

The Herald

VOL. III.

CHARLOTTETOWN, P. E. ISLAND, WEDNESDAY, JUNE 26, 1867.

NO. 37

THE HERALD

PRINTED AND PUBLISHED EVERY WEDNESDAY MORNING

BY EDWARD REILLY,

EDITOR AND PROPRIETOR,
at his Office, Queen Street.

TERMS FOR THE "HERALD,"
For 1 year, paid in advance, £0 9 0
half-yearly in advance, 0 10 0

Advertisements inserted at the usual rates.

JOB PRINTING.

Of every description, performed with accuracy and dispatch
and on moderate terms, at the Herald Office.

ALMANAC FOR JUNE.

MOON'S PHASES.

New Moon, 2d day, 11h. 0m, morning, S.
First Quarter, 9th day, 2h. 25m., morning, N. V.
Full Moon, 17th day, 0h. 42m., morning, S.
Last Quarter, 25th day, 1h. 15m., morning, E.

DAY	DAY WEEK	SUN	High (Moon)	Low (Moon)
1	Saturday	4 17 7 37 9 26	2 57 15 20	
2	Sunday	17 38 10 52	sets	21
3	Monday	16 39 11 48	8 36	23
4	Tuesday	16 40 10m.	9 35	24
5	Wednesday	16 41 0 36	10 26	26
6	Thursday	15 42 1 28	11 12	27
7	Friday	14 43 3 22	11 49	28
8	Saturday	14 43 3 15	morn.	29
9	Sunday	14 44 4 7	0 34	30
10	Monday	14 45 5 5	0 56	31
11	Tuesday	14 46 6 2	1 36	32
12	Wednesday	13 46 6 59	1 57	33
13	Thursday	13 47 7 51	2 27	34
14	Friday	13 47 8 45	2 2	34
15	Saturday	13 47 9 31	3 36	34
16	Sunday	13 48 10 16	ri.	34
17	Monday	13 49 10 57	7 15	35
18	Tuesday	13 49 11 40	8 36	35
19	Wednesday	13 49 12 17	9 17	36
20	Thursday	13 50 1 0	9 54	36
21	Friday	13 50 1 59	10 28	37
22	Saturday	14 49 2 31	11 0	37
23	Sunday	14 49 3 11	0 36	38
24	Monday	15 49 3 47	1 0	35
25	Tuesday	15 49 4 26	morn.	35
26	Wednesday	15 49 5 29	0 32	35
27	Thursday	17 49 6 27	1 8	35
28	Friday	17 49 7 31	1 46	35
29	Saturday	17 49 8 38	2 31	35
30	Sunday	18 49 9 35	2 23	35

Prices Current.

CHARLOTTETOWN, June 21, 1867.

Provisions.	Grain.	Vegetables.	Poultry.	Fish.	Lumber.	Sundries.	
Ref. (small) per lb.	64 to 65	Do by the tub.	44 to 45	Do (Spruce)	46 to 47	Do (Pine)	75 to 76
Do by the quarter.	64 to 65	Do by the tub.	44 to 45	Do (Pine)	75 to 76	Shingles, per M.	18 to 19
Do by the bushel.	44 to 45	Do by the tub.	44 to 45	Do (Pine)	75 to 76	May, per ton.	80 to 100
Do by the quarter.	44 to 45	Do by the tub.	44 to 45	Do (Pine)	75 to 76	Straw, per ton	20 to 25
Do by the bushel.	44 to 45	Do by the tub.	44 to 45	Do (Pine)	75 to 76	Timothy Seed,	18 to 20
Do by the quarter.	44 to 45	Do by the tub.	44 to 45	Do (Pine)	75 to 76	Clover Seed, per lb.	4 to 6
Do by the bushel.	44 to 45	Do by the tub.	44 to 45	Do (Pine)	75 to 76	Hempseed, per yard.	4 to 6
Do by the quarter.	44 to 45	Do by the tub.	44 to 45	Do (Pine)	75 to 76	Calcutta, per lb.	4 to 6
Do by the bushel.	44 to 45	Do by the tub.	44 to 45	Do (Pine)	75 to 76	Hides, per lb.	1 to 10
Do by the quarter.	44 to 45	Do by the tub.	44 to 45	Do (Pine)	75 to 76	Wool.	9 to 10
Do by the bushel.	44 to 45	Do by the tub.	44 to 45	Do (Pine)	75 to 76	Sheepskins.	9 to 10
Do by the quarter.	44 to 45	Do by the tub.	44 to 45	Do (Pine)	75 to 76	Apples, per dozen.	24 to 40
Do by the bushel.	44 to 45	Do by the tub.	44 to 45	Do (Pine)	75 to 76	Farringtons.	24 to 40

GEORGE LEWIS, Market Clerk.

COLONIAL PARLIAMENT.

DEBATES AND PROCEEDINGS OF THE LEGISLATIVE COUNCIL.

Council Chamber.

WEDNESDAY, May 15th.

BILLS FORWARDED.

On motion of the Hon. Mr. Gordon, a bill to repeal two certain Acts therein mentioned, to compensate vessels to exhibit a light while in harbor in the night time, and to make other provisions in relation thereto, was read a third time and passed.

A message was brought from the House of Assembly by the Hon. Mr. Howland, with a bill to amend the establishment of an additional Small Debt Court at Somerset, and at Moutague Bridge, and for other purposes therein mentioned. Also, a bill to amend certain Acts therein mentioned, relating to the revenues.

The said bill was read a first time, and, on motion of the Hon. Mr. McDonald, the first name was read a second time and committed to a Committee of the whole House.

Hon. Mr. DINGWELL thought this bill was an improvement upon the former Small Debt Act, inasmuch as it named the places at which the Commissioners were to hold their Court, and he considered it necessary that the Courts should be confined to the places for which they were appointed. Bay Fortune Court had not been held in the place for which it had been appointed during the last seven or eight years, but was sometimes held in Grand River and sometimes in Dundas. He questioned the legality of the business transacted at the Court when it was removed from one part of the country to another, without any authority. He wished to know whether it was competent for the Commissioners thus to remove the Court, so that all parties interested might know what they had to expect.

Hon. Mr. ANDERSON asked if the Court had been removed to a different Township from that in which it had been formerly held.

Hon. Mr. DINGWELL replied that Bay Fortune, the place for which the Court was appointed, was in Lot 43, and it was held part of the time in Lot 56, and he believed part of the time in Lot 54 or 55.

Hon. Mr. BEER remarked that by the present Act the precise locality where the Court was to be held was to be decided by the Governor in Council.

Hon. Mr. DINGWELL said that he wished to know, was whether it was a legally constituted Court when it was removed without the sanction of the Governor in Council.

Hon. the PRESIDENT said he could not see how it could be a legally constituted Court when it was held at a different place from that named by the Governor in Council.

Hon. Mr. LORD wished to know if it would be an advantage to Bay Fortune to have another Court established there. It was considered by many that the further people were from a law Court, the better, as distance from a Court had a tendency to prevent litigation.

Hon. the PRESIDENT said that what his honor had by Fortuna (Mr. DINGWELL) wished to know was whether a Court was legally constituted when it was held at a different place from that named by the Governor in Council. It was not whether another Court would be an advantage.

Hon. Mr. DINGWELL said the President exactly understood his question; but in reply to his honor from Prince Court (Mr. Lord) he would say that the people of Bay Fortune, as far as he knew, did not desire another Court. It was Bay Fortune Court, though it was held at Grand River.

Hon. Mr. GORDON said he was sorry that this bill, which was intended as an amendment to the Small Debt Act, did not go further, as that Act required many amendments. By the 8th section the defendant arrested by virtue of a Capias could put in security before the Justice of the Peace nearest to the place of arrest, that he would appear at the Court for the district. What district? It should mention the Court nearest to the district where the Capias is issued. He was also of opinion that the Clerk should have power to issue a Capias for £30 as well as a Commissioner or Justice of the Peace. The 24th section also required amendment. He required that notice should be given to a surety ten days before the issue of an execution, but there was no form of notice in the Act, neither was there any fixed day every summons. He thought it ought to be a bailiff upon every summons. He thought that when a joint suit was instituted against two or more persons, all in the same direction, and a summons issued for each, mileage should only be allowed upon the one first copy, and the fee for service on each of the others. In case of a bailiff becoming liable on account of some error, he was of opinion that no action should be maintained against him or less it should be commenced within six months after he became liable. When the Court is opened he thought the Clerk's functions, with respect to persons acknowledging judgment, should cease, for a considerable amount of confusion was caused by parties coming in to confess judgment to the Clerk while the Court was sitting.

Hon. the PRESIDENT remarked that formerly a bailiff, when he had a number of summonses for parties residing at or near the same place, only received mileage for one, but the rate of mileage was higher at that time. There was a good deal of difficulty connected with it, and to obviate that, the mileage was reduced and the present arrangement made. As to parties confessing judgment to the Clerk, he thought they should not be compelled to go into a trial. Parties who had business at the Court might arrive after the Court was opened, and it would be unfair to deprive them of the privilege of confessing judgment to the Clerk.

Hon. Mr. GORDON thought they should have the privilege at any time before the opening of the Court, but not after.

Hon. Mr. ANDERSON was of a different opinion. He thought they should have the privilege at any time before the case was called, and he had known Commissioners wait a whole day without having a single case before them.

Hon. Mr. BEER said that he had seen the business of the Court very much delayed, and a good deal of confusion caused, by parties coming in to confess judgment to the Clerk, and he thought they should either do so before the Court was opened or wait till the case was called.

Hon. Mr. LORD said that after the case was called the parties had to pay the judgment fee, but if they confessed judgment to the Clerk that fee was saved. He supposed some of the gentlemen who had spoken for a personal interest in the matter. He did not think it was the intention or desire of the majority of the Legislature to introduce any very extensive amendments this session; but if his honor had found so much fault with the Act would introduce an amendment to amend the present arrangement for a certain purpose. When a change took place in the Government it was necessary to make changes in various departments. It was intended by this bill to establish some additional Courts, and he thought there should have been provisions made to establish one at the head of Murray Harbour and one or two other places, but he hoped no amendment would be introduced at this late hour of the session.

Hon. Mr. DINGWELL said that though it might be a little inconvenient to the Court, it was an advantage to the people. Perhaps some parties might not rightly understand their position till they came to the Court, and they should have the privilege of confessing judgment to the Clerk. He would like to see further amendments made to the Small Debt Act, but they had very little time to devote to it at present. Before another session they might ascertain the views of the people, and they might then have time to consider it more fully. He did not think it was necessary to establish so many Small Debt Courts, if there were fewer Courts, their sittings less frequent, and their jurisdiction extended, they would answer the general purposes of the country much better. He did not approve of having law too cheap, nor did he think it was an advantage to have a court near his door.

The House was then resumed, the Chairman reported the bill agreed to without any amendment, and, on motion of the Hon. Mr. McDonald, it was read a third time and passed.

A message was brought from the House of Assembly by the Hon. Attorney General, with a bill to appropriate certain moneys therein mentioned for the service of the year of our Lord one thousand eight hundred and sixty-seven, which was read a first and second time and committed to a committee of the whole House—Hon. Mr. McDonald in the chair.

Respecting a grant of £200 for the purpose of procuring steam communication between Souris, Georgetown, Murray Harbor, Pictou and Charlottetown, Hon. Mr. DINGWELL remarked that he was sorry that the Government had not thought proper to include Grand River. It was a good harbor, perhaps as good as any in the province, and it was a great advantage to the people of that district. He did not know whether £200 would be sufficient for the attainment of the object contemplated. However, as it was a step in the right direction, he would not oppose it, though he would rather the resolution had said "a sum sufficient."

Hon. Mr. WALKER quite agreed with his honor who had spoken. Grand River was an important place, and it was entirely overlooked. The amount was too small to induce any person to run a steam boat to those places. £200 would be something like what was required. It was not what they would expect, but he supposed the House would not admit of a larger grant being given.

Hon. Mr. DINGWELL said if the Government were sincere in desiring to get steam communication to those places, as he supposed they were, they should have had a larger grant. He thought that the Government had not been more than £200. That part of the Island had been long neglected in that respect, and it might be long neglected any longer for the sake of a few hundred pounds. The people of Grand River would pay their share of the expense of steam communication to Charlottetown and Summerside, and they received the benefit of extra grants for roads, bridges, or wharves. Whether Grand River was intentionally omitted, or whether it was considered that it would require too much of the steamer's time to call on that place, he did not know. He thought it was an alteration made if it were competent for the Council to do so. He observed that tenders had been advertised for, but he did not know if that would make much difference.

Hon. Mr. McDONALD observed that the people of Grand River had not asked for the boat to call there.

Hon. Mr. WALKER said he was aware that the Government had received a communication from a person at Dundas, calling their attention to it, and he thought that was sufficient to bring it to their notice.

Hon. the PRESIDENT said he supposed it was the first time the representative of that part of the country had an opportunity of knowing whether Grand River was included or not. He thought it would be well to bring it to the notice of the House of Assembly, and he would do so.

Hon. Mr. DINGWELL said he was satisfied to leave it to the discretion of the Government, for he had confidence that they would do justice to that part of the country. Some members of the Council were members of the Government, and they should see that no part of the country was neglected.

Hon. Mr. LORD: His honor says "if the Government is sincere." Thus he evidently doubts our sincerity.

Hon. Mr. DINGWELL: No! I said I did not doubt their sincerity.

Hon. Mr. LORD: Well, his honor has qualified his statement now. For my part, I believe the Government is thoroughly sincere, as far as the amount is concerned. If the resolution and a sum sufficient, perhaps the tenders would be for double the amount which has been named. I think it is intended that the boat should call at Grand River, and if I mistake not, it is named in the advertisement for tenders.

Hon. Mr. McDONALD: No! it is not named in the advertisement.

Hon. Mr. GORDON: I am sorry that it was not "a sum sufficient" instead of the definite sum of £200; but, at the same time, I think it is probable that a boat can be obtained for that sum, or even less. It would be very little additional expense for the boat to call at Grand River. I believe it is quite possible for a boat to run from Georgetown to some part of Nova Scotia during ten months of the year.

Hon. Mr. DINGWELL: I believe a boat can come to Grand River several weeks later in the season than to Georgetown.

Hon. Mr. McDONALD: Quite agree with my colleague (Mr. Gordon) respecting the time a steam boat can run from Georgetown to Nova Scotia. With regard to the grant of £200 under consideration to be placed at the disposal of the Government to procure Steam Communication to that part of the Island, some of your honors think it would have been better to have said "a sum sufficient," but in that case it is within the bounds of possibility that tenders might be put in at an extravagant rate, and the Government might be subjected to expense if they refused to accept a tender which they considered extravagant. I think the sum granted is sufficient. It is equal to £25 a trip for the remainder of the season. I also consider it a fair appropriation when compared with the amount given to run the present mail steamers, £17,000. It is more than one third of that amount, and they will not be required to run so far nor so often—only once a week, the others twice. It would, no doubt, be well to have the boat to call at Grand River, though it would be some additional expense. It is a better harbor than Souris till the break-water is completed. I think the appropriation is a fair one, and there is a prospect of getting a boat to run for that amount. I am agreed to.

MACADAMIZING ROADS.

A special grant of £250 for the main post roads (the Royal) and Commins of Charlottetown, and £100 each for roads near Georgetown and Summerside, to be expended under the direction of the members for those Towns.

Hon. Mr. WALKER: I think it is not improbable that some difficulty may arise from that mode of appropriating money, inasmuch as there were some grants appropriated in the same way, and there would be some returns or vouchers to show how the money was expended. It is a very loose and unsatisfactory way of doing business; but at the same time, I believe the amount appropriated for the roads near Charlottetown was well expended.

Hon. Mr. GORDON: I do not know whether the remarks of his honor are intended to apply to the members for Georgetown, but I can assure him that the money was well expended, and vouchers can be produced for every shilling of it if they are required.

Hon. Mr. DINGWELL: I think the plan adopted last year must have given satisfaction or it would not have been continued. It may be a good method, but it is making Road Commissioners of the representatives of those towns. It is the duty of the Commissioners to expend the money appropriated for that branch of the public service, and I cannot see how the representatives of the people can claim to have it expended under their direction, nor is it to be supposed that every member elected understands making roads. The money may have been well appropriated last year, and it is thought proper to appropriate it in the same way this year, but I do not think that method will be pursued very long.

Hon. Mr. McDONALD: As far as Georgetown is concerned, I may say that the amount appropriated was taken charge of by the two members for the town—half by each—and the part which came into the hands of the non-resident member was placed at the disposal of the magistrates. They had several meetings, and the money was expended under their direction. I can endorse the statement of my hon. colleague, respecting the vouchers, for I believe both he and I were present when they were produced and audited by the magistrates.

Hon. Mr. PALMER: With reference to the expenditure in and about Charlottetown, I can only say that, as far as I was one of the representatives of the town, yet I never heard a single word about the matter, and therefore I cannot give any account of the manner in which the money was expended.

Hon. Mr. WALKER: It is the members of the House of Assembly who are intended.

Hon. the PRESIDENT: If the money has been better expended than formerly, I think it is well to appropriate it this year; the same principle, if judiciously applied, would eventually succeed in effecting the purchase of any remaining estates that might from time to time be offered to the Government. That the cause of the present depression of trade and scarcity of the circulating medium was not attributable to the purchase of the Cunard Estate, but to the fact that a larger quantity of goods were imported last year than was warranted by the circumstances of the Colony, and also to the fact that ships were sent to market, which were still lying in the English docks unladen. Hence the want of exchange to meet the bills of the merchants.

Hon. Leader of the Government defended the principle of the loan bill before the Committee, and said that he had hoped both sides of the House would have concurred in the necessary measure whereby not only to effect the further purchase of lands, but also to relieve the embarrassed state of the Colony commercially. The principle of the bill though formerly opposed and petitioned against by the Conservative party generally, was now almost universally admitted to be not only sound, but also loudly called for. In proof of which he referred to the petition of many of the merchants and others of Charlottetown, now on the table of the House, relative to the embarrassed state of the country. It was evident that the payment of the instalment due on the Cunard Estate was the cause of the banks refusing discount. The payment of which would absorb the greatest portion of the Gold and Silver in their vaults. Under the provisions of the loan bill the Cunard Estate would have been purchased and paid for, without experiencing any such serious depression in the ordinary trade of the country, as resulted from the said purchase, in the absence of such a measure. The loan would doubtless prove a boon, and he hoped that no such misrepresentations as were made against a similar measure on a former occasion would again be resorted to, for the purpose of defeating it. He hoped on the contrary that both sides of the House would have supported the question irrespective of party bias, as the effect of such general support from all parties would tend to secure success.

Hon. Davis, Howland, Laird, and Messrs. Jenkins, Reilly, Bell, and McNeill, supported the Bill on the grounds that it was desirable to provide means for the final purchase of proprietary claims, where the tenants could be relieved without the infliction of any material injury to trade and other branches of industry. That the obtaining of a loan would not only effect that desirable object, but also give an impetus to the commercial transactions of the Colony. That the borrowing of money in England in accordance with the terms of the bill, would prevent the sudden withdrawal of the gold and silver of the country, and thereby enable the banks to keep up their circulation for the accommodation of the ordinary requirements of trade and commerce. That in proportion to the amount of exchange required to be drawn from the country, would be regulated by the facilities given by the banks. That the mode adopted for the purchase of the Cunard Estate, had had a depressing effect on the whole trade of the country, and that if a similar or even a smaller purchase than that were again attempted, without some such provisions as the bill contemplated, it would cripple all the business in the Island, and entirely withdraw the circulating medium of the Colony from its ordinary and legitimate avenues. The banks having to provide exchange for heavy remittances required for the payment of the Cunard Estate, were crippled in their operations, and consequently curtailed, if not altogether refused discount on the very best security in the place. That had it not been for the heavy drains for the payments of lands, a quantity of goods imported last year would not have remained unladen, nor would the scarcity of money be so much complained of as was general. When ships and other productions of the country were sold abroad, exchange of gold was obtained, and thereby the banks were relieved. Similar results would follow the sale of lands. Loans of a similar nature had been obtained by other British Provinces from the Mother Country; and as money was good roads. I do not see that there is much to be obtained by obtaining the matter, for it is a money bill and a money vote, and we have no power to alter it. The whole appropriation comes up in one bill, and we must pass it as it comes before us or reject

Continued on the fourth page.

