the support of education, levied on their unoccupied lands. It has been often affirmed, and justly so, that no description of property should be held so liable to taxation as real estate. In this country the principle must apply with peculiar force, because nearly the whole of the land of the Colony was granted away in a few days, to a few individuals, who, though they may have made some slight show of services to the Crown, conferred no benefits on the Colony; and it should be remembered that when a separate Government was established in this Island, at the request of the proprietors, they readily engaged to bear the expense of its civil establishment. That engagement, like their previous ones, they very easily managed to evade. It may indeed be said, that all, or nearly all the present owners of township lands are not justly chargeable with the payment of our civil list, as they are not the parties who entered into the agreement, and had given valuable considerations for their estates. This argument has no doubt considerable force, and it has often impressed itself upon my mind as conclusive against the measure of escheat, so long and fruitlessly agitated in this Island. But the changing of the landed property of the country from hand to hand cannot for a moment be held to give an exemption against taxation. It is not the proprietor but the land which is taxed; and if it were just and equitable to levy a rate upon it fifty years ago, it is equally so at the present time. Now, Sir, I contend that the rent roll tax would have been a just and equitable rate; and the

defeat of that measure, as well as of the Tenant Compensation Bill, leaves the proprietors open to the severest animadversion. [Mr. Whelan then went on to say that he had already expressed his opinion, in the press, in strong terms, of the disallowance of the Bills under consideration—that his opinion had been quoted in a little pamphlet which he then held in his hand, and coupled with intemperate denunciations by the author of the pamphlet, which he (Mr. W.) or any one else might well afford to despise. He (Mr. W.) said he still adhered, most thoroughly, to every sentiment he had expressed in his capacity as a public journalist, and would readily repeat it as a member of the Legislature. He was then about to read an extract from the pamphlet, after making some allusions to the writer of it, when he was interrupted by two or three members in the minority, who said he was out of order. Mr. W. persisted that he was strictly in order, as the passage which he intended to read from the pamphlet had reference to the Rent Roll and Compensation Bills, which were incidentally the subject of that debate; but he said he had no doubt that those who interrupted him could not reply to his remarks, and perhaps he was attaching much more importance to the pamphlet than it really deserved. Acting on that presumption, he would throw the worthless thing away. Mr. W. then concluded with some general observations regarding the resolutions he had read—they were no doubt strong,—but the character of the petitions—the gross and malicious libels on the Colony contained in those petitions—and the systematic falsehood and misrepresentation by which the proprietors were enabled to mislead the Colonial Office, in a matter of great importance—called for a very strong expression of opinion on the part of that House; and if more forcible language could be suggested than that which he had adopted in the resolutions, without detracting from the dignity of the House, he would be happy to avail himself of it.]

Mr. COOPER.—I do not intend, Mr. Chairman, to occupy much of the time of the Committee. I shall merely state that I think the Government are in the position of a person who deviates from the truth. The first error makes other statements of a simple character necessary. Now, Sir, the lands were originally granted on certain conditions; those conditions have not been fulfilled. The right of the Government to try the titles is undoubted. In 1818 an inquisition office was held. The ministers have so far committed themselves, that the proprietors would have a claim for compensation, if their titles were bad. The ministers have no right to prevent the trial of the titles. I do not, however, object to the resolutions against the petitions, and I consider that as far as strong language goes, the resolutions are on a par with the petitions.

Hon. Mr. PALMER.—Mr. Chairman, I can see nothing which justifies what appears to be the object of the debate. I had supposed that we were to consider the various reasons which had influenced the Imperial Government in their action on the Rent Roll and Tenants' Compensation Bills. But, Sir, the Hon. Col. Secretary appears to have lost sight of that object in the fervor of his desire to manifest his personal feelings against individuals. Sir, personal allusions of a disparaging tendency ought not to come from him, of all men. He endeavoured to amuse the Committee by abusing Mr. Stewart, and holding him up to us in a ludicrous and contemptible light. Sir, I do not stand here as the defender of that gentleman, nor am I acquainted with his peculiar habits. The principal objection, however, appeared to be that he was not as free with his liquor as the Hon. Col. Secretary wished. Whether that be so, or not, the tenor of this discussion is derogatory to the dignity of this House.

The Hon. Col. Secretary has adopted the same style of observation in his allusions to another of the petitioners, Mr. Pope. These remarks were followed by the Hon. Mr. Whelan, attempting to explain away the attacks of the Hon. Col. Secretary, and he admitted the right of the parties to petition, a truly liberal admission, but forsooth that right must be exercised in such a manner as not to offend the members of the Government, so that the whole discussion resolves into a question of forms. While the right to petition is not denied, and the only avowed objection is to the particular manner adopted, the parties who feel sore at the reflections on themselves as legislators shew themselves far worse than those whom they abuse. The Hon. Col. Secretary and Her Majesty's Printer descend to depths at least as low as the petitioners. Are they not to repel the vile attacks made upon them? And I ask, Mr. Chairman, if it is the province of a Legislature to occupy the public time, and delay the public service, in order to give expression to vindictive feelings against individuals? Sir, we should manifest a spirit above that. Were it not that it would take up too much time, I would investigate some of those gross charges preferred against individuals, and could easily expose their false and malicious nature. But, I shall content myself, by cautioning hon. members to beware of making charges such as we have heard to night, of land-jobbing, fleecing the country and the like. I would remind them, that the Government has been accused of land-jobbing, of creating far offices to reward their own supporters. As the resolutions are to be laid on the table, I shall have another opportunity of commenting on them. Meanwhile, any gentleman maligned here, where he cannot answer, may probably defend himself in another place and in as public a manner.

Mr. HAVILAND.—Mr. Chairman, I must say that I am disappointed at the course the debate has taken. I supposed, that as the matter had been postponed for days and days, that when at last it did come up, we should have had a grand discussion on some constitutional question; but instead of that, I have been surprised at the gross personalities indulged by the Hon. Col. Secretary and the Hon. Mr. Whelan. And I tell those hon. members that they would not dare to use them, unless clothed with the protection of parliamentary privilege.

Hon. COLONIAL SECRETARY.—If the hon. member's friend will come outside the doors, I will repeat to his face what I said of him.

Mr. HAVILAND.—Then, Mr. Chairman, I can only say that a jury would give heavy damages. Mr. Stewart, who has been so foully maligned, is a magistrate for the whole Island, from the North Cape to the East Point, and if he has been thought worthy to receive such an appointment, surely he cannot deserve the remarks that have been made with reference to him. The Hon. Col. Secretary sneeringly alluded to the extent of Mr. Wright's property. Why, Sir, does he mean to say that a small proprietor is not as much justified in protecting his interests as a large one? It is somewhat amusing to hear the parties who make these attacks, say that they admit the right of petition. Well they may admit it, for it is a fundamental principle of the constitution, and the necessity of adding suspending clauses to the Bills arises from that principle, which enables a man whose rights are invaded to go to the foot of the throne. The hon. member, Mr. Whelan, laid down the principle that land was liable to taxation; no one denies it, but the taxation should be on all, not a particular portion. On what principle should the owner of more than 500 acres be taxed, while the proprietor of less is exempted? As is stated in these documents, small pieces of ground in Char-

lottetown are more valuable than large districts in the country. As to the famous "Ragged Regiment," without arguing as to the necessity which existed for organizing the force, it is the duty of all classes of the population to contribute to the defence of their country. With reference to the allusion of the Hon. Col. Secretary to those of the petitioners who hold offices, I wish he had manifested the same spirit on other occasions. We all, Mr. Chairman, remember the time when we were called on to contribute to the relief of widows and orphans, rendered to by the Eastern war, and on that occasion a member of the Government opposed our action; the Hon. Col. Sec'y was not so violent in his strictures then as now when a few individuals protest against their property being taken from them. The Tenants' Compensation Bill for Ireland, introduced by Mr. Sharman Crawford, it will be seen by Hansard, goes into the House of Commons every Session, and as regularly goes out. There is not the most remote chance of its ever passing, because it embodies the principle of interference with private rights. The House is so warm to night that I must defer any further remarks to a future opportunity.

Hon. COLONIAL SECRETARY had not said that the officers who signed the petition should be dismissed; but that they should have resigned their situations before affixing their names to such charges against the Government.

Mr. HAVILAND had omitted to refer to the arguments of the Hon. Col. Secretary, that the appointments to the Legislative Council proved that the old instructions had been abrogated. They proved no such thing, and the proper inference was that the Imperial Government were under the impression that the parties were qualified as the instructions prescribed.

Hon. COLONIAL SECRETARY said, that the argument of the hon. member was to the effect, that any fool who might chance to own 8,000 acres of land was fit for a seat in the Legislative Council. He had also stated, that he (Hon. Col. Secretary) had no right to speak of the petitioners as he had, but it was all right for them to pour their abuse on the Legislature. He had no objection to proprietors being in the Commission of the Peace for Counties wherein they held extensive properties; but they should not stigmatize their tenants as perjurers. Notwithstanding the objections of the hon. member and others, he adhered to his opinion that the Township Lands should bear the expense of a military force.

Hon. Mr. MOONEY.—With reference to the hon. member, Mr. Haviland's, allusion to his opposition to the Patriotic Fund vote, stated, that he had contributed to that fund from his own pocket; but had opposed the appropriation of the moneys of the people, without their consent, as he did not think there was much patriotism in compulsion.

Progress was reported.

The Hon. Col. Secretary introduced a Bill to alter and amend the Act relating to the Charlottetown Ferry, and the wharfs connected therewith—which was read a first time. House adjourned.

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SATURDAY, March 29.

ROUTINE BUSINESS.

Mr. Cooper presented a petition from certain inhabitants of King's County, praying for an investigation into the conditions of the original grants of Township lands. Mr. Laird presented a similar petition from inhabitants of Queen's County, and both were referred to a Committee of the whole House for Thursday next.

The Bill relating to the Charlottetown Ferry was read a second time—committed to the House in Committee, and agreed to therein with some amendments. Ordered to be engrossed.

The Bill in further amendment of the Act to incorporate the Minister and Trustees of St. James's Church, Charlottetown, was read a second time, submitted to the whole House in Committee, and agreed to therein, without amendment,—to be engrossed.

The Hon. Col. Secretary presented to the House certain papers relating to the Light Houses at St. Paul's and Scattarie, which were referred to Committee of Supply.

The House then in Committee and resumed the further consideration of the Revenue Bill, to which several amendments were made; the Bill was read through, agreed to, and ordered to be engrossed. The House then adjourned for an hour.

Having met in the afternoon—

INCREASE OF REPRESENTATION AND AMENDMENT OF THE ELECTION LAWS.

Hon. Mr. WHELAN moved the following resolution:—
“Resolved, that the House do now resolve itself into a Committee of the whole, to consider the expediency of revising the Election Law, with the view of altering and equalizing the subdivision of the electoral districts, and increasing the number of members by adding two to each County.”

The subject of this resolution, he said, had been under the notice of the House for some time, and postponed in consequence of there not being a full house. It was desirable that it should be now disposed of, as several members were again about leaving for the country.

Mr. CLARK seconded the resolution.

Mr. COOPER objected on the ground that the opinions of the people should have been manifested by petitions before such a measure was introduced.

Hon. Mr. LONGWORTH thought that before going into Committee, some reasons for the measure should be assigned. A measure altering the constitution so materially should be introduced as a Government one. Was the hon. member who brought it in, a mere cat's-paw of the Government? He suspected that the Government had received an intimation from Home, that the Assembly would be dissolved unless they put their house in order; and, therefore, the hon. member who was closely linked with the Government, had been selected to introduce the Bill to serve the interests of his party. It was a mere political dodge.

Hon. COLONIAL SECRETARY denied the statements of the Hon. Mr. Longworth. The proposition did not originate with the Government; in fact, when he first heard of it, he was opposed to it; but he would support it as tending to increase the liberties of the people, by giving them an increased number of members.

Mr. DOUSE.—As there were no applications for the measure, he supposed some hint had been given from the Colonial Office. He had only heard of it that morning. Twenty-four members were quite sufficient. It was not likely he would take his seat in a new House; but while here, would oppose such an uncalled for change in the constitution.

Hon. COLONIAL TREASURER would support the resolution to give the people a larger number of representatives than the present, which was insufficient. The people of Prince County would not object to the measure. The district he represented comprised no less than 14 Townships. The delays experienced for want of a quorum with the present members, formed a very strong argument in favour of it.

Hon. Mr. WHELAN.—Mr. Speaker, I did not intend to enter upon the discussion of this question before the House went into Committee; but as hon. members seem inclined to oppose going into Committee, and are desirous to know my reasons for introducing the question, I shall at once state them as briefly as I possibly can. The hon. member for the first district of King's County (Mr. Cooper) was the first to give symptoms of alarm at the introduction of the measure. It is not for me to say that his interests will be especially and injuriously affected by it, but it is quite probable he may apprehend that, if carried into effect, there will be an end to his ambitious schemes. He reminds us, of what we all very well know, that the country has sent no petitions in favour of an increase of the representation. True, but is it necessary that, before legislating upon any subject, we should wait for the reception of petitions? He asks if any despatches have been received from the Imperial Government, recommending the adoption of the measure I am about to propose? I can safely say that I have heard of no such despatches, and I believe the Colonial Secretary has told us there are none. I can never subscribe to the doctrine, that, before legislating upon any important question, we should wait to receive petitions from our constituents or despatches from the Home authorities. I have always entertained the opinion—and I think I shall never abandon it—that when a member is sent here, he does not appear in the character of a delegate, to carry out a certain code of instructions; but rather to act in accordance with the dictates of his own conscience and judgment, and to pursue that policy best calculated to promote the interests not of his own constituents only, but those of the whole Island at large. It is right that a member should consult with his constituents on public questions, as I frequently take an opportunity of doing, and endeavour to ascertain their opinions, and if possible reconcile them to his own, should there be any disagreement; but I do not conceive it to be any part of the duty of a member to sacrifice his own conscientious convictions to suit the views of any class of men. Now, Sir, I could easily point to some of the most important measures that ever passed the Legislature of this Colony, on behalf of which there was no popular demonstration at the time of their introduction. Let us take the Bill for increasing the elective franchise. That involved an important change in the constitution of the Colony. There were no petitions in favor of it; yet it passed, and I believe the people are thoroughly satisfied with it. I had the honor of first introducing that measure, and did so independently of the Government, because I did not then, nor do I yet consider that the Government should initiate every important question. An objection has been made that the question under consideration has not been made the subject of a Government measure. But if that had been done, I have no doubt the old cry would be raised by those who make the objection, that the majority are bound to be subservient to the Government, and must vote for the measure, so that in either case the minority would be sure to have an excuse for opposing it. If the principle were once established, that the Government—and the Government only—should bring forward important questions like this, then I should be out of place in making the motion I do; but until that doctrine—which I think is never likely to find favour in any free representative Assembly—becomes the rule amongst us, I must consider the course I have taken to be quite correct and legitimate. A far greater change was effected in the constitution of this Colony than that which I now propose, not only without the concurrence of the Government, but in spite of its powerful influence and long continued opposition. I would ask the gentlemen who profess to be so anxious that the Government

should take a lead in this measure, if they think we should ever have had Responsible Government, if we had waited for the administration of the day to carry it through the Legislature? (Hear hear.) With respect to an increase in the number of our representatives, I must say that since the change in our constitution, I have regarded such a measure as highly necessary. During the past year I have several times brought it to the notice of some of my friends in the Government, and urged them to bring it before the House; but until the present time they did not see the necessity for it. The course of our proceedings this Session has, however, convinced the most sceptical of my political friends that an increase of members and a revision of the electoral districts has become highly necessary. Parties have become so nearly balanced, that it is difficult to proceed with any business should there be any members absent from either side of the House. Indeed questions affecting the policy of the Government could not be discussed without a full House, for the minority would be always in attendance to meet such questions, in the hope of defeating the Government, while the majority would postpone or not commence the discussion until their entire force should be assembled. The expense to be incurred by an increased number of members, will no doubt be insisted upon as a very strong argument against the measure; but I think it is an argument worthy of little or no consideration, in comparison to the advantages it will confer. It is most unquestionably a great extension of the popular privileges, and is indeed as much entitled to the support of one political party as to that of another; for under an enlarged and improved representation Liberals and Conservatives would have equal chances. In the new subdivision of the districts, which I shall propose, there will be—with some few exceptions that cannot possibly be avoided—nearly the same number of inhabitants to every electoral district; and another principle which shall be kept steadily in view, will be, to give about the same extent of territory to each district—not, as at present, fourteen townships to one; eight to another, all thickly settled; four or five to another, and so on; while the new districts can be so arranged that the several townships constituting them will be in a direct line, one close upon the other, and not running in different directions, as is at present the case. The opposite party say they stand well with the country, and that public opinion is against this side of the House. If that be the case they can have no reasonable objection to giving additional force to the popular element in this House. If the assertion regarding their great popularity is based upon truth, then the chances are all in their favour and against us. The strongest opposition to this measure, I have no doubt, will come from the gentlemen who represent the Towns. Now, there is no intention to interfere with the representation of the Towns and Royalties, at least not with two of them. No one will dispute the right of Charlotetown to return two members. Georgetown is entitled to similar representation; it is a place of growing importance—rapidly extending its population and its commercial transactions. But such is not the case with Princetown. The Royalty, indeed, has been long since settled; but the Town is nowhere. I am not aware that the place called the Town has any inhabitants at all; for many years it had only one, and that one removed from his solitary location. The Royalty is, in fact, the place that has the representation, and not the Town; and yet we find, according to the last Census, that the whole place has only ninety-five persons capable of exercising the elective franchise. Now, considering that some of the electoral districts in the Island have as many as fourteen hundred and fifteen hundred electors, is it not absurd to give ninety-five voters the same extent of representation as

we give fifteen hundred? I therefore propose to make Princetown and Royalty a more respectable constituency by adding Lot 18 to it. (Hear.) I am glad the hon. members on the other side approve of the proposition. I do not know whether the exclamation of "hear" came from the hon. member who represents Princetown and Royalty, but I have no doubt that he is well pleased to learn that I wish to give him a constituency of over two hundred electors instead of ninety-five. There are about 120 electors on Lot 18, these added to Princetown and Royalty would make it a tolerably respectable constituency. Not the least important object to be gained by the change is a general and more equal subdivision of the electoral districts, so that population and territory may have their legitimate influence in the scale of representation. By referring to the map of the Island, it will be seen that the district which the Hon. Col. Treasurer represents, comprises nearly one-fourth of the Island, including fourteen townships. Then look to the first and second districts of Queen's County—they are not only enormously large as regards their area, but the population of each is more than that of any other two districts in the Island; besides, they have not been divided off with any regard to their topographical position, for in order to get to one district you have to run across the other. The same objection will, in some measure, apply to two of the districts of King's County. It must be owned that there is not here that great inequality with regard to population which is observable in the other two counties, but it will be quite easy to make a far better subdivision of the districts, especially since it will be necessary to make two districts of what is now called the Murray Harbor district. It has been hinted that this change in the election law is to be brought forward as the preliminary to a dissolution of the House. The Governor can, of course, dissolve the House whenever he sees the necessity to do so; but I utterly deny that this measure is mooted by me in concert with the Governor or his advisers, or in connection with any intention, if such does exist, to dissolve the House before its legal expiration. Indeed, I shall be willing to insert a clause in the Bill, which I trust will be brought in, to the effect, that the Bill shall not go into operation until the House shall legally expire. This is not the time or place to discuss the details of the measure, but I may be permitted to observe, that notwithstanding the addition of six members to the present number (which is the increase I am prepared to propose), I think we should adhere to the present rule of the House, that twelve members and the Speaker shall constitute a quorum, in order to facilitate the transaction of the public business. In a House of thirty members twelve would be decidedly a minority; and it may be objected that it would be giving the minority too much power to permit them to proceed with the performance of the public business; but for that we have a precedent in the practice of the House of Commons, where out of about six hundred members forty-five constitute a quorum. Another advantage connected with the proposed change would be, that country members would often have an opportunity of visiting their families, without detriment to the public service. It is now eighteen years since there was a change in the constitution of the House of Assembly. Previous to that time there were only eighteen members. Eighteen years ago it was considered that the Colony had sufficiently far advanced to justify the addition of six members in the lower branch of the Legislature. Are we to remain as we were eighteen years ago? Must the growth of our institutions stop, while the country at large progresses? What was the state of the Colony when our predecessors enlarged the popular representation? Its population is now more

than one-third larger than it was then; whilst the number of electors under our present law has considerably more than doubled. Under the old representative system, the franchise was restricted to property holders, whose number was small, in a country where, eighteen years ago, there were comparatively few freeholders, and very many tenants without the legal qualification to vote; now every individual twenty-one years of age may exercise the franchise; and it is therefore not too much to say that the number of electors has considerably more than doubled. The revenue of the country is now nearly £50,000; eighteen years ago it was little over £10,000; and if we could afford the expense of a House of Assembly of eighteen members then, we can surely better afford the expense of a House of thirty members now. Keeping all those considerations in view, I fully believe that the measure I am about to propose is eminently called for; and I shall now conclude by moving, that the House do resolve itself into a Committee of the whole, to take into consideration the necessity of revising and amending the Election Laws, with a view to a more equal subdivision of the districts, and an addition to the number of representatives.

Hon. Mr. LORD would have preferred that the Government should have introduced this measure, to prove their strength. It would have been carried by a sweeping majority. He was satisfied that the majority of the electors in the country would support the Government in carrying such a measure. His opinion had not been canvassed on the question, of which the first intimation he received was the notice in the order book. Had he been asked if he would support the Government in a Bill of this nature, he would readily have answered in the affirmative. He wished that the Government had introduced it, but now that it was before them, were they to be debarred from voting for it because there were no petitions in favor of it? The Bill was necessary, and believing it to be so, he was not afraid to face his constituents and discuss it with them. One reason for the Bill was to be found in the fact, that one district containing only 97 voters, sent as many representatives to the House as others containing 1500 or 1600. He supported the measure regardless of what the opposition might say. He was independent of the Government, and would oppose them, if he thought them actuated by improper motives.

Mr. HAVILAND was amused to hear the hon. member boast of his independence. There was no one in the House who talked so much independence. He would tell him, however, that he (Mr. H.) would never consent to alter the constitution in the manner proposed. It was a matter of vital interest to the country, and it was the duty of the Government to introduce a measure of this nature if they deemed it was required. The English Reform Bill was not introduced into the British House of Commons by a private member. The Government of the day assumed the responsibility, as the Executive Government of the Island should in this case. The true reason for the Bill was the closeness of recent divisions. That inference was justified by the fact that it had not been canvassed in the different public prints, nor were there any petitions on the table to show that it was desired by the people. When it was stated that it should have been introduced as a Government measure, the mover in this question suggested that the country would never have had Responsible Government had the people waited for the Government of the day to introduce it. But there was no force in the remark, for the constitution of the day was totally different from that in existence now. The Government at that time was responsible only to the Imperial authorities, now they held office at the pleasure

of the people; and it was consequently their bounden duty to assume the responsibility of introducing measures which they might deem conducive to the welfare of the people, especially such as involved such important changes as the one under consideration. The Hon. Col. Secretary said that he would support the Bill, as increasing the liberties of the people. That might be the actual motive which induced him to support it, but if so, why had the Bill which he (Mr. H.) had introduced to render the Legislative Council responsible to the people, received the strenuous opposition of the Hon. Col. Secretary?

Hon. Mr. MONTGOMERY would wish to know why a measure of this importance was introduced at this late period of the Session. He had never heard it mooted till a day or two since. It was time enough to introduce it when the people called for it. As far as the principle was concerned it might be unobjectionable, but there was certainly not time sufficient to adjust the details. As allusion had been made to Princetown and Royalty, he could state that 170 votes were polled there at the last election. The House had yet two years to run; if the people were in favor of it he would not oppose it; but he had not heard one advocate it; on the contrary, he had listened to the wish that their numbers should be reduced to the former eighteen. He would oppose the Bill as being premature.

Hon. Mr. WIGHTMAN said that the hon. member, Mr. Haviland, had stated that it was a Government measure; but the introducer had expressly declared that it was not; but that it was introduced in consequence of the increase of population rendering necessary an increase of representatives. Why should the privileges of the people be limited now that we had Responsible Government?

Hon. Mr. MOONEY, on referring to the Journals of former years, could not find many Government measures introduced by the leader of the present opposition when he had power. Even the measure to exclude from the House all officers save the Attorney General and Provincial Secretary was not introduced as a Government measure, though it involved greater change in the constitution than the one under discussion. As to Princetown, he remembered the time when some twenty-four voters sent two members to the House. No wonder the representative of that place should be annoyed at the proposed change. He would have no objection to support the Bill as a Government measure.

Hon. COL. SECRETARY.—At the time of the English Reform Bill, alluded to by the hon. member (Mr. Haviland), Earl Grey was in opposition. He was sent for and instructed to form a ministry; he did so, and carried the Bill. As to this not being a Government measure, did the hon. member mean that members of Government were bound to oppose every measure they themselves did not introduce? He had only heard of the intention to introduce the Bill on Good Friday. The census returns shewed that the change was but an act of justice to the people. As to the stress laid by the hon. member on the change in the constitution, his own Bill for making the Legislative Council elective involved a greater change. If the present Bill was necessary, now was the proper time to pass it, because if they waited till the last Session of the House, they might be charged with motives of political intrigue. At present the Government were sustained in the House. If any differences did exist among their supporters they were merely on points of minor importance—not sufficient to disunite a party. They all know how often the public business was stopped for want of a quorum, and it was unjust that there should be such a difference in districts. They should be assimilated with as much reference as possible to population.

Mr. COOPER considered the people as the body and the Government as the head. It was necessary to strengthen the body, but not the head. He was afraid the latter was becoming too big for the former. The additional expense would be considerable. He considered the measure introduced with a view to prevent the proper settlement of the land question. Mr. Pope had told him that in the last arrangement of the electoral districts it had been necessary to cut out one to suit him. The division in the Bill appeared to him to have been made with the view of placing certain districts under particular influences. In some, the influence of the rent roll might preponderate. If the question had been referred to the people—if the hon. member, Mr. Whelan, had confined his action to a motion that the Bill be printed for general information, he would not, perhaps, oppose it. If, as had been stated, the Bill were really desired by the people, there could be no objection to their opinions being before us.

Hon. Mr. PALMER was reminded of the old distich—

"Treason never prospers: what's the reason?
Why, when it prospers none dare call it treason."

So it was with the Government measures; when they fail they are not Government measures. As to the disclaimers of this being a Government measure, he considered them all bunkum. It was a Government measure, no matter who introduced it; it originated with the Government, and was introduced by an officer who owed his place and position to the Government. It had not been asked for by the people. The true history of it was, the Government, in secret conclave, had concocted this Bill to save themselves when they found their position was becoming critical. From the absence of any reasons shewing that any necessity for the Bill exists, it was only fair to suppose that the true motives for introducing the Bill were covert, and that there were none other. Let the Bill once pass the House, and then would be witnessed the mockery of sending it to the Legislative Council, where not even two could be found to say it should not become law. It was melancholy to consider the corruption of that body, where any measure against the office-holders would not find a seconder. Was there any doubt as to what course that body would adopt when the fiat had gone forth from this House? They would follow the course pursued here, as the shadow follows the substance. The principal reason alleged for the Bill is the increase of the population of the Island; but on comparison with other countries, there will be found no grounds to justify this measure on the fact of population having increased. The hon. member here read a variety of statistics of proportion of representation to population in Great Britain and Ireland, as well as in the United States and North American Colonies, to show that the representatives had much larger constituencies in those countries than here. The Reporter could not take down the numerous figures. The hon. member then proceeded to state that if the number of members of the House were increased, a proportionate augmentation should be made to those of the Legislative Council; however, as at present constituted, it mattered little whether it consisted of 12, 24 or 48 members, the business could be done just as well by one. The Clerk could read a Bill to him, and let him be styled the Legislative Council. The additional expense of the increased number of members would be a serious burden, unasked for by the people, and merely imposed to serve party interests. It was rather an Irish way to test the sense of the people on the Bill after it had passed. It had been properly suggested that it should lie over till the people's opinion had been taken on it. The question had never been mooted. The Hon. Col. Secretary had stated

that he had first heard of the Bill on Good Friday; truly an appropriate day for bad deeds. He thought that the House should not go further in this matter than to give notice for next Session, or as the hon. member, Mr. Cooper, had suggested, let the Bill be printed, and the public opinion elicited by next Session. He supposed the Government had given the best reasons they could for passing the Bill, but they certainly had given no reason for pressing the matter any further this Session.

Mr. LAIRD was not convinced that the Bill was required. If it was not a Government measure, it must be the people's, and he should like to see an expression of their wishes. The people wish many things they cannot get. If it were not a Government measure, yet it had been brought in by the hon. member, Mr. Whelan, who was trying to shift his district to the swamps about the Worrel estate to secure his re-election. He would not support the measure as he had heard no good reason for it.

Mr. CLARK said, that as to the honorable member having heard no good reason for the Bill, no doubt it was difficult to get reason into his head. The Bill was intended to remove the great difference that now existed between the different electoral districts. It had been truly stated that the want of a quorum had delayed the public business of the country. This was particularly the case while the Georgetown Court was sitting; and at other times members frequently wished to go to their homes. The increase would give a better chance of making a House. He had decided to support it, although at first he was not favorable to it. He had never heard that the Government would support it. It would not do to parcel out the districts to suit themselves; but it was wrong that a constituency as small as Princetown and Royalty should have as much influence as others much more numerous. He believed that the Bill would render the districts much more compact than they were at present; however, the details must be matter of mature deliberation.

Hon. Mr. WHELAN said that a personal attack had been made upon him by an hon. member from Queen's County (Mr. Laird) which he felt it his duty to notice. In bringing forward this measure, he had been told that he was influenced by private and selfish motives—that its main object was to secure his election by altering his own electoral district. Now this accusation was made in utter ignorance of the facts, and had not a particle of truth to rest upon. He had been about ten years in the House of Assembly, during which time he had run many elections, and was never once defeated. If the hon. member who made the attack could say as much for himself, he might speculate with some degree of assurance regarding the elections of others. To show that he had no personal interest in the proposed change in the Election Law, he contemplated detaching from his present district one of the best Townships it includes, viz. Lot Fifty five, where he had been always generously and almost unanimously supported—a township thickly settled, where he had many esteemed private as well as political friends, and whose support, in every contest, he was morally certain of obtaining. He did most sincerely regret that a necessity existed for detaching Lot 55 from the present Second District of King's County; but it would be impossible to make the fourth district, which the new arrangement would require, without adding Lot 55 to that which is commonly called the Murray Harbour District, and then splitting that district in two. No other consideration would induce him to sanction the alteration, and even as it was, he felt that his friends on Lot 55 would be apt to complain of his transferring them over to another district; but he trusted that when the whole facts of the case were brought to their knowledge, they would not condemn the con-

duct of one who would certainly regret the separation much more acutely than they themselves could. With regard to the St. Peter's portion of the district, he (Mr. W.) proposed to leave that as it was under the old law; so that it might be easily seen that instead of gaining by the new arrangement, he would be losing a very large number of his best supporters. There was some novelty, if no ingenuity, about the objections raised by the hon. member for Charlottetown (Mr. Palmer) to the proposed measure. He said it ought to have originated with the Government, but they being afraid to venture into deep water, did not like to incur the risk of bringing it forward; yet, the hon. member contended, it should be considered a Government measure, because it was brought in by a person who receives "a large salary" from the Government. Members on the other side were evidently very much distressed about his (Mr. W.'s) salary, as they were pleased to call it, when in fact there was no salary at all; he received, like any other person doing work for the Government, payment for any specific services that might be rendered; and because the services were numerous, expensive and laborious, the annual cost of them amounting to a considerable sum of money, the gentlemen in the opposition seemed to consider it necessary to remind the House of the fact at least once every day during the Session. As to the Government being afraid to venture "into deep water"—that is, afraid to bring forward this measure as a Cabinet question from fear of not being sustained, that was all nonsense. It would certainly be more likely to secure a majority in its favour than it could when introduced as an open question; and he (Mr. W.) would certainly not have brought it forward unless he knew there was a majority in its favor. Of course he was prepared for the opposition of the hon. member for Charlottetown. It would be a miracle if he did not oppose an extension of the people's liberties in the way proposed, when he tried, a few years ago, under Sir Donald Campbell, to destroy them altogether by the notorious Franchise Bill sent secretly to the British Parliament. That hon. member had reminded the House of the proportion of representation to population in Great Britain and Ireland, and also in Massachusetts, and other parts of the American Union, in order to show that the people of this Island were more fully represented than their fellow subjects in Great Britain and Ireland, or their neighbours in the States. But the comparison was absurd and untenable so far as the British Islands are concerned, because there they have a House of Commons of 650 members, and could not well increase their number—there a very high property qualification is required of the representative; and in short, the circumstances of an old country like Great Britain are so vastly different from what they are in an infant Colony, that comparisons, always said to be odious, become particularly so when instituted in reference to them. Why, if we were to assimilate our representation to that of Great Britain and Ireland, instead of 24 members, we would not have two in the Assembly of this Colony. And as for Massachusetts, which was also cited for their edification, there are some districts in this Island, such as the first and second districts of Queen's County, where there is a far greater number of inhabitants represented than can be found in any of the Massachusetts constituencies. That State, according to the hon. member, has one representative to every 3,000 inhabitants. Well, the first and second districts of Queen's County have over 11,000 each, while only two members are returned; thus shewing that Massachusetts, an old, wealthy and populous State, has only about half the amount of population that we have. The third district of Queen's County has also a larger population to each representative than that

assigned to Massachusetts; so the comparison, with regard to that State, is entirely against the argument of the hon. member. Viewing the matter in all its bearings, there could be no doubt that an increase of members was necessary. The population, wealth and resources of the country were greatly on the increase; and a House of thirty members could never be said to be too large; no Colony, he believed, had less; and it was obvious that with less no Government could be successfully conducted.

Hon. Mr. LONGWORTH moved to postpone the measure till that day six months. The hon. member, Mr. Whelan, had said the Bill would not come into operation for two years. Why not say at once, it is the law of the land, and let a dissolution take place? As to the argument about population, if that principle were adopted, Queen's County would be entitled to as many representatives as the other two Counties together. What Bills had the Government brought down? A magistrate's manual. All the hon. member cared for was £30 or £40 for printing. He was surprised at this question being brought forward at the last hour by the so-called independent member of the Government.

Mr. McINTOSH thought the people of the Island, in proportion to their numbers, better represented than any people in the world. A measure of this nature should be approached with all caution, and acrimonious feelings should be allowed to slumber. He did not consider the increase in the number of the members was called for by the people. He did not say that a re-arrangement of the districts was not called for; but this measure would not benefit the Colony. Before questions so deeply affecting the people are introduced, there should be something before the House from the people, to shew what they wished members to do. The pressure from without was always recognized in other countries. Earl Grey resigned, and was returned to power that he might carry out the Reform Bill. He recommended due deliberation. He had only seen the notice on the Order Book two days since.

The question being then taken on the resolution to go into Committee on the subject of the Election Law, the House divided as follows:—

For the resolution:—Hons. Messrs. Whelan, Warburton, Lord, Wightman, Coles, Mooney, Messrs. Clark, Munro, Muirhead, Dingwell, Perry, McGill—12.

Against it—Hons. Messrs. Palmer, Montgomery, Longworth, Messrs. Douse, Laird, McDonald, H. Haviland, Cooper, McIntosh—9.

It was therefore carried in the affirmative.

It being then moved that the Speaker leave the Chair, and that Mr. McDonald take the chair of the Committee, it was moved in amendment to substitute Mr. Perry for Mr. McDonald; and this amendment was lost on the same division as the foregoing, with the exception of Mr. Munro's name, he having voted with the minority. The original motion was then put and carried. On a motion to go into Committee, Hon. Mr. Palmer moved in amendment, "that the House do now adjourn," which was lost on the following division:—

For the amendment—Hons. Messrs. Palmer, Montgomery, Longworth, Messrs. H. Haviland, Cooper, McIntosh, Douse, Laird, McDonald—9.

Against it—Hons. Messrs. Whelan, Coles, Mooney, Wightman, Warburton, Lord, Messrs. Clark, Munro, Dingwell, McGill, Perry, Muirhead—12.

The House then went into Committee—Mr. McDonald in the chair.

Hon. Mr. WHELAN proposed the following resolution. He said it was unnecessary for him to offer any remarks in

support of it. The principal which it involves had been already fully discussed :

“ *Resolved*, That it is expedient to revise and amend the Election Law, with the view of adopting a more equal subdivision of the Electoral Districts, and of increasing the number of Members by adding two to each County.”

The resolution having been seconded—

Hon. Mr. PALMER objected to the Committee taking any further action than receiving the resolution. Hon. members should be allowed time to consider what course it was best for them to pursue ; and would therefore move that the Committee rise and report progress.

Hon. Mr. WHELAN said he could see no just reason for postponing the further consideration of this question. The arguments both in favour of, and against it had been thoroughly considered and discussed. If the hon. member for Charlottetown wished to propose any resolution embodying his views, there would be no objection to waiting half an hour or an hour, if the hon. member should require that length of time to prepare a resolution.

Hon. COLONIAL SECRETARY stated that when the hon. member, Mr. Palmer, was in power, it was not his custom to defer to the wishes of the minority. As to the remarks of the hon. member, Mr. McIntosh, he had acknowledged that he would do nothing but what he was told to do by the people. Was he here, then, that when any measure was introduced he should send to his constituents to ask how he was to act with reference to it? He was in error in saying that the increase of representatives was frittering away the privileges of the people ; and the minority need not manifest such wrath as they had shown, for if the measure was as unpopular as they had represented it, it would benefit them. He was not there to vote as he might be told, but would oppose the petitions of his own constituents, if he thought they were wrong, and risk the loss of his seat. He had heard it said that he would not be returned at a future election. Perhaps his defeat, which, however, he did not believe would occur, would be a benefit to himself personally.

Hon. Col. TREASURER would support the resolution for the Special Committee. Prince County was very unequally divided. His district comprised three fourths of the whole county. He had been returned eight or nine times within ten years. He had received the opposition of the Tory party, and his opponent on one occasion, was agent for one of the largest proprietors in the Island, but he had beaten him by a large majority. If there were an election to-morrow he would not be afraid of his return as a member of the Government. In fact, a perfect stranger, if in favor of the Government, would be returned over an opponent of it.

Mr. McINTOSH would make a brief explanation as to the allusions the Hon. Colonial Secretary had made to him. He had been more than once accused of violating his pledges. If that statement were made on the Hon. Secretary's own authority, or the authority of others, it was equally untrue. He had never been pledged but to one measure. The Government would be sure of his support as long as they did right.

Mr. DINGWELL considered a great deal of time had been wasted in a question which might be decided with a few words. The real object was to increase the representation. If the measure became law, it did not necessarily follow that it would go into operation before the natural death of the present House. It had been objected that it was premature ; but let it take its course, and the people could express their opinion of it.

Hon. Mr. MONTGOMERY was amused at the reasoning of the hon. member to let the measure become law, and afterwards let the people express their opinions regarding it.

That was like hanging a man and trying him afterwards. The House might alter the Electoral Districts without increasing the number of members. As to what had been said about Princetown and Royalty, it was true that district had not increased as fast as Charlottetown or Georgetown, but the inhabitants paid a larger amount of taxes than any other part of the country, and the proposed scheme would virtually disfranchise them.

Hon. Mr. WHELAN asserted that the measure, so far from disfranchising the people, would have the contrary effect of increasing their privileges, and would give the hon. member who had just sat down the opportunity of representing an enlarged constituency.

Mr. COOPER'S objection was, that the increase of members would only delay the business of the House, and increase the expense. A look at the map of the Island would shew that there was no difficulty in equalizing the division of the districts. He did not think an increase of representatives would increase the power of the people, for he had heard members deny that it was their duty to consult their constituents. The hon. member moved an amendment, embodying his views.

Hon. Mr. PALMER said, that the supporters of Responsible Government had admitted to-night that it had somehow got a hitch in it. In fact, it appeared that it was somewhat of the nature of Indian Rubber, which could be drawn, stretched and twisted to any shape. The House was not too small for Responsible Government, but too small for the office-holders who wished to get in. The office-holders having seats in the Canadian Assembly formed but one-fifteenth of the whole ; here they were one-fifth. If the population varies in the different localities, could not the divisions be re-arranged without an increase of members? The hon. member concluded by moving the following resolution in amendment :—

“ *Resolved*, That an increase in the number of Representatives in the House of Assembly of this Island, is not called for by its Inhabitants, nor proposed by its Government ; and inasmuch as such a measure will greatly augment the expenses of the Legislature and impose unnecessary burthens upon the people, who are already represented in the House of Assembly by a far greater number of members, in proportion to the population of the Colony, than the neighbouring Provinces, it is, therefore, inexpedient to make any addition to the number of its Representatives.”

Mr. DOUSE could not go for the resolution for a Special Committee, when he saw no less than six officers of the Government, including Major McGill, (laughter) in favour of it ;—he felt that the Government were trembling in their shoes. It was not likely that it would be long before the measure, if passed into law, would be put in operation. If reform was wanted, let the Government reform the other Chamber.

Mr. MCGILL said, that if the hon. member had received no more of Lord Selkirk's money than he (Mr. McG.) had obtained out of the public purse, he would not have been able to purchase an Estate. (Hear).

Mr. DINGWELL deprecated the imputation of selfish motives. Increase of population rendered increase of representation necessary, and passing a Bill for that purpose now would give the people time to express their opinions before the next General Election. In distributing the public money for roads bridges, and other objects of a local nature, no two representatives could do justice to a constituency spread over a large tract of country.

After a few further remarks the question was taken on the Hon. Mr. Palmer's amendment, which was lost on the following division :

For the amendment—Hons. Messrs. Palmer, Montgomery, Longworth, Messrs. H. Haviland, Cooper, McIntosh, Douse, Laird, McDonald—9,

Against it—Hons. Messrs. Whelan, Coles, Mooney, Wightman, Warburton, Lord, Messrs. Clark, Munro, Dinwell, McGill, Perry, Muirhead—12.

Mr. Cooper then moved to strike out of the original resolution all after the word "Districts"—(being that part which recommended an increase of members), when the House divided, and the amendment was rejected—the names being taken down as in the foregoing division. The question was then taken on the original resolution and agreed to, the division being the same as the foregoing one.

A Committee of seven members was appointed to prepare and bring in a Bill in accordance with the resolution, as follows:—Hon. Mr. Whelan, Mr. Perry, Mr. McGill, Mr. Clark, Hon. Mr. Wightman, Mr. Muirhead, and Hon. W. Lord. House then adjourned.

MONDAY, March 31.

SUMMARY OF PROCEEDINGS.

NEW LINES OF ROAD.

Hon. Mr. Mooney, from the special Committee, presented to the House the draft of their report relative to the opening of new lines of road, which was committed to a Committee of the whole House, and agreed to therein with some amendments. It was then reported and agreed to as follows:—

1. Your Committee to whom were referred the several Petitions praying for the opening of new lines of Roads, as also the Reports of different Commissioners appointed during the last recess, have to report—

2. That it be recommended to the Government to appoint a Commission to open a road from the lower settlement, Nail Pond, to Pig Brook Settlement, between the farms of Brazille Doucette and Michael Ready.

3. That a line of Road be opened from the Main Western Road to Summerside, on the line between Joseph Green and the late Daniel Green, provided a free right of way is given of not less than forty feet in width.

4. That it is recommended a commission be appointed to survey and appraise the damages, if any, which will accrue from the opening of a new line of road on the line between Lots 18 and 19, and report thereon, as prayed for by the Petition of Inhabitants of Indian River and Barbara Weit.

5. That it is recommended a Commission be appointed to ascertain and report on the practicability and probable cost of opening a new line of road leading from some part of Fermoy Settlement, Lot 18, to the main road, on the line between George Ramsay's and William McKenzie's farms.

6. That it is recommended a road be opened according to a plan now before the Committee through lands in the possession of James MacKinnon and Lauchlin Gillis, in a straight line through the different farms towards the Chapel on Lot 14, provided all the proprietors of land are willing to give the right of way.

7. That it is recommended a Commission be appointed to report on a new line of road on the line between Lots 13 and 14, on the farms of Macintosh, Doherty and Preshaw to the shore.

8. That it is recommended a Commission be appointed, if deemed necessary, to appraise the damages, if any, which will accrue from the opening of a new road from Wheatley River Bridge to Johnston's on the Princetown Road, and to report thereon for the information of the House, at the next Session.

9. That it is recommended a Commission be appointed to survey and report on a new line of road to be opened on the East side of Seal River to the main road leading to Vernon River Bridge.

10. That it is recommended that the Government do cause a survey to be made of the line from Edward Johnston's farm, on the Princetown Road, to the School House on the New Glasgow Road, their report to be laid before the House in the next Session.

11. With respect to the Petition of James Doyle and other Inhabitants of Township 48, your Committee would recommend a survey to be made, and a report thereon laid before the Government, and the line of road to be opened, if approved of.

12. That a new line of road is required for a distance of 40 chains on the County line, North, between Township 49 and 50 and 66.

13. That it is recommended that an inquisition be held, and a line of road opened on the County line between King's and Queen's Counties from the Whim Road to the Murray Harbour Road, at the Southern Corner of Lot or Township 61—a distance of about one and a quarter mile.

14. It is also recommended that similar steps be taken to open a line of road from the County line at Mackenzie's Mills, between Lots 57 and 58.

15. That with regard to the Report of the Commissioners as to the expediency of either continuing the straight line of road across the Swamp from Enman's to Matheson's, on Township 55, or of opening a new line in accordance with a plan drawn by the Surveyor General, and submitted to the House last Session, your Committee have to recommend that the line of road be opened, as it can be done at a cost of about ten pounds, as stated by the Commissioners in their report, and as the award be paid to parties owning land over which the proposed new line of road would run, would be only about twelve pounds; and whereas it appears to be impossible now to straighten the old line, as the work would not be proceeded with as at first contemplated, unless the contracting party were allowed to go on with it before the first day of March, and then allowed the large sum of Fifty three Pounds,—under these considerations there can be no doubt that the opening of the new line of road would be a decided advantage to the public.

16. Respecting the Petition of the Settlers of Mill River, Lot 46, your Committee consider that the central road recommended by them, as follows, will carry out the object of the Petitioners, viz: that a further survey be made, (in continuation of the late survey) from New Harmony, Westward, in the most suitable direction through the several Townships to Mount Stewart Bridge.

17. It is recommended that the line of road on the North side of Grand River, Lot 55, down to Poplar Point, be opened under the Compensation Act, and that the sum of Twenty Pounds appropriated this Session for that road be expended on the South side, in making a road leading from the highway to the River, at McLeod's Ferry, near the new Chapel, where the right of way has been offered.

18. Your Committee further recommend that a new road be opened from Lewis' burnt house, Lot 41, or near thereto, and thence in a straight line to the Bear River Road, Dixon's Mills, provided a right of way is given free of expense, and when the new road is fit for travelling the present shore road to be closed.

19. With respect to the Petition of the Inhabitants of Green Vale and Mill River, Township 46, praying for a new line of road from said settlement to Souris Road, and also the Petition praying for a new line of Road from Sheep Pond

to the old Chapel Road, Rollo Bay, it be recommended to the Government to obtain information as to the necessity of the road prayed for, also if the right of way is to be given, and if not, how much of the right of the line of road will have to be purchased, of the nature of the ground, and the probable expense of making the said road.

A Committee was then appointed to prepare the draft of an address to His Excellency pursuant to the above report.

Hon. Mr. Mooney, from the Committee to whom was referred the petition of inhabitants of Lot 36, relative to an alleged surplus of land contained between that Township 48, presented to the House the report of the said Committee, in which they recommended a survey to be made, commencing at the north shore and running from thence southwardly for the distance of ten miles, 3,400 feet being the distance allowed in the original grants of Townships 35 and 36, and that the Attorney General be directed to prosecute for the recovery of said lands, with a view to their settlement, under the provisions of the Land Purchase Act. Mr. Mooney having moved that the House do adopt the report, it was rejected on a division of 12 to 13.

In the afternoon sitting the Special Committee on the Public Accounts presented their report, which was submitted to a Committee of the whole House, and gave rise to much desultory debate, which would now be uninteresting to most readers. The report was agreed to with some amendments, and the House adjourned.

TUESDAY, April 1.

INDIAN BILL.

The House in Committee resumed the further consideration of the Bill relating to the Indians, sent down from the Legislative Council, which was slightly amended. The House having resumed, the Bill was read a third time and passed.

ROAD FROM ENMAN'S TO MATTHEWSON'S, LOT 55.

The Hon. Mr. PALMER moved that the report of the Committee on the opening of new lines of road, as adopted by the House the previous day, be referred back to the Committee of the whole House, for the purpose of altering that part which contemplated the opening of a new road from Enman's to Matthewson's, Lot 55. The hon. member contended that the old line was the proper one—that it could be repaired at small expense—that the person who had overflowed it, by raising the water of his mill-dam, should bear the whole, or at least part of the expense,—and that the proposed new line would cost a large sum of money, and inflict much injury on private individuals.

Hon. Mr. WHELAN opposed the motion. His hon. colleague and himself had carefully considered the matter, and had come to the conclusion that the opening of the new line was not only practicable, but would be attended with little expense—the right of way would cost only £12, and the making of the new line only £10 more; while it was impossible to repair the old road, except during the winter season, and that only one person would engage to do it then, for which he demanded £53, but would not undertake it at all unless he got the work to do previous to the 1st March. In corroboration of these facts, he appealed to the report of the Commissioners appointed by the Government last year, (which he read), and it was in accordance with their recommendation that he and his colleague agreed to have the new line opened, in which the House concurred in the absence of the hon. member for Charlottetown. The Commissioners,

he said, were disinterested and well-informed persons, and living near the place alluded to, were competent, he thought, to form a more correct opinion than the member for Charlottetown. Besides, it would be rank injustice to make Mr. Hayden, whose mill-dam was said to have overflowed the old road, contribute anything towards its repair, much less bear the whole expense attending it, as the road was always swampy, and nearly impassable before Mr. Hayden ever erected a mill there; and that the road, in fact, was in a worse condition before he went there than since.—As all the members for King's County, including Mr. Dingwell, took a different view from Mr. Whelan, although there was no discussion whatever on the previous day regarding the matter, when the opening of the new line was concurred in unanimously—all the members for Prince and Queen's County, excepting the Hon. Mr. Mooney, considered Mr. Whelan in error, and voted for Mr. Palmer's motion. A new light had very suddenly and very mysteriously burst upon the minds of the King's County members. The Report was accordingly referred back to the House in Committee, when, after various suggestions, and much debate, the report was amended by striking out all after the word "recommend," in the fifteenth paragraph to the end thereof, and inserting the following:—

"That the road be made in a straight line, and when completed the Government do oblige Mr. Alexander Hayden to pay one-half the expenses of the work, in consequence of his mill-dam having been the cause of the road being overflowed, and the work to be proceeded with forthwith, and the members for the district to provide next session out of their road money the other moiety."

"Your Committee recommend that the sum of fifteen pounds be expended towards opening the new line of road from George Morrison's up the Murray Harbour Settlement, Lot 64, until it meets the old road leading to Murray River Mills, on which an inquisition was held last year."

"They also recommend that a road be opened from the Point Prim Light House, at a reasonable distance from the shore."

ROUTINE BUSINESS.

The engrossed Bill in further amendment of the Act to incorporate the Minister and Trustees of St. John's Church, Charlottetown, was read a third time and passed.

The Legislative Council sent down a Bill further to improve the Law of Evidence, which was read a first time.

The Hon. Col. Secretary presented to the House, by command, a Circular from the Royal Commissioners of the Patriotic Fund, conveying their thanks for the effectual assistance given to that Fund by this Island. Ordered to be printed in the newspapers.

In the afternoon the House again went into Committee of Supply, and passed several votes, after which they adjourned.

WEDNESDAY, April 2.

ROUTINE BUSINESS.

The Hon. Col. Secretary presented the general Account of the Royal Agricultural Society for the year ending March 1, 1856.

The Hon. Mr. Mooney, from the special Committee, presented the draft of an Address to His Excellency, requesting him to give effect to the recommendations of the House respecting the opening of new lines of road, which was agreed to.

The House again went into Committee of Supply, and passed several votes.

The Bill relating to the Charlottetown Ferry and the wharfs connected therewith, was read a third time and passed.

The Hon. Mr. Lord moved the following resolution:—

“Resolved, That a Committee be appointed to prepare an Address to His Excellency the Lieutenant Governor, requesting His Excellency to cause the sum of seventy-five pounds to be expended in building one Block and Bridge to the Wharf at the west side of Crapaud harbour,—the same to be made good out of the money for the district next year. And further praying that His Excellency will cause the sum of fifteen pounds to be paid towards the repairing of Ellis River Bridge, Western Road,—the said sum to be made good next year by the members for the district.”

Hon. Mr. Mooney moved an amendment to the effect, that the money proposed to be made good out of the appropriation for the district next year, should read the “third district of Prince County,” which was lost on a division of 14 against 3, and the original resolution was agreed to.

The Hon. Mr. Lord then presented the draft of an address to His Excellency, in accordance with the foregoing resolution, which was agreed to.

The Bill in amendment of the Act incorporating the Minister and Elders of St. John's Church, Belfast, was read a third time and passed.

In the afternoon the House again went into Supply, and agreed to several votes, which will be duly noticed in their proper place. Adjourned.

THURSDAY, April 3.

PETITIONS.

The following Petitions were presented, read and laid on the table:—

By Mr. Cooper, from certain electors of the first district of King's County, praying for an Act to render the Legislative Council elective.

By Mr. Yeo, from certain electors of the first district of Prince County, praying for a like object.

By Mr. McIntosh, from certain inhabitants of this Island, praying for a Court of Enquiry.

By Mr. H. Haviland, from John Orlebar, David Fitzgerald and others, members of the Charlottetown Young Men's Christian Association, praying for a prohibitory Liquor Law.

By Hon. Mr. Palmer, from David Fitzgerald, William Snodgrass, and twenty-seven other Protestant Clergymen, praying for a prohibitory Liquor Law.

The engrossed Bill from the Council, intituled “An Act further to improve the Law of Evidence,” was read a second time, committed to a Committee of the whole House, and agreed to therein with some slight amendments. It was then read a third time and passed.

The House adjourned for an hour, and having met in the afternoon, the House again went into Supply, and finished the appropriations. It was ordered that the resolutions should be reported on the following day.

Hon. Mr. Whelan, from the Special Committee appointed therefor, presented to the House a Bill to increase the number of members to serve in the General Assembly, and to consolidate and amend the Laws relating to elections. The Bill was read a first time. On motion that it be read a second time to-morrow, Mr. Palmer moved in amendment that it be read a second time on Saturday next. The House divided, and the amendment was lost. The original motion was then put and carried. House adjourned.

FRIDAY, April 4.

VOTES IN SUPPLY.

The Hon. Colonial Treasurer, from the Committee of the whole House, on the further consideration of a Supply, reported twenty-five resolutions of the said Committee, which were read, and embraced the following amounts:—
A sum sufficient to repair the damage done to the wharf at Minchin's Point last fall.

Books for Legislative Library,	£100	0	0
Bog School, Charlottetown,	20	0	0
Extra expenses, St. Paul's and Scattarie Lights,	13	0	2
To pay passage of W. H. Nelis to United States,	8	0	0
The sum voted last year for Stud Horses to be placed at the disposal of the Agricultural Society.			

The House divided on the last preceding vote: In favour of it—Hons. Col. Secretary, Col. Treasurer, Messrs. Wightman, Montgomery, Messrs. Munro, McDonald, Muirhead, Yeo, Clark, McIntosh—10. Against it—Messrs. Laird, Perry, Cooper—3.

The next resolution was—

That two-thirds of the amount of judgment and of the taxed Bill of Costs, be granted and paid to the Trustees of the Dunstaffnage District School, St. Peter's Road, to reimburse them for expenses incurred by them in defending an action in the Supreme Court.

On the foregoing resolution being put, Mr. Cooper moved to amend the same by inserting at the end thereof, the words—“provided the amount does not exceed twenty-five pounds.”

The House divided, for the amendment—Messrs. Cooper, McIntosh, Yeo, Muirhead, Laird—5.

Against it—Hons. Messrs. Mooney, Coles, Wightman, Lord, Warburton, Montgomery, Messrs. McDonald, Perry, Munro, Clark—10.

The resolution was then put and carried 10 to 5.

The remaining resolutions were then agreed to without any division. They embraced the following amounts:—

New York, Newfoundland and London Telegraph Company, to be paid as soon as the telegraph is completed,	£300	0	0
To James Easton, Teacher of the Infant School, Georgetown,	10	0	0
To Dominick Arsneaux, to reimburse him on account of his farm having been sold at Sheriff's sale, through an error which occurred in his receipt for payment of Land Assessment,	10	0	0
To Rev. P. McIntyre, for Circulating Library at Tignish,	10	0	0
To John McIntosh, Mail Carrier, for extra travelling from St. Eleanor's to Tignish,	7	0	0
To redeem two five pound non-registered Treasury Notes, for which no provision had been made,	10	0	0
To the Speaker of the House of Assembly £60, and to each member £30, with the usual travelling fees.			
To be placed at the disposal of the Government, agreeably to the report of the Assembly, on Teachers' Petitions,	276	3	4
To the Trustees of the Brudenell School for R. B. Irving,	2	18	4
A sum sufficient to defray the expense of exploring and reporting on a new line of road from about Crabb's, on Princetown Road, to unite with the Freetown Road on Lot 25,			

in order to improve the communication between Charlottetown, St. Eleanor's and Summerside.

To Isabella Ross, widow of the late Clerk Assistant of the House of Assembly, to reimburse her expenses in removing her family to Georgetown, 10 0 0

To John McKinnon, late Landing Waiter, Charlottetown, to reimburse him for certain expenses attending the seizure of the *Schr. "Dragonet."* 8 0 0

To the Administrator of the late Napoleon LePage, also formerly a Landing Waiter, for a similar object as the foregoing, 8 1 9

A sum sufficient to defray the expense of any police or other force that might be required to maintain the supremacy of the Law.

To the Charlottetown Mechanics' Institute, 30 0 0

To William Hooper, Mail Carrier, to reimburse him certain expenses incurred by crossing the Souris Ferry, 5 0 0

The sum of twenty-five pounds to the following Postmasters, in addition to their per centage, for their services for one year:—

Martin Byrne, Georgetown, 10 0 0

Patrick M. Power, Summerside, 10 0 0

Postmaster at St. Eleanor's, 5 0 0

A sum sufficient to pay the road or commutation moneys of all school teachers not coming under the exemption of the Free Education Act.

Five pounds to be paid to the representatives of Third District of King's County, for the relief of Patrick McGee, who was dangerously wounded by a pistol shot, (and in consequence apparently lamed for life), in a disturbance with the crew of an American fishing vessel at Georgetown, last year.

A Committee of three members was then appointed to prepare and bring in a Bill, embodying the foregoing grants.

The Hon. Mr. Mooney, from the Special Committee to whom was referred all pauper claims and petitions, presented the report of the said Committee, which was read, committed to a Committee of the whole House, agreed therein with some amendments, and then adopted.

The Hon. Gul. Treasurer, from the Special Committee, presented the Bill appropriating the supplies for the public service, for the present year, which was read a first time; and in the afternoon sitting read a second time, committed to a Committee of the whole House, and agreed to therein without any amendment.

STEAM COMMUNICATION BETWEEN P. E. ISLAND AND THE NEIGHBOURING PROVINCES.

Hon. COLONIAL SECRETARY informed the House, that sometime ago, he requested the Postmaster General, Thomas Owen, Esq., to write to the Postmaster at Tatamagouche, for the purpose of endeavouring to ascertain through him, whether or not it was practicable to affect a daily communication between this Island and the neighbouring Provinces, by running a steamer between Charlottetown and Tatamagouche—that the Postmaster General had done so accordingly, and received an answer which he would read to the House. The hon. gentleman then read the letter of the Postmaster, which, in substance, states that the scheme is quite practicable, provided the Nova Scotia Government will provide means to build a wharf of 150 or 200 feet in

length, and to construct a break-water. The hon. gentleman added, that he had obtained Charts of the Gulf from Capt. Bayfield, of whom he had also enquired, touching the suitableness of the harbour of Tatamagouche, for the accommodation of a steamer, and that he (Capt. Bayfield) was of opinion that that harbour was the best that could be selected. The hon. gentleman then moved the following Resolution, adding that the object in question was one of the highest importance, that could it be accomplished, the advantages which would be derived from it to our commercial interests would be of the greatest magnitude, and the saving of time and expense to travellers between Halifax and Prince Edward Island would be a gain of no little moment, as they might leave Halifax in the morning, and be in Charlottetown at night.

"Resolved, That a Committee be appointed to prepare an Address to His Excellency the Lieutenant Governor, requesting him to take such steps as he may deem expedient, to ascertain the practicability of running the Mail Packets from Charlottetown to Tatamagouche in Nova Scotia or Pugwash, instead of to Pictou."

Hon. Mr. PALMER said he had always been in favour of the project; and the only objection which he ever had to it, was the unsuitableness of the harbour for the admission and accommodation of steamers, and its affording no shelter to shipping. The project was agitated in the time of Sir Donald Campbell, and that was the obstacle which prevented its being prosecuted. Captain Bayfield was then consulted as to the practicability of the project, and he was much mistaken if that gentleman's opinion was not on those grounds adverse to the design. If the constitution of a break-water and a wharf would remedy the natural defects of the harbour, and means could be found for their construction, there could not be two opinions upon the question, the great advantages which would result from it were so obvious. But whether it should be carried into effect or not, it appeared to him altogether depended upon the Legislature of Nova Scotia. Such a wharf and break-water as were required, would be works of considerable magnitude, and a heavy grant would be necessary to ensure their execution; and the willingness of the Nova Scotia Legislature to make it might well be questioned. He was, however, well disposed to support any proposition likely to bring about so very desirable an arrangement, an arrangement which, although it might be delayed for a time, he was yet firmly persuaded would ultimately be carried into effect. An obstacle would, no doubt, be thrown in the way by the inhabitants of Pictou, whose interests would be materially damaged by the projected change, should it be accomplished. He was sorry that more information could not be afforded respecting the practicability of the erection of the wharf and the break-water. All depended upon the sinews of war—money; and he thought the best way to begin would be to communicate with the Government of Nova Scotia upon the subject, endeavouring to impress upon them a just idea of the importance of such an arrangement, not only to P. E. Island, but to Nova Scotia, and if possible to engage them to use their influence with the Legislature of the Province, to procure a grant sufficient to ensure the erection of the wharf and break-water.

Hon. Mr. WIGHTMAN thought there would be something of an impropriety in prescribing the exact course which His Excellency should pursue for the attainment of the objects in question. It was, he thought, sufficient to request His Excellency to take action on the question, and leave him to adopt the course which he should deem the most expedient. The hon. gentleman added, that he thought Pug-

wash fully as convenient as Tatamagouche, and was inclined to give it the preference, as there was there at all times a sufficient depth of water.

Mr. McDONALD would give the preference to Tatamagouche. He, however, was of opinion that it would be advisable to send Commissioners to examine the different harbours, that they might be able from examination and comparison to report which they thought the best.

Hon. Mr. MONTGOMERY.—It was said that the harbour was not safe. He thought it would be right to send over Commissioners according to the suggestion of the hon. member for Georgetown, and to await their report before any further action should be taken.

Other hon. members spoke to the Resolution, some favouring one harbour and others another; but all heartily concurred in the propriety of the proposition; and the question being put by the Hon. the Speaker, the Resolution was unanimously adopted.

The Hon. the Colonial Secretary, Hon. Mr. Warburton, and Hon. Mr. Lord were appointed a Committee to prepare an Address to His Excellency, in accordance with the Resolution.

FRENCH ACADIAN SCHOOL BOOKS.

Mr. Perry moved the following resolution:—

Resolved, That a Committee be appointed to prepare an Address to His Excellency the Lieutenant Governor, praying His Excellency that a sum sufficient, out of the funds already provided for the purchase of School Books, be placed at the disposal of the Board of Education for the purchase of French Books for the use of the Acadian schools.

Ordered, That Mr. Perry, the Hon. the Colonial Treasurer, and Mr. Clark, do compose the said Committee.

BILL FOR BARRING ESTATES TAIL.

Mr. Haviland moved that the House go into Committee on the said Bill.

Hon. COLONIAL SECRETARY opposed the motion. He said that the Bill was altogether unnecessary, as an Act to the same effect had been in operation 9 years; and that it was wholly uncalled for, was the opinion of the authorities at home, as would appear from the tenor of a Despatch from Earl Grey to Sir Henry Huntley in reply to Col. Stewart's enquiry regarding that Act. A copy of that Despatch he held in his hand, and he would read it to the House. The hon. gentleman then read as follows:

“DOWNING STREET, 21st Nov., 1846.

“SIR,—I have received a letter from Lt. Colonel P. Stewart, dated 12th October, Charlottetown, Prince Edward Island, representing the grounds of complaint against an Act of the Legislature of that Island, entitled ‘an Act for barring Estates Tail,’ which he finds in operation in the Colony, although he states himself to have been unable to ascertain that the Law ever received the Royal Assent.

“You will acquaint Lt. Colonel Stewart, that, as the Act had not a suspending clause, it did not require, and could not properly have received any special or other confirmation. You will add that, according to the custom then prevailing in all similar cases, it appears to have been silently left to its operation, and that as the Act has been actually in force for twenty seven years, it would be impossible to disallow it at this time, even if it could be clearly established that it ought not to have been granted; such a law must have become the basis of many titles subsequently acquired on the faith of it. I, therefore, think it needless to enquire whether Colonel

Stewart's objections to the Act are, in themselves, well founded; but I must guard against being supposed to acquiesce in them.

“I am, Sir, your most obedient, servant,
(signed) “GREY.”

Although this Act had required “special or other confirmation,” which, however, Earl Grey expressly says it did not, yet this very Despatch may be regarded as a “special confirmation,” not only for the future, but the past;—not only from the date of the Despatch, but for the time antecedently elapsed from the passing of the Act to the date of the Despatch. It would not be advisable to legislate upon a Bill which has been so long in operation—a Bill, which must, in the course of twenty-seven years, (the period of time during which it has been in existence,) have become the basis of many titles. The Assistant Judge had stated to him that, in his opinion, a suspending clause to the Bill was altogether unnecessary, for the Bill was merely a carrying out of an Imperial Statute; and, by the Despatch which he had just read, it was quite clear the Secretary of State also held a suspending clause altogether unnecessary.

Mr. HAVILAND.—In endeavouring to carry the Bill which he had introduced, he had no private ends to serve; he was simply actuated by a desire to quiet Titles respecting the validity of which doubts existed in consequence of the Act in question not having received the Royal confirmation. Persons who held property which had passed to them under the operation of that Act, could not obtain as high a price for it as others could who possessed property of another species; and surely this was an evil which loudly called for redress. He thought the hon. Colonial Secretary must be mistaken with respect to the opinion which he said the Assistant Judge had given him touching the valid operation of the Act.

Hon. COLONIAL SECRETARY explained. He said the Assistant Judge told him that, in his opinion, the Bill did not require a suspending clause.

Hon. Mr. PALMER.—Doubts were entertained whether that Act was the law of the land; and those doubts seriously affected the value of much property in the Island. To dispel those doubts then, (especially as it was so easy to do so) was certainly a very obvious duty of the Legislature. The late Capt. Stewart, at one time Speaker of the House of Assembly, made enquiries at Home, of the highest authorities of the State, but could obtain no satisfactory information upon the subject; for then, as now, clouds and darkness seemed to rest upon it. If the Bill before the House go no farther than to inspire confidence in the Titles to property, acquired under the operation of the old Act, it will do much good. It will quiet Titles, and disturb none: whereas, if rejected, its rejection may increase those existing doubts, which, at present, detrimentally affect the value of so much property. It was said that that Act required no special or other confirmation; but they all know that every Act affecting real estate must receive the Royal allowance before it can become law.

Hon. COLONIAL SECRETARY.—As the Bill was merely a carrying out of an Imperial Statute, it required no suspending clause; and, consequently, it required no special or other confirmation, and was, therefore, silently left to its operation.

Mr. HAVILAND.—There was no Imperial Statute to the effect until thirty years after the passing of the Act of this Colony now in question.

House in Committee upon Mr. Haviland's Bill for barring Estates Tail—Mr. McDonald in the chair:—

Hon. COLONIAL SECRETARY reiterated what he had maintained before the House went into Committee, namely, that the Act having no suspending clause, and not having been disallowed, was left to its silent operation, and so became as much the law of the land as any Act which had received the Royal confirmation.

Mr. HAVILAND, as before, said that all Acts affecting the rights of property positively required the Royal confirmation—without it, every such Act was a nullity.

Hon. COLONIAL SECRETARY.—Who were to be the Judges? If a Bill were sent Home, submitted to the Privy Council, and, having no suspending clause, silently allowed to go into operation, it unquestionably became the law of the land.

Mr. HAVILAND.—The judges, in such a case, were the Judges of the Supreme Court. No Act which was passed contrary to the Constitution of the Colony could be the law of the land. Ministers of State had power to give a Constitution; but when given they could neither narrow, curtail, nor alter it: that could be done only by an Act of the Imperial Legislature.

Hon. COLONIAL SECRETARY.—If, as the hon. and learned member for Georgetown seemed to think, it was still necessary to adhere, both to the letter and spirit of the Royal Instructions, in which the Constitution of the Colony might be said to be expounded, then it would be necessary, before a Bill could be introduced into the Assembly, that notice of the intention to do so should be given, on three consecutive Sundays, in the English Episcopal Church, and that, when sent Home, the Bill should be accompanied by a Certificate from the Clergyman of the Church that the Bill had been duly "proclaimed." Nay, further, if the Royal Instructions or Constitution were to be strictly adhered to, then liberty of conscience would be extended to all but Papists. Could anything be more absurd? Away with all such absurdities!

Mr. HAVILAND.—The observations of the hon. Colonial Secretary were irrelevant to the question, and, in part, uncalled for, if not quite reprehensible. It was well known in British legislation, that if, owing to doubts arising from ambiguity of language, or other cause, the legality or validity of acts or deeds, under any Act of Parliament, became, or had become questionable, no difficulty was found in removing such ambiguity or doubts by any enactment: and not only was this the case in the Imperial Parliament of Great Britain, but in every Legislature derived from the Constitution of Great Britain.

Hon. COLONIAL SECRETARY.—If they were to be called upon to legislate respecting every Act, concerning the force or precise meaning of which some person or another entertained a doubt, they might legislate and legislate again upon every Act in the Statute Book;—such legislation would have no end.

Hon. Mr. PALMER.—The Royal Instructions expressly declared that no Act affecting real estate should be passed without a suspending clause; and the rule by which the Lords of the Privy Council were governed, with respect to such Bills, was, that if three years elapsed without any such Bills having been confirmed by the sign manual of Majesty, it should be held disallowed. That the Bill under consideration came within the scope of the spirit of that rule, no one could fairly deny; and if some lawyers held that, because the Act had not been especially confirmed, it ought to have been considered as disallowed, they were not without good grounds for doing so. The Constitution must, at all times, be adhered to: it cannot be adhered to but by an

Act of the Imperial Parliament. With respect to instructions to Governors, it is otherwise: they may change with administrations, or the times, or be varied at will.

Hon. COLONIAL SECRETARY.—With respect to Bills having a suspending clause, it was true they did not become law, unless they received the Royal Assent; but that was not the case with regard to Bills having no suspending clause: and in New Brunswick, he believed, they had been contending that if Bills, having suspending clauses, were not disallowed within two years, they should be embodied into the law of the land.

Hon. Mr. WARBURTON.—The Bill was passed without a suspending clause; it was regularly transmitted Home; it was not disallowed, but silently allowed to go into operation as the law of the land; and he believed that all titles to property acquired under it were, therefore, strictly good and valid. If he thought otherwise, he would be to the full as anxious to further the passage of the Bill as the hon. and learned member who had introduced it.

Mr. COOPER.—He could not see that any harm would arise from passing the Bill. If sent Home and disallowed, it would only show that the old Act required no further confirmation than what it had obtained by having been silently left to its operation, and been regarded as the law of the land for thirty-seven years; and, if confirmed, it would not be to disturb Titles acquired under the old Act, but to quiet them.

Hon. COLONIAL SECRETARY.—Should the Bill pass, he was apprehensive that, in its retrospective view, it might bring into question the validity of Titles acquired under the old Act.

Hon. Mr. PALMER.—Should the Bill pass—be sent Home—and, finally, be disallowed—its disallowance would be a virtual confirmation of the old Act: it would, in fact, be tantamount to a declaration that further legislation upon the subject was unnecessary. And, if confirmed, it would be a confirmation of the other: whether allowed or disallowed it would be a confirmation of the old Act.

The clauses of the Bill were then submitted *seriatim*, to the Committee, by the Chairman, and severally agreed to *nem. con.*

Hon. COLONIAL SECRETARY.—It was not only unnecessary, but dangerous legislation. Had the issue of a trial in the Courts of Law been adverse to a Title under the Act which had been so long in operation, then indeed there would have been reason—good reason—for bringing in a Bill such as that which had been gone through; but, until such a legal decision had been arrived at, all such legislation was needless, and could not be otherwise than mischievous in its operation.

After some further unimportant observations, the Bill was agreed to in Committee without any amendment, and the Speaker resumed the Chair. On a motion being made that the report of the Committee be now received, the Hon. Col. Secretary moved in amendment to the motion, that the report be received "this day three months." The House divided:

For the amendment—Hons. Messrs. Coles, Whelan, Wightman, Warburton, Mooney, Messrs. Muirhead, Dingwell, Perry, Clark, Munro—10.

Against it—Messrs. H. Haviland, Yeo, Cooper, McGill, Palmer, Montgomery, McDonald, Douse, Laird, McIntosh, Longworth, Lord—12.

The amendment was therefore negatived, and the Bill ordered to be engrossed.

THE ELECTION BILL.

The order of the day for the second reading of the Bill to increase the number of members to serve in the General Assembly, and to consolidate and amend the several laws relating to Elections, being read—

Hon. Mr. WHELAN moved that the House do go into the order of the day.

Hon. Mr. PALMER opposed the motion, and went into a review of some of the details of the Bill, renewing, in the course of his speech, most of the arguments and objections previously offered by that gentleman when the subject of the Bill was brought under the notice of the House. The hon. gentleman concluded by moving that the Bill be read a second time that day three months.

Messrs. Haviland, Cooper, Longworth, Douse and others, spoke in favour of Mr. Palmer's amendment. They were replied to by Messrs. Whelan, Coles, Mooney, Dingwell, Warburton, Lord, Wightman and Clark.

[Although furnished with the notes of the several speeches, it appears to us to be unnecessary to publish them at this late date, more especially as the principal arguments on both sides have been given in a previous discussion on the same subject.]

When the discussion ended, the House divided, as follows:

For Mr. Palmer's amendment, that the Bill be read that day three months—Messrs. Palmer, Longworth, Montgomery, Douse, Yeo, H. Haviland, McDonald, Cooper, McIntosh, Laird—10.

Against the amendment—Messrs. Whelan, Warburton, Coles, Lord, Mooney, Wightman, Munro, Clark, Perry, McGill, Dingwell, Muirhead—12.

The amendment was therefore lost; the main motion was then put and carried, and the Bill was read a second time.

The Bill was then committed to a Committee of the whole House—Mr. Clark in the chair. Some desultory discussions occurred on several matters of detail, but nothing important was elicited. After being a short time in Committee, progress was reported, and the House adjourned.

SATURDAY, April 5.

ROUTINE BUSINESS.

The House was again in Committee on the Election Bill, when progress was reported.

The Legislative Council sent down a message announcing the passage of the following Acts:—The Charlottetown Boundary Act, Charlottetown Ferry Act, Act in amendment of the Act to incorporate St. John's Church, Belfast, and the Act in amendment of the act incorporating St. James's Church, Charlottetown. Several amendments were made to some of these Acts by the Council, which the House agreed to.

The Legislative Council sent down a Bill intituled "an Act to explain and amend the statute of limitations of actions concerning real estate," which was read a first time.

Mr. Perry presented a petition from sundry electors of the second district of Prince County, praying for an elective Council, which was read, and laid on the table.

The Hon. Col. Secretary, from the Special Committee appointed therefor, presented the draft of an address to His Excellency the Lieut. Governor, in reference to the change of the mail route from Pictou to Tatamagouche or Pugwash, requesting His Excellency to take such steps as might be deemed expedient to ascertain the practicability of such a change, and to elicit the views of the government of Nova Scotia in regard to that subject. The address was agreed to, ordered to be engrossed.

THE LAND QUESTION.

The various petitions before the House on the subject of the Land Question, as it is usually called, otherwise Escheat, having been made the order of the day for this day—Mr. COOPER moved that the House do now go into the order of the day.

The Hon. COL SECRETARY opposed this motion, by moving in amendment, that the House go into the order of the day that day three months. He prefaced his amendment by stating in substance that the whole question referred to by the petitioners had been fully discussed by that House last year—that the question had not since assumed any new features—that its settlement in the way desired was as impracticable now as then—that hon. members, he felt confident, had not changed their views in reference to it, and that at that late period of the session the time of the House should not be frittered away in opening a discussion that could not, by any possibility, lead to a beneficial result.

Mr. COOPER warmly contended for going into Committee on the question, and referred to several despatches of Secretaries of State, with a view to shew that the question was not an impracticable one. He was supported by Messrs. Haviland, Longworth, Douse, Laird, McIntosh, Yeo, Lord and Montgomery—several of these gentlemen, Messrs. Haviland, Lord and Douse, stating that though they had no objection to go into Committee and discuss the question, they did not intend to vote for Escheat.

The question having been taken on the amendment of the Hon. Col. Secretary, after about an hour spent in discussion, the division was as follows:—

For the amendment—Hons. Messrs. Coles, Warburton, Whelan, Wightman, Mooney, Palmer, Messrs. Perry, Dingwell, McGill, Muirhead, Munro McDonald, Clark—13.

Against it—Messrs. Cooper, McIntosh, Douse, Yeo, Laird, Haviland, Hons. Messrs. Lord, Longworth and Montgomery—9.

The Escheat question was therefore postponed for another period.

The House then in Committee resumed the consideration of the Election Law, and after a short time adjourned.

MONDAY, April 7.

The House again went into Committee on the further consideration of Ways and Means, and finally disposed of the matters therein referred to them.

The Bill for raising a revenue was read a third time and passed.

The House, in Committee, then resumed the further consideration of the Election Bill. Progress reported.

A message having been received from the Legislative Council relative to the Law of Evidence and Gas Light Company Bills, the House adjourned until the afternoon. Having again met—

Mr. Perry, from the Special Committee appointed therefor, presented the draft of an address to His Excellency the Lieut Governor, requesting that a sum sufficient should be placed at the disposal of the Board of Education for the purchase of French School Books for the Acadian Schools—the money to be taken out of the funds already provided for the purchase of books for the use of the free schools. The address was agreed to and ordered to be engrossed.

The Bill for appropriating the public moneys for the public service was read a third time and passed.

The House, in Committee, then resumed the further con-

sideration of the Election Bill, which was finally agreed to with some amendments. On motion being made that the report of the Committee be received—

Mr. Cooper moved in amendment, "that the Bill be referred back to the Committee of the whole House, for the purpose of engrafting on the Bill the following principle, viz—that the electors for the counties shall have a vote for each member to represent the counties."

The House divided: For the amendment—Messrs. Cooper, McIntosh, Laird, Douse and Palmer—5.

Against it—Messrs. Whelan, Coles, Lord, Perry, Dingwell, Muirhead, Warburton, Mooney, Wightman, Clark, Munro, and McDonald—12.

The amendment was therefore lost.

Mr. McIntosh then moved, as a further amendment, "that the Bill be printed and lie over until the next session."

The House again divided: For the amendment—Messrs. McIntosh, Cooper, McDonald, Palmer, Laird, Douse, and Lord—7.

Against it—Messrs. Whelan, Coles, Perry, Dingwell, Muirhead, Warburton, Mooney, Wightman, Clark, and Munro—10.

The question was then taken on the original motion as to whether the report of the committee should be received, when it passed in the affirmative, and the Bill ordered to be engrossed under the title of "an Act to increase the number of members to serve in the General Assembly, and to consolidate and amend the laws relating to elections."

The Hon. Col. Secretary presented a despatch from the Secretary of State to the Lieut. Governor, dated 4th March, 1856, leaving to their operation four Acts passed by the Legislature of this Island last session.

The Hon. Col. Secretary, from the Special committee appointed therefor, presented the draft of a Bill to amend the Act incorporating the Bank of Prince Edward Island, which was read a first time; and then the House adjourned.

TUESDAY, April 8.

The engrossed Bill from the Council to amend the Statute of limitations of actions concerning real estate, was read a second time, committed, and agreed to in committee with one amendment.

The Bank amendment Bill was read a second time—committed, and progress reported.

A committee of five members was appointed to report on the contingencies of the House.

Hon. Mr. Palmer presented a petition from certain inhabitants of this Island, Sons of Temperance and others, praying for the enactment of a prohibitory Liquor Law. Petition read, and ordered to be taken into consideration tomorrow, with other petitions of a similar character.

Hon. Mr. Whelan presented a petition from certain inhabitants of Charlottetown, praying that measures may be adopted for the better carrying out of the intention of the Legislature in establishing a House of Industry, in connection with the Lunatic Asylum. He also presented a petition from Theophilus Stewart, Esqr., praying to be heard at the bar of the House in support of the foregoing petition. Hon. Mr. Whelan moved that the prayer of the last preceding petition be granted.

Hon. Col. Secretary moved in amendment, that "the further consideration of the two last preceding petitions be deferred until next Session."

The House divided: For the amendment—Messrs. Col. Secretary, Wightman, Yeo, Dingwell, Laird, Col. Treasurer, Douse, McDonald, Perry, Clark.—10.

Against it—Messrs. Whelan, Palmer, McIntosh, McGill, Munro, Mooney Longworth, Muirhead, Haviland—9.

The further consideration of the matter therefore stands over until next Session.

Hon. Mr. Whelan presented a petition from the Mayor and Common Council of the City of Charlottetown, which was read, setting forth that they find the whole Common of Charlottetown taken possession of and claimed as a right by the present holders, under plea of grants from the Colonial Government during Governor Fanning's administration, and praying for an amendment of the Act of Incorporation, so that they (the Corporation) may be empowered to make such regulations for the disposal and appropriation of the lots in the Common, as was designed for public purposes when originally granted.

The petition gave rise to considerable debate, a large majority of the members being decidedly of opinion that the prayer of the petition was impracticable. Mr. Whelan, though having introduced the petition, as he was requested to do so, did not then or at any time pledge himself to support its prayer. The course he recommended was the appointment of a Committee to report next Session.

Mr. Yeo moved that the hon. member who introduced the petition have leave to withdraw it.

Mr. Whelan moved in amendment that the petition "be referred to a Special Committee to examine the same, and report thereon next Session." The question having been put, after considerable discussion, the House divided:

For the amendment—Messrs. Whelan, Lord, McIntosh, Laird, Muirhead, Mooney—6.

Against it—Messrs. Yeo, Clark, McDonald, Munro, McGill, Warburton, Palmer, Douse, H. Haviland, Dingwell, Perry, Longworth, Coles, Wightman—14.

Amendment therefore negatived.

Hon. Mr. Longworth, who inveighed in strong terms against the conduct of the Corporation in entertaining such a subject, which he characterised as an attempt at undisguised spoliation—then moved as an amendment, "that the prayer of the petition be rejected," which was agreed to on the following division:—

For the amendment—Messrs. Longworth, Warburton, Palmer, Clark, McDonald, Munro, Perry, Muirhead, Wightman, Coles, Mooney, Yeo, H. Haviland, Dingwell, McGill, Douse—16.

Against it—Messrs. Whelan, Laird, Lord, McIntosh—4. The House then adjourned.

WEDNESDAY, April 9.

FISHERY RESERVES.

Mr. Munro, from the Committee to whom were referred the several petitions relating to the Fishery Reserves, to examine the same and report thereon by Bill or otherwise, presented to the House the report of the said Committee, which is as follows:—

"Your Committee, to whom were referred the several Petitions relating to Fishery Reserves, in this Island, have to report that they have examined the Petitions referred to them, and find, on enquiry, that several actions have been commenced, by order of the Government, for the recovery of certain Reserves illegally held by different parties. Your Committee would therefore recommend that no further action be taken in the matter, until the suits pending be tried in the Supreme Court, and your Committee would further recommend that the matter be taken up at an early day next Session.

Mr. Munro moved that the report be adopted.

Mr. Perry moved in amendment that the report be referred to a Committee of the whole House.

The House divided: For the amendment—Messrs. Perry, Longworth, Cooper—3.

Against it—Messrs. Munro, Clark, Dingwell, McIntosh, McGill, Warburton, Mooney, Yeo, McDonald, Muirhead, Laird, Wightman, Coles—13.

The original motion was then put and agreed to.

The Bill to explain and amend the Statute of Limitations of Actions concerning real estate, was read a third time. On motion being made that the Bill do pass, the House divided:

For the Bill—Messrs. Coles, Mooney, Longworth, Muirhead, Munro, McDonald, Warburton, Wightman, Perry, Cooper, Dingwell, Clark—12.

Against it—Messrs. H. Haviland, Yeo, Laird—3.

The Bill then passed.

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

Resolved, That a Committee be appointed to report on the expediency of addressing His Excellency the Lieutenant Governor, praying that steps may be taken to bring under the notice of the American Government the case of Patrick Macgee, seriously wounded in an affray with certain American Fishermen.

Ordered, That the Hon. Mr. Wightman, Mr. McDonald, and the Hon. Mr. Longworth do compose the said Committee.

The remainder of the forenoon sitting was occupied in holding conferences with the Legislative Council on the Revenue Bill.

In the afternoon the House in Committee resumed the consideration of the Bank Incorporation amendment Act, which was agreed to with some amendments.

The Hon. Mr. Longworth moved the adoption of an Address to His Excellency the Lieut. Governor, requesting that he would give the necessary directions to place "in the hands of the City authorities the sum of £132 10s., to be applied towards putting in repair the Pownal Street and Queen's Wharfs—that amount for Wharfage having been paid into the Treasury by the Wharfinger of the said Wharfs, during the last year; and the House, in its next Session, will provide for the amount."

The Hon. Col. Treasurer moved to amend the Address, by inserting a clause to the effect, that the Wharfinger's salary should be first paid out of the amount mentioned, which was negatived on a division of 8 to 10.

The Hon. Col. Secretary then moved to amend the Address, by inserting after the word "Wharfs," the following words: "after the Corporation shall have passed a Bye-Law to regulate the same;" which amendment was agreed to, and the Address was adopted.

The engrossed Bill for barring Estates Tail was read a third time. On motion being made that the Bill do pass—

The Hon. Col. Secretary moved in amendment, that the Bill do pass "this day three months."

The House divided:—For the amendment—Messrs. Col. Secretary, Col. Treasurer, Mooney, Munro, Dingwell, Perry, Muirhead—7.

Against it—Messrs. H. Haviland, Douse, Laird, McIntosh, Palmer, Lord, Yeo, McGill, McDonald, Cooper, Longworth—11.

The question was then put on the main motion and carried.

The order of the day for the House to go into Committee on the consideration of the different petitions, praying for the passing of a law to prohibit the traffic in intoxicating liquors, being read—

The Hon. Mr. Palmer moved that the House do now go into the order of the day.

The Hon. Col. Secretary moved in amendment that the House go into into the order of the day this day three months.

The House divided: For the amendment—Messrs. Col. Secretary, Col. Treasurer, Wightman, Mooney, Whelan, Perry, McGill, Dingwell, Douse, Laird—10.

Against it—Messrs. Palmer, Longworth, Lord, Yeo, Munro, Cooper, McDonald, Clark, H. Haviland, McIntosh, Muirhead—11.

The amendment was thus negatived; the main motion was then put and agreed to.

The Hon. Mr. Palmer then moved that Mr. Perry take the Chair of the Committee.

The Hon. Col. Treasurer moved in amendment to substitute the name of "Mr. McDonald."

The House divided: For the amendment—Messrs. Col. Treasurer, Col. Secretary, Whelan, Wightman, Mooney, Clark, Muirhead, McGill, Perry, Douse, Laird, McIntosh—12.

Against it—Messrs. Palmer, Longworth, Dingwell, Munro, H. Haviland, Yeo, McDonald, Cooper—8.

The amendment was therefore agreed to, and Mr. McDonald took the chair of the Committee.

After an hour or two spent in discussion, in which the usual platitudes about the evils of intemperance were duly gone over, and all the hacknied arguments in favour of prohibition detailed at their full length, the following resolution was agreed to by a considerable majority, and reported to the House:—

Resolved, That it is inexpedient to entertain the application for the enactment of a Law prohibiting the manufacture, importation or sale of Spirituous Liquors.

The Hon. Mr. Palmer, in the House, as well as in Committee, moved to amend the foregoing resolution by substituting the following:—

"That the several petitions presented to the House of Assembly, during the present Session, on the subject of the Liqueur Traffic, be deferred until the next Session of the House; and that the House be recommended then to entertain the same, with the view of passing a Law prohibiting the traffic in all intoxicating Liquors."

The House divided: For the amendment—Messrs. Palmer, Lord, Yeo, Clark, McDonald, Longworth, H. Haviland, Cooper, Munro—9.

Against it—Messrs. Whelan, Col. Treasurer, Mooney, Dingwell, McGill, Muirhead, Col. Secretary, Wightman, Perry, Laird, Douse, McIntosh—12.

The amendment was therefore negatived.

The question was then put on the resolution as reported from the Committee, when the House divided as follows:—

For the resolution—Messrs. Whelan, Col. Treasurer, Col. Secretary, Wightman, Mooney, Dingwell, McGill, Muirhead, Perry, Laird, Douse, McIntosh—12.

Against it—Messrs. Palmer, Lord, Longworth, H. Haviland, Cooper, Munro, Yeo, Clark, McDonald—9.

The resolution was therefore agreed to.

ELECTION BILL.

The engrossed Bill to increase the number of members and to amend and consolidate the Election Laws, was read a

third time. On motion being made that the Bill do now pass—

Mr. H. Haviland moved in amendment that the Bill do pass "this day three months."

The House divided: For the amendment—Messrs. H. Haviland, Douse, Cooper, Laird, Longworth, Yeo, McDonald, McIntosh, Palmer—9.

Against it—Messrs. Whelan, Col. Secretary, Col. Treasurer, Wightman, Mooney, Dingwell, McGill, Muirhead, Lord, Clark, Munro, Perry—12.

Mr. McIntosh moved in amendment—"that the Bill be printed and lie over until the next Session," which was lost on the same division as the preceding, with the exception of the Hon. Mr. Lord's name, he having voted for Mr. McIntosh's amendment.

The question was then put on the main motion, and passed.

MEMORIALS AND PETITIONS OF LAND PROPRIETORS.

The order of the day for the House to go into Committee on the further consideration of a despatch from the Colonial Minister, together with copies of the Memorials and Petitions of certain landed proprietors, relative to the Rent Roll and Tenant Compensation Bills, being read—

Hon. Mr. Whelan moved that the House go into the order of the day.

Mr. Yeo moved in amendment that the House "do now adjourn."

The House divided: For the amendment—Messrs. Yeo, McIntosh, H. Haviland, Longworth, Douse, Cooper, Palmer—7.

Against it—Messrs. Whelan, Col. Treasurer, Col. Sec'y, Lord, Wightman, Mooney, Dingwell, McGill, Muirhead, Laird, Clark, Perry, McDonald, Munro—14.

The question was then put on the main motion, and carried in the affirmative.

The House then went into Committee—Mr. McDonald in the chair.

The resolutions submitted by Mr. Whelan on a previous day—(for which see *Examiner first page, for May 12*, or "Parliamentary Reporter," under the date of March 28, page 74.) were then taken up and read, but, with the exception of a few short and half apologetic speeches, by Messrs. Palmer, Cooper, Douse and Yeo, there was little or no opposition offered to the resolutions; and before the reading of the resolutions was quite gone through with, the minority—including Mr. Cooper—the pretended sworn enemy of the land proprietors—had quite deserted their places, leaving none but Mr. Yeo behind them—thus showing their willingness rather to suffer the people of the Colony to be slandered by the base charges preferred against them in the Memorials and Petitions of the Proprietors, than incur the ill-will of that body by raising their voices in condemnation of the slanders. The division which took place on the resolutions, which were agreed to as originally submitted, without any amendment, is highly instructive.

For the resolutions—(refuting and condemning the false charges of the Land Proprietors against the inhabitants of the Colony):—Hon. Mr. Whelan, Hon. Col. Secretary, Hon. Mr. Lord, Mr. Macdonald, Mr. Perry, Mr. Munro, Mr. Laird, Hon. Mr. Wightman, Hon. Col. Treasurer, Hon. Mr. Mooney, Mr. Dingwell, Mr. Macintosh, Mr. Muirhead, Mr. McGill.

Against the resolutions—Mr. Yeo!

Members who shirked the question—Mr. Douse, Mr. Cooper!! Mr. H. Haviland, Hon. Mr. Palmer, Hon. Mr. Longworth.

A Committee was then appointed to prepare addresses to

Her Majesty the Queen, on the part of the House of Assembly, in conformity with the resolutions; and the said resolutions were ordered to be communicated by message to the Legislative Council. House then adjourned.

THURSDAY, April 10.

The Hon. Mr. Wightman, from the Committee appointed to report on the expediency of addressing His Excellency the Lieut. Governor, with reference to the case of Patrick McGee, injured in a riot at Georgetown by American citizens, presented the following report, which was agreed to by the House:—

"Your Committee who were appointed to consider the expediency of addressing His Excellency the Lieutenant Governor, praying that steps may be taken to bring under the notice of the Government of the United States—with a view to redress—the case of Patrick Macgee, who was seriously injured in an affray with certain American fishermen, who landed at Georgetown in the autumn of last year,—have to report, that having given the subject their best attention, they are not prepared to recommend that any correspondence on the subject of the above aggression should be entered into at present with the American authorities."

The Bill to amend the Bank Incorporation Act was read a third time and passed.

LOYALIST CLAIMS.

Mr. McGill, to whom was referred the petition of the inhabitants of Lot 30, relative to the alleged Loyalist land on that Lot, claimed by R. B. Stewart, to examine and report on the same—presented to the House the second report of the said Committee, which was read and referred to a Committee of the whole House. This report excited a very tedious and protracted discussion—the old question of the Loyalist claims, so prolific of dissension and dispute, being discussed at great length; but when the discussion terminated, which occupied a very considerable part of two days, the question remained in the same unsettled state in which the House found it, and the petitioners of Lot 30 were left without any satisfactory solution of their difficulty. The report of the Committee will be found in the following day's proceedings. The House resumed in order to receive a Message from the Legislative Council requesting a conference respecting the Statute of Limitations and Revenue Bills.

The Legislative Council also sent down a message, expressing their readiness to join the House of Assembly in forwarding addresses to Her Majesty the Queen in reference to the Memorials of the Land Proprietors, and the interference of Landlords and their Agents against measures adopted by the Legislature of the Colony.

ELECTIVE LEGISLATIVE COUNCIL.

Mr. Haviland rose to move the order of the day—which was the second reading of the Bill to render the Legislative Council elective. The hon. member briefly addressed the House in support of his motion, and was followed by other members on the same side, in favour of the elective principle.

The Hon. Col. Secretary opposed the motion, and concluded a short address by moving, in amendment, that the House go into the order of the day "this day three months." Several other members in the majority having expressed their opinions in favour of the amendment moved by the Colonial Secretary, the House divided:

For the amendment—Messrs. Col. Secretary, Col. Treasurer, Whelan, Mooney, Wightman, Lord, Perry, Dingwell, McGill, McDonald, Munro, Muirhead, Clark—13.

Against it—Messrs. H. Haviland, Yeo, Laird, Palmer, McIntosh, Cooper, Douse, Longworth—8.

The amendment was therefore carried, and the Bill lost.

The Legislative Council sent down messages requesting conferences with the House on the subject of the appropriation Bill—a message also announcing that they had passed the Bill for barring Estates Tail.

PUBLIC PRINTING BILL.

The order of the day for the second reading of the Bill to put the public printing up to contract, being read—

The Hon. Mr. Palmer moved that the House do now go into the order of the day.

The Hon. Col. Secretary opposed the motion in a short speech, and moved in amendment that the House “do go into Committee this day three months.”

Hon. Mr. Whelan offered a few observations explanatory of some matters connected with the office of Queen's Printer, which the present Bill was intended to affect, and expressed his determination not to record his name either against or for the Bill.

The question having been taken on the Col. Secretary's amendment—the House divided :

For the amendment—Hons. Col. Secretary, Col. Treasurer, Messrs. Lord, Wightman, Mooney, Muirhead, Munro, Dingwell, Perry, Clark, McGill, McDonald—12.

Against it—Messrs. Palmer, H. Haviland, Yeo, Longworth, Douse, Cooper—6.

The amendment was therefore carried, and the Bill lost. Two honorable members, whose names may be easily missed from the above division, shirked the question.

The House shortly after adjourned.

FRIDAY, April 11.

Some unimportant amendments made by the Council to the Estates Tail Bill, were read a first, second and third times, and agreed to.

Hon. Mr. Whelan, from the Committee to whom was referred the petition of certain inhabitants of King's County, praying for an enactment regulating the use of streams of water between different mills on the same stream, and likewise the right of flowage and back-water in relation to mills and mill dams, to examine and report on the same by Bill or otherwise—presented to the House a Bill relating to the working of mills, which was read the first time; and its further consideration deferred until next Session, owing to the difficulties which lie in the way of settling so important a question, and the very advanced period of the Session.

The Hon. Col. Secretary, by leave, introduced a Bill to consolidate and amend the Laws relating to Weights and Measures—which was read a first and second times—committed to a Committee of the whole house, and agreed to therein with some amendments.

The Legislative Council sent down a message, stating that they had passed the Bill to amend the Act incorporating the Bank of Prince Edward Island.

Hon. Mr. Whelan read in his place a petition of Alexander Hayden, of Lot 55, praying the House to reconsider their decision with respect to repairing the road from Enman's to Mathewson's on that Township, and he moved that the petition be received.

The House divided: For the motion—Messrs. Whelan, Col. Secretary, Col. Treasurer, Lord, Mooney, McGill, Clark—7.

Against it—Messrs. Palmer, McDonald, McIntosh, Cooper, Munro, Longworth, Laird, H. Haviland, Muirhead—9.

The Petition was therefore not received.

LOYALIST CLAIMS.

The House in committee resumed the consideration of the report of the Special Committee on the subject of alleged Loyalist Claims to Land on Lot 30. After a great deal of dis-

cussion the report was adopted, with several amendments, which completely changed the object and spirit of the report, as at first introduced. The report, when submitted to the House, was as follows:—

“1. Your Committee to whom was referred the Petition of certain inhabitants of Township 30, in which it is alleged that a large portion of that Township, after being granted, was surrendered for the benefit of the Loyalists and disbanded Troops, and does not therefore belong to Robert Bruce Stewart, Esquire, although claimed by him,—have to report, that the Committee have examined the record of the Title Deeds of Township No. 30, in the Registry Office of this Island, and they find that an Order was made in Council, by His late Majesty, King George the Third, dated the 26th August, 1767, directing the then Lieutenant Governor of Nova Scotia to grant the said Township to a Mr. John Murray, who subsequently, in the year 1790, transferred his claim to Chief Baron Montgomery, for the sum of Five Shillings, sterling. In the year 1783, as appears by the Act 30th Geo. 3d, cap. 5, certain proprietors surrendered to the government of this Island tracts of their lands, to be allotted to the Loyalists and disbanded Troops; and by the Act referred to, the government were authorised and empowered to give grants of the lands so allotted, to individuals of the class alluded to, who were then in possession of the same, as appears by a plan and survey in the Registrar's Office of this Island—a copy of which is herewith submitted—and by which it appears the following persons were respectively assigned the quantity of land set opposite their names, viz:—

Hugh Fraser,	500 acres.
Archibald Sellers,	300 “
John B. Young,	500 “
James Fraser,	500 “
Michael Jeffries,	100 “
John Kingston,	500 “
Alexander Boyce,	100 “
Benjamin Ferrar,	300 “
Sagoe Potter,	500 “

“2. By referring, however, to the Records of the Registrar's Office, your Committee find that no more than four grants had been issued by the proprietor of Lot 30, and they were in favor of the following persons: Hugh Fraser, James Fraser, Michael Jeffries, Sagoe Potter. The allocations of Hugh and James Fraser are still claimed by their representatives. The land granted to Michael Jeffries was not reserved in the transfer of the land on Lot 30, from the Messrs. Montgomery to Mr Stewart, who exercises over it the right of ownership.

“3. The land granted to Sagoe Potter was specially reserved by the Messrs. Montgomery when they sold their land on Lot 30, to Mr. Stewart, in 1842; but notwithstanding this specific reservation, Mr. Stewart has taken possession of the land, and leased a portion of it to a person named Patrick Dougherty; this person has been examined by your Committee, and it appears from his testimony, that when he took the land in question he was under the full conviction that Mr. Stewart had an indisputable right to dispose of it; but learning afterwards that Mr. Stewart had no such right, he refused to pay rent, when the former sought to enforce payment by sending a Constable to distrain upon Dougherty.

“4. Your Committee respectfully submit, that when the proprietors surrendered certain portions of their lands for the benefit of the Loyalists and disbanded Troops as hereinbefore referred to, and their intentions having been carried out by the Legislature of the Colony in passing an Act empowering the Lieutenant Governor to give grants of the same, those lands then, became re invested in the Crown, and ought to be subject to its disposal; and your Committee cannot but express their emphatic condemnation of the gross injustice practised by Mr. Stewart, in claiming and attempting to exercise the right of ownership over tracts of land granted to the Loyalists, without giving any consideration therefor; and in one case as hereinbefore particularly referred to, usurping a certain piece of land without the shadow of a claim, reserved for Sagoe Potter and his descendants.

“5. That it appears to your Committee that the relief prayed for in the Petition of certain inhabitants of Township No. 30, depends upon the right and ownership to the lands therein

mentioned, which right, your Committee consider, can only be tried and determined in such legal tribunals of the Colony, as are already or may be hereafter established, to take cognizance of such matters; and that the House of Assembly cannot constitutionally entertain the measure in such a manner as to decide justly on the conflicting rights of the several parties alleged to be interested therein.

"6. Your Committee to whom was also referred the Petition of Daniel Wall, respecting his claim to land at Cherry Valley, alleged to have been granted to his late father, for services rendered the Crown, have also to report, that there appears to be no grant upon record in favor of this person, but there is no doubt on the minds of your Committee that the father of the said Daniel Wall was one of those Loyalists in whose behalf a certain portion of land was allotted.

"7. Your Committee recommend that an Address be prepared and presented to His Excellency the Lieutenant Governor, requesting that his Excellency, in Council, will take such proceedings with respect to the premises, as the circumstances of the case may seem to require.

Mr. McGill moved to amend the above report by striking out the whole of the fifth paragraph, which the House did not agree to.

The original motion being then about to be put, viz. that "the report of the Committee be received"—Mr. Whelan moved in amendment, that "the report of the Committee be received this day three months."

The House divided: For the amendment—Messrs. Whelan, Mooney, Lord, Palmer, Longworth, Cooper, McGill, Clark, McIntosh, H. Haviland, Munro, Muirhead—12.

Against it—Messrs. Coles, Laird, Warburton, McDonald

4.
The report was therefore quashed; then the House adjourned.

—•••—
SATURDAY, April 12.

The Bill to consolidate and amend the Laws relating to Weights and Measures was read a third time and passed.

The Legislative Council sent down a message, announcing that they had agreed to the Act for raising a revenue.

The House then adjourned—and having again met in the afternoon—

The Hon. Mr. Whelan, from the Committee appointed to join the Committee of the Legislative Council, to prepare an address to Her Majesty the Queen, in accordance with certain resolutions agreed to by the House, on the subject of the memorials of the Land Proprietors—presented the draft of the said address, which was read, and referred to a Committee of the whole House.

After a short discussion, the address was agreed to, without any amendment, and is as follows:—

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

Most Gracious Sovereign:

We, Your Majesty's loyal subjects, the Legislative Council and House of Assembly of Prince Edward Island in Parliament assembled, most humbly submit for your Royal consideration the following premises:

During the last Session of the Legislature two Bills received the concurrence of both branches and the approval of Your Majesty's Representative, which Bills were respectively intitled "An Act to secure compensation to Tenants, and thereby to promote the improvement of the soil," and "An Act to impose a rate or duty on the Rent Rolls of the Proprietors of certain rented Township Lands in Prince Edward Island, in order to defray the expenses of any armed force which may be required on account of the withdrawal of the Troops, and for the further encouragement of Education."

These Bills were agreed to by the Legislature, almost unanimously—the first having passed the Assembly without any division being taken against it, while in the Legislative Council it was opposed by two members only. The second Bill received the opposition of only two members in each branch of the Legislature. But when they were forwarded to your Majesty for the royal confirmation, they were accompanied, as we have since learned, by several memorials and remonstrances, signed by a few Land Proprietors in this Colony, and by the Agents of many others who reside in England and elsewhere—a class of persons who have little or no sympathy in common with the inhabitants of this Island, who derive much profit and advantage from the industry of our population, and contribute an insignificantly small share of the public burthens.

It appears by a Despatch from one of your Majesty's Ministers, the Right Hon. Sir George Grey, dated 17th November, 1855, an extract of which has been submitted to the Legislature, that your Majesty's advisers could not advise your Majesty to assent to the Bills under consideration, for certain reasons set forth in the Despatch, and for other reasons more particularly detailed in the Memorials of the Proprietors. We have carefully and dispassionately considered the objections advanced by your Majesty's Secretary of State, as well as the allegations of the Memorialists, and we beg to assure your Majesty that the former appear to us as based on the most untenable grounds, while we have been under the painful necessity of shewing the latter to be, for the most part, untrue, as may be seen by a series of Resolutions, severally agreed to in the two Houses of Legislature, and recorded on their Journals.

While we sincerely regret that the Tenants' Compensation and Rent Roll Bills were deemed unworthy of your Majesty's favourable consideration, we offer no complaint against the exercise of the Royal prerogative in this matter; but when we find that measures can be frustrated by palpable misrepresentation—which measures are deemed to be essential to the welfare of the Colony by those to whom the guardianship of its rights and interests is entrusted, and who are, from their local position, best qualified to form a correct judgment as to the requirements of the Colony—it is our duty to acquaint your Majesty that a grievous wrong is inflicted upon a loyal and dutiful people; and we are forced to the painful expression of our conviction, that although unshaken is our confidence in your Majesty's gracious consideration for the interests of all classes of your Majesty's subjects, the people of Prince Edward Island cannot but feel themselves degraded below the level of their fellow subjects in other parts of the Empire, and the privileges of self-government, now so highly valued in the Colony, rendered entirely nugatory, if your Majesty's advisers, should continue to be led into error by misrepresentations, and the constitutional action of our representative institutions be suspended, by the covert and selfish designs of persons who are entrusted with no authority, acknowledge no responsibility, and are apparently insensible to the best interests of the community at large.

We do not deny that the Land Proprietors, or any other class of our fellow subjects, whether resident in the Colony or not, have an unquestionable right to appeal to your Majesty against the enactment of any law, by which their interests are expected to be affected.

We only complain that the exercise of this ancient right, as is the case with respect to the memorials of the land proprietors, should be unhappily coupled with calumnious allegations against the people of a loyal Colony and wilful misrepresentations of the acts and motives of the Legislature, to whose care the interests of that people are entrusted, and

that representations are frequently made to the Colonial Office which we can have no opportunity of rebutting.

The prayer of this humble Address is, therefore, that your Majesty may be pleased to give such consideration to our just complaint, and to the facts herein set forth, as will rescue this portion of your Majesty's dominions from the humiliating and anomalous position of being, in a great measure, subject to the domination of a power so foreign to the constitution as that which is permitted to be exercised by land proprietors, chiefly non-resident, and their Agents; and that since your Majesty has been graciously pleased to concede to us Responsible Government, under which the management of our local affairs was believed to belong to ourselves,—our further prayer is, that under your Majesty's august and happy reign the small dependency of Prince Edward Island may not be placed in a worse position than its sister Colonies, with respect to the full enjoyment of its just and constitutional privileges.

The foregoing address having been reported to the House, Hon. Mr. Palmer moved to amend the same by expunging the whole, and substituting the following:—

"Whereas His Excellency the Lieutenant Governor having thought proper to communicate to this House only a certain part or parts of the Despatch of the Right Honorable Sir George Grey, Her Majesty's Secretary of State for the Colonies, dated the 17th day of November last, in which is communicated Her Majesty's disallowance of the Rent Roll Bill and Tenants' Compensation Bill, passed in the last Session of the Legislature, and the Colonial Secretary, in his place in the House of Assembly this Session, having declared that the whole of the said Despatch should not be laid before this House, if even it were called for by a majority of the House: *Therefore Resolved*, that this House feels it would be to surrender the rights of the people of this Colony, and to adopt a principle dangerous to their liberties, were the House to adopt any Address in answering or acknowledging said Despatch, which might, by any construction, be held an admission on the part of the Legislature of this Colony, that Despatches from the Colonial Minister, on the public affairs of this Colony, not being marked private or confidential, may or may not be withheld from its Legislature, according to the will of the Lieutenant Governor of the day."

The House divided: For the amendment—Messrs. Palmer, Cooper, Longworth, Haviland—4.

Against it—Messrs. Whelan, Coles, Lord, Mooney, Warburton, McGill, Clark, Muirhead, McDonald, Laird, McIntosh, Munro—12.

The amendment was therefore lost. The question then being put—"Shall the address be agreed to?"

The House divided: For the address—Messrs. Whelan, Coles, Lord, Mooney, Warburton, McGill, Clark, Muirhead, McDonald, Laird, McIntosh, Munro—12.

Against it—Messrs. Palmer, Longworth, Haviland, COOPER!—4.

The address was then agreed to and ordered to be engrossed.

A Committee was appointed to prepare an address to His Excellency, thanking him for his various communications during the Session. The House then adjourned.

MONDAY, April 14.

Mr. McGill, from the Committee appointed to report on the contingencies of the House, presented the report of said Committee, which was read, submitted to a Committee of the whole House, and agreed to therein.

The Legislative Council sent down a message, stating that they had agreed to the Election Bill, the Weights and Measures Bill, and the Appropriation Bill.

Mr. McDonald, from the Special Committee appointed therefor, presented the draft of an address to His Excellency, thanking him for his various communications during the Session, which was agreed to and ordered to be engrossed.

Hon. Mr. Whelan, from the Committee appointed to join the Committee of the Legislative Council, to prepare an address to Her Majesty the Queen, in accordance with a resolution agreed to by the House, while in Committee on the subject of the Land Proprietors' Memorials—the said resolution having reference to a further purchase of township lands in this Island, under the guarantee of the Imperial Government—presented the following draft of an address as the report of the said Committee:—

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

Most Gracious Sovereign:

Your Majesty's loyal and dutiful subjects, the Legislative Council and House of Assembly of Prince Edward Island, in Parliament convened, have had under their earnest consideration, during the present Session, a Despatch addressed to His Excellency the Lieutenant Governor of this Island, by your Majesty's principal Secretary of State for the Colonies, dated, "Downing Street, 21st December, 1855," in reference to the long agitated question of the land tenures in this Island, from which Despatch we beg to make the following extract, for your Majesty's royal consideration:—

"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 land-owners the full value of the right and interest of the land-owner, sales and purchases cannot be effected. It would seem probable that at all events, in the case 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 land-owners as might be willing to sell, and that the State, thus becoming possessed of the fee simple of such lands 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."

Your Majesty's Secretary of State seems not to have been made aware that there is a law upon our Statute Book

authorising the Government to purchase the Township Lands in this Island; but by this Law the Government cannot exceed, in making such purchases, the sum of £20,000, and the whole of the Revenues of the Colony are pledged to the redemption of that amount.

The Law in question is now in operation, but its beneficial results can only be felt to a very limited extent by the smallness of the amount which can be appropriated to the extinction of proprietary claims.

We humbly conceive that if all the Township Lands were purchased by the Government, there would be a sufficient sum realised by their re-sale to cover the expense incurred, the interest of the money employed, as well as its repayment, while the advantages would be incalculable which this loyal Colony would derive from such a measure, by its stimulating the enterprise and industry of its inhabitants, now in a great measure paralyzed by the long-prevailing contention between landlords and tenants, and restoring tranquility and contentment.

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.

On motion being made that the foregoing address be agreed to, the House divided:

For the address—Messrs. Whelan, Coles, Lord, Warburton, Mooney, McGill, McDonald, Munro, Clark—9.

Against it—Messrs. Palmer, Longworth, Haviland, Cooper, McIntosh, Laird—6.

The address was therefore carried and ordered to be engrossed.

A Committee was then appointed to join a Committee of the Legislative Council, in preparing an address to His Excellency the Lieut. Governor, requesting him to transmit to Her Majesty the joint addresses of both Houses, respecting the memorials of the Land Proprietors, and the despatches of the Secretary of State on the same subject.

Some unimportant routine business having then been transacted—such as receiving the 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 attendance of the members of the House of Assembly 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 twenty-five Acts passed during the Session.

The following is a list of the Acts passed:—

An Act to continue the Act for the regulation of the Mackerel Fishery.

An Act to continue the Act relating to the laying down, erection and maintenance of Buoys and Beacons in this Island.

An Act to protect Justices of the Peace from vexatious actions.

An Act to amend the Law in this Island, as to Ejectments and Distresses, and as to the occupation of lands.

An Act to facilitate the performance of the duties of Justices of the Peace in this Island, with respect to persons charged with indictable offences.

An Act to facilitate the performance of the duties of Justices of the Peace, with respect to summary convictions and orders.

An Act to authorize the Government to prohibit the exportation of Saltpetre and other chemical salts.

An Act relating to the Indians of Prince Edward Island.

An Act transferring to one of Her Majesty's Principal Secretaries of State the powers and estates vested in the principal officers of the Ordnance.

An Act to increase the Stock of the Charlottetown Gas Light Company.

An Act to incorporate the Trustees of St. David's Church in Georgetown.

An Act further to improve the Law of Evidence.

An Act relating to the Boundaries of the City of Charlottetown, and the jurisdiction of the Mayor's and Police Courts of the said City, and for other purposes therein mentioned.

An Act to explain and amend the Statute of Limitations of Actions concerning Real Estate.

An Act in further amendment of the Act to incorporate the Ministers and Trustees of St James's Church in the Town of Charlottetown.

An Act to alter and amend the Act relating to the Charlottetown Ferry, and the Wharfs connected therewith.

An Act to alter and amend the Act incorporating the Ministers and Elders of St. John's Church, Belfast.

An Act to amend the Act incorporating the Bank of Prince Edward Island.

An Act to increase the number of Members to serve in the General Assembly, and to consolidate and amend the Laws relating to Elections.

An Act for barring Estates Tail.

An Act to consolidate and amend the Laws relating to Weights and Measures.

An Act to repeal the Act relating to Light and Anchorage Duties, and to make other provisions in lieu thereof.

An Act to consolidate and amend the Acts regulating the sale, by license, of Spirituous Liquors.

An Act for raising a Revenue, and to consolidate and amend several Acts therein mentioned.

An Act for appropriating certain moneys therein mentioned for the service of the year of our Lord one thousand eight hundred and fifty-six.

The Speech with which His Excellency prorogued the Session is as follows:—

Mr. President and Honorable Gentlemen of the Legislative Council:

Mr. Speaker and Gentlemen of the House of Assembly:

In bringing the Session to a close, I avail myself, with much satisfaction, of the occasion to congratulate you on the spirit with which you have applied yourselves to the public business, and the measures which you have thus been enabled to accomplish.

Mr. Speaker and Gentlemen of the House of Assembly:

I thank you, in Her Majesty's name, for the supplies which you have granted for the public service. It will be my care to protect the public interests in their due application to the services for which they are intended.

I trust that the appropriation for Steam Communication with the neighbouring Provinces may prove sufficient for that important object.

Mr. President and Honorable Gentlemen of the Legislative Council:

Mr. Speaker and Gentlemen of the House of Assembly:

The Despatches from the Secretary of State having reference to Proprietary Titles in this Island, which it was my duty to communicate to you, afford abundant evidence that the decisions of Her Majesty's Government in this respect will be inflexibly maintained. Agitation on this subject may produce a certain amount of evil, but it is manifest that it can in no way be productive of advantage.

I trust there are sufficient grounds to justify the expectation that at an early day we shall have authentic information of the termination of the War; and that peace having been happily restored to Europe, the honor and glory of England and her illustrious Allies will have been enhanced by the terms upon which it may be attained. I am happy in feeling assured of the extent to which you participate in my sentiments on this subject.

I am well aware that the people of this Island have long been distinguished for that spirit of devoted loyalty which springs from a cherished regard for the institutions of our common Country, and as it is our duty, in our several stations, to strengthen and confirm this feeling, I invite you, in returning to your homes, to lose no opportunity of impressing them with a just sense of Her Majesty's benevolent desire for their welfare, and the advantage to themselves of continuing to cultivate that habitual respect for the laws and constituted authorities which characterize men and communities who respect their own rights; and who, appreciating the blessings which under Providence they have acquired, would transmit them unimpaired to their posterity.

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