

THE
PARLIAMENTARY REPORTER;

OR

DEBATES AND PROCEEDINGS

OF THE

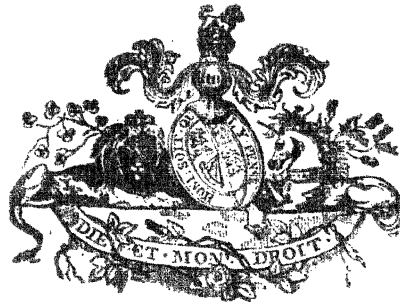
HOUSE OF ASSEMBLY

OF

PRINCE EDWARD ISLAND,

FOR THE YEAR 1863

BEING THE FIRST SESSION OF THE TWENTY-SECOND GENERAL ASSEMBLY.



CHARLOTTETOWN:

JOHN INGS, PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY.



THE
PARLIAMENTARY REPORTER,
SESSION, 1863.

MEETING OF THE LEGISLATURE.

On Tuesday, March 3, His Excellency Lieut. Governor Dundas came down to the Council Chamber, at 3 o'clock, to open the first Session of the Twenty-second General Assembly of this Island. The Members of the House of Assembly having previously taken the oaths required by law, were summoned by message from His Excellency to attend at the Bar of the Council Chamber, when Mr. Cooper, clerk of the Legislative Council, by command, directed the members of the Legislative Council to choose a President, and the members of the Assembly to repair to the Assembly Room to elect a Speaker.

The Members of the Assembly having returned, the Hon. Mr. McAulay, addressing Mr. McNeill, the Clerk, proposed the Hon. Mr. Haviland to be their Speaker, which was seconded by the Hon. J. C. Pope. No other Member having been proposed, the Hon. Mr. Haviland was taken from his seat by the Hons. Messrs. McAulay and Pope, and conducted to the Speaker's platform, and standing on the upper steps he returned his humble acknowledgements to the House for the great honor they had conferred on him, by choosing him to be their Speaker.

The Hon. Mr. Haviland then took the chair, when, on being summoned, the Speaker elect, and the House went up to the Council Chamber, whereupon his Excellency having approved of the choice of Speaker which the House had made, opened the Legislature with the following

SPEECH:

Mr. President and Honorable Gentlemen of the Legislative Council:

Mr. Speaker and Gentlemen of the House of Assembly:

Her Gracious Majesty the Queen has been pleased to announce to Her Parliament, that she has given Her consent to a Marriage between His Royal Highness the Prince of Wales and Her Royal Highness the Princess Alexandra of Denmark.

I am confident that you will receive this announcement with the greatest pleasure, and that you will heartily unite in expressing to Her Majesty your congratulations on an event so conducive to Her own happiness, that of Her family, and the welfare of the Nation.

The remembrance of the visit of His Royal Highness to this Island, gives additional interest to this Marriage.

The Secretary of State for the Colonies, has laid before the Queen the Petition passed by the Legislature last Session, praying Her Majesty to use Her influence to obtain for this Island privileges in respect of Shipping, similar to those which have been conceded by the French Government to the Province of Canada.

I am requested to inform you that the question of extending these privileges to Vessels built in any of Her Majes-

ty's North American Provinces, is under the consideration of the Government of France.

The Colonial Minister has intimated to me that the Commissioners appointed by the Queen, to inquire into the differences existing between Landowners and their Tenants, have exceeded their Powers in the Report which they have made.

His Grace is consequently unable to advise Her Majesty to assent to two Acts, passed during last Session, and intended to give validity to that Report.

Papers on the subject will be laid before you.

I am confident, that you will deliberate on a question of such interest to your constituents, and the Colony, with a determination to use your utmost endeavours to obtain a solution of those differences, which have so long retarded the prosperity of this Island.

Mr. Speaker and Gentlemen of the House of Assembly:

I have directed the Estimates of the present year, and the Public Accounts for the past, to be laid before you.

I observe with regret that the Expenditure for the year 1862 has largely exceeded the Revenue.

The Revenue has fallen short of that of the preceding twelvemonth. This without doubt, is in a great measure owing to the derangement of our Commerce, the result of the continuance of the unhappy struggle in the neighbouring Republic.

I would direct your attention to the sum which is annually expended on Education. This item alone absorbs nearly one half of the Revenue, and it is, moreover, an Expenditure ever increasing with the Population.

The proceeds of the Assessment on Lands, specially devoted to this service, are altogether disproportionate to the Expenditure which it entails.

The necessity for reducing that item of Public Expenditure, or of raising an additional Revenue to meet it, is imperative.

You will, I am confident, bestow a careful consideration on the Financial condition of the Colony generally, with a view to adopting such measures, as may be deemed necessary to equalize Revenue and Expenditure, and to maintain, unimpaired, the Public Credit.

Mr. President and Honourable Gentlemen of the Legislative Council:

Mr. Speaker and Gentlemen of the House of Assembly:

I have been desired by His Grace the Duke of Newcastle to invite you to give your earnest consideration to the system by which Money Votes are initiated in the House of Assembly.

In the Mother Country, and in several of the Colonies under Constitutions similar to your own, the Executive Government is directly responsible for the Financial condition of the country.

It is for you to consider the propriety of introducing this system.

A measure will therefore be proposed to you for vesting in the Lieutenant Governor and His Responsible Advisers the exclusive power of introducing measures for the appropriation of the Revenue.

Correspondence on the subject will be laid before you.

The Act changing the Constitution of the Legislative Council, by rendering it Elective, has received the sanction of Her Majesty and has been carried into operation.

The Constitutional position and functions of the Council remain exactly what they were: Its deliberations will be strengthened by a consciousness of popular support, while its construction is such as to reflect the settled wishes, rather than the transitory impulses of the People.

The qualification of Electors under the present Law renders it advisable that the Electors should be registered, and a measure to that effect will be brought before you.

I with confidence commit to you the important business which will come under your consideration in the course of the Session now opened.

The Members of the House having returned to their own Room, and His Excellency's speech having been again read, the House then proceeded to the choice of officers as follows:—

John McNeill, Esq., Clerk of the House,
Mr. William McLean, Clerk Assistant,
Benjamin DesBrisay, Esq., Law Clerk,
Albert H. Yates, Esq., Sergeant at Arms,
Mr. Angus McKinnon, Messenger,
Mr. William Birch, Door-keeper,
Mr. John Passmore, Assistant Door-keeper.

Hon. Col. Gray then rose in his place and stated to the House that he deemed it but right and proper to announce to Mr. Speaker and to the House, that His Excellency's late Ministers having tendered their resignation on the 23rd ultimo, and having requested His Excellency to undertake the task of forming a new Administration, which instructions he, the Hon. Col. Gray, had fulfilled. His Excellency's responsible advisers

John Hamilton Gray, President of the Council,
Edward Palmer, Attorney General,
James Yeo,
John Longworth,
James C. Pope,
David Kaye,
James McLarren,
Daniel Davies,
William Henry Pope, Colonial Secretary.

The usual Committees were then appointed.

The Committee to prepare the draft of an Address in answer to His Excellency's speech, were Messrs. Haslam, Duncan, Howat, Hon. Mr. Laird, Mr. McLellan, Mr. Yeo, and Mr. Brecken.

Committee on Public Accounts—Messrs. Yeo, McLennan, Duncan, Ramsay, Hon. Messrs. Thoratou, Warburton, Coles.

After the appointment of Committees, Mr. David Laird was appointed first Reporter to the House, and Mr. James Charles Cox, second Reporter.

Mr. Duncan then moved that Rev. George Sutherland be Chaplain to this House, and the Hon. Mr. Coles moved in amendment to the motion, that the Rev. Dr. Jenkins be the Chaplain.

On the question been put there appeared for the amendment—Hons. Messrs. Coles, Kelly, Whelan, Beaton, Warburton, Hensley, Laird, Messrs. Sutherland, Walker, Howlan, Conroy, Muirhead—12.

Against it—Hons. Col. Gray, Colonial Secretary, Pope, Longworth, Kaye, McAulay, Davies; Messrs. Brecken, Yeo, Ramsay, Montgomery, Howat, Haslam, McLennan, Duncan—15.

When the question was put on the main motion that Rev. Mr. Sutherland be chaplain, it was carried 16 to 11. Mr. Laird voting in the affirmative.

It was then resolved that no petition praying aid for Roads, Bridges, and Wharfs, or for any object of a local or private nature, be received after Wednesday the 18th March inst.

It was further resolved, that the postage on all letters and

printed papers both foreign and inland, to Members of this House, and the postage on the same, when inland only, from Members of this House, shall be charged to the contingent accounts of the House.

The House then adjourned.

WEDNESDAY, March 4.

Mr. Sinclair, who was not present at the opening of the House yesterday, appeared at the bar, and having been led in and introduced to the Speaker by Messrs. Muirhead and Howlan, two of the Members, took the oaths and his seat.

In the afternoon, as it was stated that two of the Members of the House had been assaulted while coming into the Building, on motion of the Hon. John Longworth, the House resolved itself into a Committee of privileges, Mr. Yeo in the chair. After some time spent in Committee the House resumed, when the following resolution was reported:

WHEREAS it appears from the evidence given before this Committee that two Members, the Hon. Daniel Davies, and James Duncan, Esq., while entering the House of Assembly this day, and within the precincts of the House, for the purpose of discharging their public duties as Members of the Legislature, were grossly insulted, and one of said Members, James Duncan, Esq., violently knocked down, and assaulted by Doctor John T. Jenkins, without any just cause, and solely in consequence of, or retaliation for, the discharge of a public duty on the part of the said two Members, namely, a vote given by them in this House on the previous day, and by reason of such outrage and offence so committed by the said John T. Jenkins in reference to the said two Members, he the said John T. Jenkins has been guilty of a high breach and invasion of the privileges and rights of this House, Resolved, therefore, that the Honorable the Speaker of this House do forthwith issue his warrant for the apprehension of the said John T. Jenkins, in order that the said offender may be brought to the Bar of this House to answer for the offence and breach of privileges aforesaid.

House adjourned.

THURSDAY, March 5.

The Speaker took the chair, at 11 o'clock, and, after the usual formalities the Hon. J. C. Pope presented a petition from Daniel Green, Esq., against the return of J. Muirhead, Esq., for the Fifth District of Prince County. The petition was received and read, and the House resolved itself into a Committee of Privileges.

Mr. John Yeo, in the chair.

It was resolved that the allegations in the petition warranted an inquiry, and after considerable discussion, the Poll Books and documents relating to the election were placed upon the table, by the Colonial Secretary, and Wednesday next, the 13th instant, was appointed as the day for the House to investigate the matter.

Mr. Haslam, from the Committee to prepare an Address in answer to His Excellency's Speech, reported a draft, which was made the order of the day for to-morrow.

Mr. John T. Jenkins was brought to the Bar in custody of the Sergeant-at-Arms, charged with having assaulted two Members of the House, the Hon. D. Davies and James Duncan, Esq. Mr. Jenkins carried in his hand the stick with which he said the assault had been committed; he said he did not assault or insult either as Members of the House, but as members of the community. As to inflicting personal injury on Mr. Duncan, it was far from his thoughts—all he intended was to shew his thorough contempt for him, on account of some approbrious epithets that Mr. Duncan had used, and he merely intended to knock his hat off. Mr. Duncan's hat was produced, and the triangular incision showed that great force must have been used.

An examination and cross-examination then followed, the questions being put in writing, and the answers taken down *verb et lit* by the Clerk. This occupied the whole forenoon, and in the afternoon sitting it was resumed. Mr. D. J. Roberts was called as a witness, but in answer to a certain question he said that he declined to violate the privileges of social life. He was cautioned and warned to no effect, and upon a motion being made, and carried, he was also handed over to the Sergeant-at-Arms. W. A. Johnston, Esq., was the next witness. He had seen a portion of the affair, and deposed to what he had seen, corroborating Mr. Jenkins' statements.

The Hon. Mr. Dingwell being required as a witness, a message will be sent to-morrow to the Upper House requesting his attendance.

The House adjourned at 7 o'clock, leaving Messrs. Jenkins and Roberts in custody of the Sergeant-at-Arms.

FRIDAY, March 6th.

On a former application being made, Mr. Daniel J. Roberts was permitted to appear at the bar of the House, where he apologized in suitable terms for being guilty of contempt in refusing to answer a question put to him by the authority of the House through the Speaker. His apology was accepted, and the question having been again put to him, he answered it, and made a statement to the effect that in some conversation they had had in the house of Dr. Jenkins, prior to the assault, in regard to the chaplaincy of the House of Assembly, the latter said that the conduct of the majority in the vote was contemptible, and they ought to be well licked, and he would not mind if he had the pleasure of doing it on the Market Square; that the former said this would not mend the matter much, and the conversation ended in a joke.

Mr. Roberts was then relieved from the custody of the Sergeant-at-Arms.

Dr. Jenkins was then asked if he had any statement to make with respect to the evidence given, when he expressed his satisfaction with the greater part of it, said he scarcely knew what words he used at the time of the assault, admitted the privileges of the House, and would bow to its decision, though he claimed that the liberty of the subject was equally sacred with these privileges. He also employed some words of doubtful meaning, which might be construed as threatening language. After Dr. Jenkins had concluded his remarks, he was withdrawn, and the House sat with closed doors till the hour of adjournment.

In the afternoon the Committee appointed to prepare standing rules for the guidance of the House; reported. The rules are the same, with a few unimportant alterations, as those formerly in use.

The Committee on the printing of the Journals reported, to the effect that they had received six tenders, viz: from Daniel Bathune, proposing to bind the Journals for 8s. 8d. per copy, and to stitch the same for 1s. 2d. per copy; from J. C. Doyle, offering to print the Journals for 22s. per sheet, and to bind the same for 2s. 9d. per volume, for the stitched copies 1s per copy; from Geo. T. Haszard, printing per sheet, different prices for 4 different qualities of paper, lowest being 19s 9d, for binding 3s 9d, for stitching 1s 3d; from F. W. Hughes, for printing 19s 6d per sheet, binding 4s 6d per copy, stitching 1s 6d; from John Ings, for printing, different prices for three different qualities of paper, the lowest being 23s per sheet, binding each copy 4s 6d, stitching 1s 3d; from Geo. Bremner, for printing 24s, binding 4s per copy, stitching 1s. Mr. G. T. Haszard's tender being the lowest was accepted.

The House then resolved itself into a Committee of privileges, and sat with closed doors till a late hour, when the following resolution was reported from Committee, and agreed to by the House:—

“WHEREAS it appears, by evidence adduced before this Committee, that Dr. John T. Jenkins did, on the 4th day of March, instant, assault two of the members of this House, namely, the Hon. Daniel Davies and James Duncan, Esq., while those members were in the act of entering this House for the purpose of discharging their public duties therein, and did then and there use and apply towards those two members most abusive, opprobrious and contemptuous terms in regard to their conduct in this House as members thereof, and did also upon the same occasion, and when the said members were within the precincts of this House, violently assault and strike one of the said members, and by reason of such acts and conduct has been guilty of a high contempt and breach of the privileges of this House—

Resolved, therefore, that for the said contempt and breach of the privileges of this House, so committed by the said John T. Jenkins, he the said John T. Jenkins be committed, during the pleasure of the House, to the custody of the Sergeant-at-Arms, and that the Honorable the Speaker do forthwith issue his Warrant accordingly.”

House adjourned.

SATURDAY, March 7.

DEBATE ON THE ADDRESS IN ANSWER TO HIS EXCELLENCY'S SPEECH.

The Hon. the Speaker took the chair at the usual hour, and the House resolved itself into Committee to consider the draft of the Committee appointed to prepare a reply to the Speech of the Lieutenant Governor at the opening of the House. Mr. Muirhead in the Chair.

The Address was then read, clause by clause, by the Chairman, and is as follows:—

To His Excellency George Dundas, Esquire, Lieutenant Governor and Commander-in-Chief, in and over Her Majesty's Island of Prince Edward and the territories thereto belonging, Chancellor, Vice Admiral, and ordinary of the same, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY:

We, Her Majesty's faithful subjects the House of Assembly of Prince Edward Island, beg respectfully to tender our thanks for the speech with which your Excellency was pleased to open the present Session.

It is with pleasure that we receive the intelligence, that Her Gracious Majesty, the Queen, has been pleased to announce to the Imperial Parliament, that she has given her consent to a marriage between His Royal Highness the Prince of Wales, and Her Royal Highness the Princess Alexandra, of Denmark, and we heartily unite in expressing to Her Majesty our congratulations on an event so conducive to Her own happiness, that of Her august family, and the welfare of the nation at large.

To the inhabitants of this Colony, the recollection of the visit of His Royal Highness to our shores, invests this great event with additional interest.

It is with satisfaction we learn, that the Secretary of State for the Colonies has laid before the Queen the Petition passed by the Legislature last Session, praying Her Majesty to use her influence to obtain for this Island privileges in respect of shipping similar to those which have been conceded by the French Government to the Province of Canada; and also that the question of extending those privileges to vessels built in any of Her Majesty's North American Provinces is under the consideration of the Government of France.

We regret that the Colonial Minister should have taken such a view of the Report of the Commissioners appointed by the Queen to inquire into the differences between Landlord and Tenant as to lead him to intimate that they have exceeded their power, and that His Grace cannot in consequence recommend that the Royal assent should be given to the two Acts passed during the last Session of this Legislature, which had for their object the confirmation and carrying into effect the provisions of the Award of Her Majesty's Royal Commissioners.

When the papers relating to this subject are laid before us, they will receive that grave consideration which their importance demands, and we assure your Excellency that our most serious and earnest deliberations will be devoted to a question fraught as this is, with such interest to our Constituents, and the Colony at large, and that we will be actuated by a determination to obtain a solution of a question the unsettled state of which has so long retarded the prosperity of this Colony.

We thank your Excellency for having directed the estimates of the present year, and the public accounts for the past, to be laid before us.

We regret to learn that the expenditure for the year that has just expired has largely exceeded the Revenue, and all so that the Revenue has fallen short of that of the preceding twelve-months, which is no doubt mainly to be attributed to the derangement of our commerce, the result of that fratricidal and devastating war, which is now raging in the neighboring Republic.

The important subject of Education, with the large and increasing expenditure which the maintenance of this department of the public service entails on the Colony, shall receive our deliberative attention.

The financial condition of this Island will receive our most serious attention, and we will also take into our consideration the adoption of such measures as will tend to the equalization of the Revenue and Expenditure, and the due maintenance of the public credit.

When the correspondence on the subject of the initiation of Money votes in the House of Assembly is laid before us, this matter will receive the consideration that its importance requires.

We are glad that Her Majesty has been pleased to grant the Royal allowance to the Act for changing the constitution of the Legislative Council, by rendering the same Elective, and we are of opinion the country will have more confidence in their deliberations, now that they are elected by the voice of the people.

The measure for the registering of votes, when submitted to us, will receive our attentive consideration.

The first and second clauses were adopted unanimously.

Hon Mr McAULAY, in moving the third clause, paid a very high tribute to His Royal Highness the Prince of Wales, with whose appearance and bearing, upon the occasion of his visit to this Colony, he was much struck, and thought him the most English of Englishmen.

Mr F. BROKEN seconded the motion, and endorsed the sentiments of the mover; when they looked at what was taking place in Prussia, and the fratricidal war at present devastating the neighboring Republic, they must all feel proud of being under the freest Constitution, and the sway of one of the most beloved and virtuous of Sovereigns of the world. He trusted that His Royal Highness would walk in the paths of his illustrious mother, and that happiness to himself and prosperity to the Empire would result from the proposed auspicious union. This had not been a state courtship; His Royal Highness had made his own selection the object of his choice; and he, (Mr B.) trusted that his wedded life might be more prolonged, but not less happy than that of his illustrious mother.

Hon Mr WARBURTON agreed cordially in the sentiments expressed. He trusted that the paragraph would be carried unanimously, and without the slightest reference to party.

Carried unanimously.

The fourth paragraph was also adopted unanimously.

Hon Mr McAULAY, in moving the adoption of the fifth paragraph, said it involved the great question of the session. All attempts to bring about a settlement of the Land Question had hitherto failed; and some thought this would fail, but he did not; and he believed that the only way of securing equal rights between Landlord and Tenant, and seeing them respected, was by the enforcement of the Award of the Land Commissioners. It would be a boon to the inhabitants of Prince Edward Island, and be much better than borrowing money and running into debt. The interest upon the proposed loan of £100,000, would absorb at least £9,000 per annum of their revenue; and the safest and only practical method of serving the Tenantry of the Island, and enable them to convert their leaseholds into freeholds, was the carrying out in its integrity the Award of the Land Commissioners.

Hon Mr WARBURTON differed entirely from the views of the hon. member who had just spoken. He believed that the Award of the Land Commissioners was the most gigantic humbug of the day; although he was quite willing to give the hon. member for Belfast full credit for sincerity in introducing the resolutions, and for good intentions, yet he was not in a position to know the state of the country at large. The price of the land had been fixed at too high a rate, as might be seen by the occupiers who were settled on land purchased by the Government. He did not believe that there were so many Tenants in arrears of rent as had been reported. The great objection to the Award was the question of the twenty years purchase. He had no political purpose to serve, but was desirous and willing to aid the cause of the Tenantry of Prince Edward Island. At present the young men of the Island were leaving fast, unwilling to encounter the difficulties staring them in the face. He himself had two sons gone, and he was almost tempted to say that he was glad they were gone. He did not believe in the arbitration clause, for he thought it would, if adopted, increase the tyranny of the Proprietors. He would

mention a case — Mr. John Clarke, of Cascampes, purchased land from Mr. Gordon, upon which there was an amount of £25. Mr. Clarke tendered the amount to the agent or proprietor, but he declined to accept the money. Some time after, when the roads were bad, Mr. Clarke was destrained upon for the very amount that he had offered to pay before, and that from a political motive. If the Landlords were resident there would be less trouble and vexation to the Tenantry. The hon. member concluded by saying that Mr. Stewart had been very much abused as a landlord, but he would as soon have him as any other. He believed that the loan might be procured for half the amount of interest stated by the hon. member for Georgetown, and the money, when obtained, would quiet the people, increase the revenue, and retain their young men at home, who were the bone and sinew of the Colony, otherwise he feared that an exodus would take place, fatal to the interests and well-doing of the Colony.

Mr. HOWAT thought no other course could be pursued than to adopt the paragraph. In his belief the Award had not been mutilated in any way, but so far as the House was concerned had been carried out fairly, openly, honourably and justly. He could see no other course to pursue than that laid down in the clause they were then discussing. The Commissioners had been fairly appointed, were gentlemen of great influence and of well-known integrity, from the neighbouring Colonies, and had held open court at various places throughout the Island, where any party interested could appear to give evidence. His Grace the Duke of Newcastle, had pronounced, in one of his despatches upon the question of the Award, that it was "able and impartial;" and he was fully in favour of carrying it out. The inhabitants of Prince Edward Island had been appealed to, and by their voices and votes, they had decided that the Award should be carried out in its entire integrity, because it was based upon equitable principles.

Hon Mr WARBURTON explained, in reply to a question, that he went before the Land Commissioners, to give evidence, and make statements, at the request of a portion of his constituents.

Mr HASLAM said he thought the question of the Award had been so thoroughly ventilated, and the details so well known, that it was hardly worth while to waste time upon the subject. He had a rising family, as well as the hon. member who had just spoken, but he had never advised or encouraged them to go away, because he believed that they would and could, by proper industry, prosper as well in Prince Edward Island as in any other part of the world. His Grace the Duke of Newcastle, had, no doubt, urgent reasons for taking the course he had pursued; but who would wonder that if His Grace should pause, when, in addition to the influence of absent proprietors, one of the newspapers published in the Island—he meant the *Examiner*—used its utmost power, week by week, against the Award of the Land Commissioners, and this would not be without its effect in England. After the recent election His Grace the Duke of Newcastle would know that what he had once regarded as doubtful, was now a certainty, and that the people of Prince Edward Island had decisively pronounced in favour of the Award of the Land Commissioners. Of course, in valuations or arbitrations there might be considerable difference in various counties and localities, but if the inhabitants of the Colony would only pull together the Award of the Land Commissioners would, if carried out, prove a great benefit, and, instead of proving a "gigantic humbug," turn out to be a solid reality.

Mr HOWLAN said, the proprietors were no friends of the Liberal portion of that House. The Award should have been carried out by the Government in good faith, and the loan should have been taken up. He never had heard of a tenant who wished to take the land from a Proprietor. They now wanted to extricate the ship from a lee shore, and there were many reasons for applying for the loan; and he must be a bad arithmetician, and worse financier who would prove that the loan of £100,000, would cost the Colony £9,000 per year.

Hon Col. GRAY—thought that the question involved had been so well discussed and ventilated in previous sessions that it was scarcely worth while to enter upon the merits of it at the present time. The people had spoken at the last election, and their decision had been "the Award, the whole Award, and nothing but the Award." In a despatch from His Grace the Duke of Newcastle, the Secretary of State for the Colonies, dated March 26, 1861, he made it a *sine qua non* that the House, on the part of the Tenantry should bind itself to agree to the decision of the Commissioners. This the House, on the part of the Tenantry agreed to; and the Crown, the Proprietors and the Tenantry, were all bound to abide by such decision when pronounced. In another despatch, dated Feb. 7, 1862, His Grace the Duke of Newcastle expressed his opinion, after receiving a copy of the Award of the Land Commissioners, that there were "unseparable difficulties," against the proposed mode of local arbitration recommended by the Commissioners. This House, however, passed the Bills intended to secure the Award, the whole Award, and nothing but the Award. On the 9th of August, 1862, another despatch was received from His Grace the Duke of Newcastle, in which the question of local arbitrations was not the ground of objection, but that the gentlemen appointed as Commissioners upon the important question of the Land tenures of the Colony, had exceeded their powers. After reading the last despatch, he (the Hon Col. Gray) felt that His Grace the Duke of Newcastle was giving utterance to opinions favourable to delay, in order to suggest to the House terms more favourable to the Tenantry than suggested in the Bill sent out by the Proprietors. It was the decision of this House upon which the question depended, and the Tenantry of the Island had fairly responded to the question propounded to them. The gentlemen who were members of the Land Commission were men of integrity and intelligence, and their fair and unanimous decision should not be cast aside by the sole expression of one of Her Majesty's Secretaries of State. There must be a higher tribunal than the office of a Secretary of State, and to that an appeal must be made. The tenantry of the Island were desirous of having this important question settled. If the Commissioners had exceeded their duty, and their Award was proved to be illegal, he believed he might answer for the tenantry of P. E. Island that they would bow to the decision, and obey the majesty of the law.

Hon Mr COLES—The hon the leader of the Government was bound, of course, to carry out the Award; but the people who had opened their mouths so wide at the prospect of getting their lands at six shillings an acre would be subject to great mortification. If the Award, with the arbitration clause, was adopted, he did not believe one tenant in fifty would be enabled to take advantage of it; for if they could not pay their rent now, how could they take advantage of it? He believed the Hon the leader of the Government was willing to do his best for the people, but feared that he was mistaken. It would be useless for all the Volunteers, with the gallant Colonel at their head, to attempt to storm the Colonial office, and make His Grace the Duke of Newcastle change his opinions upon the Award as expressed in his various despatches. No party influence could be exercised in the Colonial Office unless based upon justice. He regretted that the House took the course it did last session. They ought to have accepted the offer of His Grace the Duke of Newcastle, and then a proper remedy might have been suggested from the Home Government. It was folly to suppose that the Duke of Newcastle would be intimidated, or view the question of the Award in the same light that this House had done. It was folly to think of forcing his Grace, or to imagine that they would turn him out of office, for Her Majesty would never permit one of her principal Secretaries of State to be ejected on such an account. He repeated that it would have been much better to let His Grace the Duke of Newcastle have suggested the remedy, rather than to accept the proposal of Sir Samuel Cunard and the other Proprietors who had joined with him. The Land Question had been a source of

great irritation for years, and it would be worse than useless to pass the paragraph now proposed. He would move the following amendment:—

"We regret that the labours of the Land Commissioners, appointed by the Queen to enquire into the difficulties between Landlord and Tenant, should not have been followed by any beneficial effect."

If the loan of £100,000 could be obtained it would be one of the best things for the Tenantry of the Island, in the long run. The loan as proposed would not be required all at once, but in instalments, say £10,000, £15,000, or £20,000 as required, and could have been advantageously expended in purchasing from the Proprietors, to the advantage of the Tenantry. But the Proprietors were all-powerful at home, and the only Bill that was ever passed and allowed, despite their opposition, was the one-ninth bill.

Hon Col GRAY—Did the hon leader of the opposition ever hear or know of a loan being issued in dribbles? And did he not state that the price of fifteen years' purchase would be a boon to the Tenantry?

Hon Mr COLES was rather astonished at the question. He was not bound to fifteen years' purchase; and as to the question of the Loan, it never was intended to draw the whole amount at once, but as it was wanted; like they did in the neighboring colonies, where monies were advanced upon the guarantee of the Imperial Parliament. He believed that if the Tenantry could not procure the lands at less than fifteen years purchase, many of them owing large arrears of rent, the Award would make no improvement in their position.

Hon Mr LONGWORTH believed it was rather impolitic to enter into the difficulties of the Land Question, which many Governments had attempted to solve. The Arbitration Question was suggested by a former Colonial Secretary, the Right Honorable Sir Edward Bulwer Lytton, who pronounced it the only feasible plan. It was not necessary now to go into the question. When the Commissioners had been fairly appointed, His Grace the Duke of Newcastle should have taken a broader view of the matter than he appeared to have done, and treated the question as one of equity rather than law. The three Commissioners were appointed to propound an equitable scheme for the redress of grievances complained of, but it was not within the range or power of three men to go through the Island and fix the price on lands in various parts. The Award would be rendered nugatory by the passing of the proposed amendment. There had been no legal decision yet given upon it, and unless the question was carried to the Judicial Committee of the Privy Council, the highest tribunal in England, he might say that four years labor of that House had been thrown away.

Hon Mr COLES—So it has been.

Hon Mr LONGWORTH—did not believe it. But the time was now arrived when some decision should be arrived at, for the benefit of all parties. If the Award was not binding, the sooner it was known the better, and then other means could be devised. The acts, as passed in the last session of the Legislature, were only a confirmation of the Award as a whole, but upon the face of it, it could be seen that the Loan was simply a recommendation of the Commissioners. The principle of a loan has not been ignored by the Government. In fact it could be applied for at any time, but he believed it was better to stand by the arbitration clause than the loan. The question had been gone over so often, and sifted so thoroughly he thought it was unnecessary to make any further remark beyond that—if the amendment was adopted it would unsettle all their previous labors.

Committee reported progress.

Speaker in the Chair.

Hon Mr HENSLEY applied for leave of absence owing to the sitting of the Georgetown Court.

Hon Mr LONGWORTH made a similar application.

Hon Col GRAY suggested that in such cases it would be as well for hon members to pair off.

Hon the SPEAKER said, that according to Parliamentary practice, pairing off was not recognised in the English House of Commons. It was done *sub rosa*. The better way would be for hon members to apply for leave of absence.

Hon Col GRAY trusted his suggestion would be taken *sub rosa*, and both applications were granted.

House adjourned.

SATURDAY, March 7th.

AFTERNOON SITTING.

Committee on the Address in answer to His Excellency's Speech resumed.

Mr HOWAT—An amendment had been submitted by the hon leader of the Opposition, but if he (Mr H) understood it, it was similar to the paragraph under consideration. He was glad that the hon member seemed to be disposed to go to some extent with the majority. It used to be his practice to oppose everything brought forward by this side of the House; but he had seen it advisable to change his policy. He had now found that the country was in favor of the Award. There was no doubt respecting its opinion on the subject, and as it was true responsible government to carry out the well understood wishes of the people, what should the majority do but exert their utmost to obtain the Award? The people wished the Award, the whole award, and nothing but the award; it was the duty of the Government, then, to endeavor to get it carried into operation. Hon members all knew that there had not been the benefits from it which they could have desired.—The paragraph, before the Committee, however, expressed this, and the amendment was very little different. There being so little difference between them, why should the time of the House be taken up any longer on the question?

Hon Mr COLES was not surprised that the hon member for Tryon had taken that view of the amendment, as did the hon member for the second District of Queen's County this morning. This resulted from not paying strict attention to the words of the amendment. The paragraph of the Address did not express regret that no benefits had resulted from the Award, but the amendment did so, and he contended it would therefore express the opinion of the people more fully. He did not doubt that the hon member for Tryon was pleased to find that he (Mr C) was indisposed to offer a factious opposition to the Government. As the majority of the people had returned a party opposed to his (Mr C's) views, why should he waste time in objecting to as much as he would otherwise do were it the last Session of the Legislature. It had been stated that the Opposition did more to defeat the Award than the proprietors themselves. It was pretty evident that there was no disposition on the part of the proprietors to favor this side of the House. He himself had met with strong opposition in his District from some of that party. He (Mr C) would express his views briefly, as he was as anxious for a short session as any one. He thought the paragraph did not go far enough. From His Excellency's speech they learned what appeared to be a final settlement of the Award. The Colonial Minister had intimated that the Commissioners had exceeded their powers in the Report which they had made. Hon members of the majority seemed to think that it was not laid aside, and avowed their intention to prosecute the subject further. He would not detain the Committee by discussing this point now. When the Despatches came down, referred to in the speech, he would be in a better position to enter into the question, and if the proposal of the majority should meet his views, he would give it his support, if not he would bring forward something else. The Government certainly possessed the confidence of a large body of the tenantry, as was shown

by the large majority they had in both branches of the Legislature. They ought then to carry out their pledges to the people. He was not ignorant that other influences than the Award, had been brought to bear on the elections, such as religious prejudices—a circumstance for which he was sorry—still the subject of the Commission had also been before the people, and as a majority had been returned in favor of the Government, he was not disposed to give them a factious opposition on this question.

Mr BRECKEN did not understand why the religious question had been dragged in here; it should never be brought up unless it had a bearing on the subject under consideration,—and it had nothing to do with any paragraph in this address. To obtain the operation of the Award, if possible, was unquestionably the great plank in the platform of the Conservative party at the last election, and they were bound to use their utmost endeavors for the attainment of this end. The present aspect of the question appeared to be this: When the celebrated resolutions were passed, which were introduced by the present hon leader of the Government, their object was to obtain for the tenantry the privilege of converting their leaseholds into freeholds, on reasonable terms, and a large remission of arrears of rent. This was the substance of the address presented to Her Majesty the Queen, in answer to which, a despatch was received from the Duke of Newcastle objecting, at the suggestion of Sir Samuel Cunard and other proprietors, to so limited an enquiry, and insisting that if Commissioners were appointed they should be free and unfettered in their operations, and should be allowed to go into all the questions in dispute. He also stated in another place that the consent of all the parties would be necessary to give validity to the report of the Commissioners. But a late despatch from His Grace to the Lieutenant Governor contained the following:—

“Your advisers appear to consider that H. M. Government had proposed to the Proprietors of land, and that those Proprietors had consented to place themselves and their interests absolutely in the hands of the Commissioners. This, however, was far from being the case.

“The Proprietors consented that Commissioners should be appointed to enter into all the enquiries that might be necessary, and to decide upon the different questions which might be brought before them, giving of course to the parties interested, an opportunity of being heard.”

“The main questions thus to be decided upon were:—First, at what rate Tenants ought to be allowed to acquire freehold interests in their property; and next, what amount of arrears of rent should be remitted by the Landlords.”

Whether this despatch was written by the Duke himself, or by some of the clerks in his office, he (Mr B) was not prepared to say, but it was in almost direct opposition to the other. In one His Grace said the Commissioners should be free and unfettered, and in the other that they ought to have confined their investigations to the two questions here mentioned, for this was the pith of the objection in his latter despatch. An award on these two questions was what was asked for in the resolutions agreed to by this House; but the Duke of Newcastle and the Proprietors were not satisfied with this, they desired the Commissioners to be less fettered. The Despatches being so contradictory, he (Mr Brecken) thought this House should not relinquish the Award without a further effort to have it carried into effect. If the question of the Fishery Reserves, which formed but a small part of the Award, was one of itself considered of sufficient importance to be referred to the law officers of the Crown, surely it would be no trifling matter, and nothing more than justice to the people of this Colony, that the whole report of the Commissioners should be submitted to them for investigation, before it were finally set aside. The hon member for the third District of Prince's County, might denominate the Award “a gigantic humbug,” but he (Mr B) believed that if the proprietors were only relieved from their engagement in this matter it would be a long, long time, before they would append their names to another document of the kind. They had found themselves in a disadvantageous position. The Imperial Government seemed

determined to uphold the proprietors in their claims to the land. The hon. leader of the Opposition when in power declared that Eschsch was a fruitless and "mischievous agitation," and he was right when he said so. If this House then gave up the Award, what else could they expect from the Proprietors? The only course apparently which could be pursued was to test the legality of the Commissioners' report. He (Mr B.) did not mean to say that any agitation which this Colony could raise would be the means of displacing such an exalted official as the Duke of Newcastle; but this he would say, that he thought if the Legislature here made proper application regarding the Award, to the British Parliament, justice would be done them. He had no doubt, however, that if a respectful remonstrance was sent to His Grace, he would not refuse to hear it. Great credit was due to the hon. leader of the Government for the resolutions on this question which he had introduced in a former session; and he (Mr B.) was glad that they had heard nothing to-day from hon. members of the opposition respecting the famous "Spy," and that there were no taunts about the insincerity of the Government. He could not exactly understand what object the hon. leader of Opposition had in view in proposing his amendment. The wording of the paragraph and amendment were nearly similar—it was a distinction without a difference. The hon. member since he had gone so far, ought to have extended his liberality a little further, and given his support to the paragraph.

Hon Mr HENSLEY did not take the same view of the amendment as the hon. member for Charlottetown. The hon. leader of the Opposition was opposed to the Acts passed last session relating to the Award, and therefore how could he express regret that they had not received the Royal assent? He should rather rejoice at the fact. The amendment expressed regret that the Commission had been followed by no beneficial result. There had been some discussion as to whether the words "as yet" should not be introduced, if he intended it to apply up to the present time only, as he had explained this to be his meaning. The subject under consideration was an old question, but a very important one. He (Mr H) thought that the resolutions first passed by the House, asking for an investigation, were too stringent. Intimation came from the Colonial office, that the Commissioners should be unfettered. This was acceded to; still he was of opinion that they were not different from other arbitrators; they could not give a report differently—it must be final and decisive. He was not disposed to say at present whether the Award was legal or illegal; but he could not go for the paragraph, though he had voted for the bills of last Session. Since the Award was made public he never thought it would be any great boon to the tenantry, and recent experience in examinations with respect to the value of land, had shaken his faith almost entirely in the arbitration clause. He had heard parties swear that a certain property was worth so much, and others shortly after, also on their oath, state it was not worth half the amount. With this additional experience he could not join in expressing regret that the Acts had not received Her Majesty's assent. He, however, thought that the House last session did right in passing these Bills, as by so doing they had established a strong case in their favour, by showing their readiness to confirm the decision of the Commissioners in every shape and form. Their conduct in the matter would probably be the means of obtaining for the tenantry more favourable terms than they otherwise would from the Home Government. He did not look upon the despatch of the Duke of Newcastle as conclusive on the subject. He saw nothing to prevent the Imperial Government saying to the Commissioners, if they had exceeded their authority, "you should go again and report within the scope of your powers." He had never accused any of the members on the other side of the House of insincerity, though he differed with them to some extent last session. He would be pleased to hear some of the legal members on the Government side discuss the legal bearings of the different paragraphs of the Award. He did not think this subject was set altogether at rest, by the Duke's decision, and was glad to find that the Government intended to prosecute it further.

Hon J. C. POPE was glad to hear the hon. member for East Point speak of the sincerity of the Government, but did not understand why he should have supported the Bills of last session which he himself had assisted in perfecting, and could not now vote for a paragraph which merely expressed regret that those measures had not received Her Majesty's approval. He (Mr P.) was sorry, after what had fallen from the hon. member, that he could not return him the compliment for sincerity. All the excuse he had for not supporting the paragraph was, that he had ascertained some people were not to be trusted in regard to the valuation of land. It was unnecessary to say much on this

question, as most of the hon. members present were here last session. The time of the Committee should not be further delayed, unless the hon. member for the Third District of Prince County intended to go into the subject of quit rents, as he had hinted he would provided no other person would, take it up. He had nominated the Commission "the most gigantic humbug of the day." As had been very well put by his colleague, if the hon. member believed it to be a humbug, why had he gone before it?

Hon J. WARBURTON said he was deceived.

Hon J. C. POPE—He first said he would have nothing to do with the investigation; but after having had some conversation with the Commissioners, he declared he had confidence in them, and made a statement in their court. The Government had done all they could to obtain the Award; but after what had been stated by the Duke, in his several despatches, they had certainly not been treated fairly in this matter. His Grace had said the decision of the Commissioners would be strengthened were it unanimous. This was the case, and it ought to have weight. Had the Commissioner for the Proprietors objected and said to his associates you are exceeding your powers, the case would have been different; but as he assented to the whole report, certainly the Proprietors were bound to carry out their contract. Some hon. members of the Opposition complained that the loan had not been accepted. The Award, the whole Award, was confirmed by the House; had any part of it been rejected they might have reason to complain. How the Bills relating to the Award were not assented to at Home cannot be very easily accounted for. In the meantime, before they were received, a proposal came from the Proprietors, which they desired to be accepted in place of the Award. This proposal the Government declined, as they considered better terms could be obtained under the operation of the arbitration clause, and stated that they deemed themselves bound to give effect to the report of the Commissioners. Probably, then, it was on this ground the Award was set aside by the Duke, in order that the way might be clear for the Proprietor's bill. The hon. leader of the Opposition had said that their bill, provided ten years were given to pay for the land, would be better than the Award. If this bill would be such a boon, all the credit for it was due to this side of the House. He had also stated that no party could have any influence at the Colonial Office, unless their views were grounded on justice. After such a statement, they ought to hear no more charges against the Government, to the effect, that they had thwarted the Award in an underhand manner. He (Mr P.) did not think it necessary to go into quit rents, but he supposed it would be brought up by the hon. member for the third district of Prince County.

Hon Mr WARBURTON had received a challenge, and would accept it. He was not anxious to enter into the quit rent question at present. He had characterized the award as a "gigantic humbug;" and did he know of any stronger term in the English language he would be glad to use it. This was the opinion he entertained ever since he learned the loan was not to form a part of the award. A hon. member had remarked this morning that if the evidence before the Commissioners had been correct, their report might have been different. He (Mr W) had stated in the Commissioners' Court at St. Eleanor's, what he believed to be true, when he said the lands of this Island were not worth above 10s an acre. In going before the Commissioners he had no motive to make an incorrect statement, on the contrary, he had a character at stake. He was accused by many of valuing the lands too high, but had acted conscientiously. He agreed with the hon. leader of the Opposition, that the proprietors' bill, with 10 years to purchase, was better than anything contained in the award.—There was dissatisfaction in the country; some even believed that in matters relating to land, the Judges of the Colony were not to be trusted. This was an erroneous opinion; at least he himself had confidence in them. It had been stated that the present Government were returned to carry out the award. This was not the means by which they gained the election. In the district which he represented, he knew that other influences were employed to defeat him, than the land question.—Extraordinary stories were industriously circulated against him, one of which was that his father had killed a priest at the time of the rebellion in Ireland, &c. (Laughter.)

Hon Mr POPE did not see what this had to do with the subject.

Hon Mr WARHURTON brought it forward to show some of the influences brought against him, and still he was returned, though known to be determinedly opposed to the award. Nothing had been done to settle the land question until the Purchase Bill was introduced. He believed it was the right of the people to have had Escheat, but as this could not be obtained, he had supported the Purchase and Loan Bills as just measures. Both of these, however, were opposed by the Tory party. With regard to the fishery reserves, if they were surrendered, as was proposed in the award, it would be an injury to the Colony from which it might never recover. Parties who had visited the Western portion of the Island, and witnessed what a large portion of the population were employed in the fisheries, could not fail to arrive at the same conclusion. He would support the amendment, because he believed if one man had been injured, as for example the case which he had alluded to this morning, instead of any benefit resulting from the Commission, it had been an evil.

Hon Mr DAVIES could not support the resolution of the hon leader of the Opposition. Because the Duke of Newcastle had put his veto on the two Bills of last session, were they to give up the matter at once. His Grace had exceeded them in his proposals respecting the Commission. He desired to have its decision binding upon the tenantry, and this they had acceded to without delay; but the presumption was that the proprietors were to be equally bound. Some appeared to think that if the Commissioners had exceeded their powers, the matter would be set aside altogether. He was of quite a different opinion. The hon member for Prince County, who had just sat down, denominated the Commission a "gigantic humbug," and yet he gave the hon leader of the Government credit for introducing the resolutions on the subject. This was rather inconsistent, because if the award was a humbug, as much discredit was reflected on the proposer of the resolutions as any other. From the contradictory nature of the Despatches, he (Mr D) thought the latter, which had been referred to, must have been written by some underling in the Colonial office. He hoped, on a proper remonstrance being made, the Duke would see it to be his duty to reconsider the subject. If an effort of this nature was not successful, they might ultimately have to adopt some such measure as the proprietor's bill. The great objection which had been made to the Loan Bill, was the high price paid for the Worrell Estate. He was opposed to saddling the revenue with a large amount of money; but if the lands could be purchased at a moderate rate, he might consent to incur the risk for such a great boon as to settle the tenantry in freehold. The award, however, in his opinion, could not be set aside. He agreed with the hon member on his right (Mr Haslam) that the *Examiner* newspaper had something to do with the rejection of the award. The unexpected manner in which the Duke of Newcastle intimated that the Elective Council Bill had received Her Majesty's assent, seemed to be for the purpose of necessitating a new election, in order to test the opinion of the country on the award. He had certainly not treated the Colony fairly in the case, and since the result of the elections showed that the people were in favor of having the Commissioners' report carried into effect, it was to be hoped he would reconsider the matter. He (Mr D) was not disposed to allow the subject to rest as it now stood, merely because the Duke had written out here two or three contradictory despatches, in the last of which he said the award was only the opinion of three gentlemen, that they had exceeded their powers, and he would set it aside.

Mr MONTGOMERY—so much had been said on this subject, that he need not take up the time of the Committee. He would only state that if the Award was finally rejected, it would, in his opinion, be a great loss to this Island. As he believed the paragraph of the Address under consideration, expressed the sentiments of the great majority of the people, he would support it.

Hon Mr WHELAN did not intend to enter into the subject before the Committee, and would have been silent were it not for a few allusions to a certain newspaper, the name of which could not be mistaken. He was highly flattered at the statements made, as it appeared the paper in question possessed more influence in England than it had hitherto received credit for. He would be very happy if the statements were correct; he was certain that no person expected the two Bills would ever be anything but a dead letter. This he affirmed notwithstanding the flattering terms in which some had spoken of the sincerity of the Government. The issue of the elections did not turn on the Land Question; it had been put forth by some of the papers in the interest of the Government that the question was Roman Catholicism versus Protestantism. The point at issue was whether the Roman Catholics were to have the ascendancy—as it was supposed they were desirous to obtain—or not. In regard to his Grace the Duke of Newcastle reviewing his position respecting the Award, he would probably say if appealed to, I have already given my opinion on the subject. It had been said that the matter might be carried to Parliament; but it could not be expected that an unimportant Colony like this could overthrow the Colonial Minister. The only method to settle this question was that recommended in the Commissioners' report, namely, the loan. This it was objected would burden the Colony. He (Mr W.) however, thought that the evil would not bear a comparison with the great benefits which would result from the adoption of the Commissioners' suggestion.

Mr DUNCAN—a great deal has been said about the Loan Bill. Was this all the Opposition had to offer? We could get it at any time without extra effort. If land could be purchased at 2s. 6d. an acre, money could be procured as soon as required. What was the use of talking about a loan of £100,000 to buy land at that rate, if not an acre could be got for 2s. 6d. In the district which he represented, the land question was the great subject at the late election. The people there desired the Award, if possible, and in case of failure, the next best measure the Legislature could devise. Before hon members asked to borrow money, let them see what could be done with the Award.

Hon. COL. SECRETARY.—What the hon. leader of the Opposition had said on this subject was consistent with all his conduct. The Award was dead, said he; and "no good has resulted from the Commission," appeared to be the epitaph which he wished to write upon it. Now although he (Col Sec) was but a young member of this House, he knew a little about this land question. In the days when Mr Cooper—who vanished from this House at the close of the last Session—was a young man, there used to be a field day every meeting of the Legislature, on the subject of Escheat. These days were productive of no satisfactory results. Some years ago the present hon leader of the Opposition was returned with a large majority. At the same time Mr. Benjamin Davies was also returned, and as the party to which he belonged came into power, he thought then was the time to get Escheat and the quit rents settled. But he was told that although these subjects were very good to get into the House with, yet it was impossible to carry them out. The hon leader of the Opposition declared he had never thought of supporting them—that the agitation was fruitless and mischievous; and the hon member for St. Peters followed in the same train. Their conduct did not satisfy the people; but shortly after they hit upon a plan to set the question at rest. This was the famous league with the proprietors—or proposal that they should join to keep the tenantry in order. Sir Dominick Daly was then in the Colony, and the proposal of his Government to the proprietors in effect was, if you allow us sufficient money we will get up a force to keep the escheators in their place. This was a great scheme, and if the proprietors had agreed to it, no doubt the agitators would have been kept in order, at the point of the

bayonet, under the command of the gallant Major McGill. The whole thing was such an extraordinary affair that it would be well to refer to the despatches on the subject. The first extract he would read was from a Despatch of Lieut. Governor Daly, dated 19th May, 1855, transmitting copies of "An Act to impose a Rate or Duty on the Rent-roll 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." It reads as follows:—

"The paramount feeling in and out of the Legislature is, that the proprietors, being the class most immediately and vitally interested in the maintenance of a power to enable the Government to enforce the law, ought to bear the whole expense, and in that view the Bill has been passed in both branches of the Legislature by large majorities. I regret to be obliged to assure your Lordship that I can see no ground for entertaining the slightest expectation that any less objectionable measure could be passed in the Provincial Legislature.

"It cannot be doubted that a general resistance to the payment of rents would follow from a continuance of the present powerless position of the Government, and that attempts to establish a court of escheat, and every other means to harass the proprietors, would be resorted to. It is from the anticipation of these evils that I feel impelled respectfully to urge the expediency of allowing this Bill to go into immediate operation."

It was here apparent that the force was to suppress the escheat agitation. The proprietors were to be put in for a part of the expense, but they were told to keep quiet as they would be the gainers. Only give the Government the troops and they would trample out everything like opposition, and the greater part of the expense would be managed under the appearance of a tax for Education. This was the way they tried to make a league with the proprietors in 1855, as might be seen from Governor Daly's despatch of December in the same year, in reply to one from the Colonial Minister stating that he was unable to advise Her Majesty to assent to the Bill in question. In justification of himself for sanctioning the introduction of the measure into the Legislature, Governor Daly writes:—

"By this means the cordial co-operation of my Council was secured in the resistance which I felt it to be of paramount importance to offer to the escheat agitation, in which, up to the present time, I have succeeded beyond my most sanguine expectations.

"The resignation of the Executive Council, which would have followed upon a refusal on my part to permit the introduction of these measures, must have led to their places being filled by persons far less qualified in every respect for that position, if indeed, as would probably have been the result, a dissolution were not forced upon me, which would in such circumstances have given a large majority of the Assembly pledged to escheat (the party lately in power having for the most part, regardless of all other consequences, encouraged the mischievous agitation of that subject for the sole purpose of displacing the

present Council, and without any reason to expect that they could themselves have returned to office)."

And in another paragraph:—

"It was manifest that the Act could not produce more than a portion (probably not one-half) of the cost of such a force as was required, but it would have enabled the local Government to appeal successfully to the Assembly for the deficiency."

This despatch no doubt had the approval of the Government of the day. Their scheme was to make it appear to the people that they were to obtain some benefit from the Bill, by stating that it was also "for the further encouragement of Education," while they themselves knew that it would provide, "probably not one-half" of the cost of the proposed armed force. By this means they expected to make a successful appeal to the Legislature for the deficiency, and bring the people in to pay a large share of the amount required to crush out their agitation for escheat. He (Col. Sec.) only alluded to this as one of the artifices of the hon leader of the Opposition. When the Conservatives came into power in 1859, the present hon leader of the Government introduced his resolutions asking the proprietors if they would negotiate with the tenantry, and give them a large remission of arrears of rent, and an opportunity to become freeholders on reasonable terms. The Colonial Minister and the proprietors were not satisfied with the proposal as made by the Assembly; they required, before they would consent to a Commission, that it should be left perfectly free to go into all the questions in dispute, and devise any measures it might deem proper. The Legislature acquiesced in the suggestion. Commissioners were appointed, and the Royal warrant was received, but it was certainly in very vague terms,—it was simply to the effect that they were to proceed and investigate the differences between landowners and tenants, and "adjust them on fair and equitable principles." The Commissioners came to the Island, and certainly no persons ever came here on a more important errand.—Before they arrived, however, it had been industriously circulated by the organ of the opposition that they were not to be trusted, as two of them were under the influence of the proprietors, one of them having been chosen by the Proprietors, and the other by the British Government which was favorable to them; and of course the Commissioner for the tenantry could do nothing, as he would stand alone. The consequence was, that at first, many held aloof from the Commissioners' Court; but in a short time the supporters of the Opposition gaining more confidence in them, came forward with all sorts of extravagant statements, and thus instead of conciliating the proprietors, endeavored to excite as much animosity as possible. Some stated that the lands were worth 10s an acre; others said 5s, others 2s, and some thought they should get the land for settling on it. The Commissioners collected a great deal of evidence, but it was so contradictory that they could come to no satisfactory conclusion. They then thought it would be well if they could procure a fit person to travel over the Island and collect information. This person was chosen, and came here with a letter to His Excellency, stating that if the object of his mission was known it would be defeated,

He was attending to his duties for a considerable time in this building, but he (Col. Sec.) never saw him until he was about to leave. Never was a man more abused than this so-called "Spy," he was called "infamous," and everything that could be thought of. The *Examiner* contained the following respecting him:—

"We know, moreover, that the Spy circulated, while here, the most outrageous falsehoods in relation to his mission; and we may, therefore, fairly assume that the man who would engage in such a dishonorable business, and freely resort to falsehood to cover his infamy, would not scruple to fill his reports with the grossest misrepresentations. Mr. Howe informed us that the documents prepared by the Spy were attached as an appendix to the award, and that they would be all communicated to the public. If the Government will ever submit the award to the Legislature, they cannot withhold the appendix.—Should they attempt to suppress a part or the whole, it will be a tacit acknowledgement that it is too bad to meet the public eye."

This was the statement of the Opposition press at that day in regard to Mr. Whitman's report, which he held in his hand. Now, if all that the hon. leader of the Opposition, or of all the leaders that ever sat in this House, had done for the tenantry, were put together, it would not amount to half so much as this report. Here was another extract from the *Examiner*:—

"But the first and most important consideration that should render an accession to power undesirable now on the part of the Liberals, is—that the Tories should finish the work they commenced with a view to the settlement of the Land Question, or let sufficient time elapse to make it as plain as the sun at noon day that they have no desire or intention to settle the question. The Liberals are not covetous of the honor of solving the difficulties arising out of it—They would be very glad to see that bone of contention finally disposed of. If the settlement of this question were bequeathed to the Liberals, through the rashness or impatience of their supporters in petitioning for a dissolution, they would not only have immense trouble thrown upon their hands, but they would be charged with all the censure and responsibility attached to the non-settlement of the question."

This was an admission from the recognised organ of the Liberal party that they did not care to have the responsibility of settling this difficult question.—Last session the Legislature passed a Bill to confirm the award as it was, neither taking from it nor adding to it. In connection with this Bill another was passed to facilitate the operation of arbitration clause, the principal one in the award. These Bills were sent Home, but did not receive Her Majesty's assent, the objection being that the Commissioners had delegated their powers to other arbitrators. This was not the first position taken by His Grace the Duke of Newcastle against the award. In a former despatch he stated he had "insuperable objections" to the arbitration clause because of the "multiplicity of local arbitrations" it would require. Nothing was said respecting this in his last despatch; he only urged the legal objection taken by the pro-

prietors that arbitrators cannot transfer their duty to others. The hon. member for East Point seemed to hold the opinion that the Commissioners were simply arbitrators, and as such they could not delegate their powers. He appeared also to think that the question could be referred back to them to give a report within the scope of legitimate decision. This, however, could not be done save with the consent of all the parties, which so far as the proprietors are concerned—as they found they had committed themselves—could not probably be obtained. But he (Col. Sec.) considered it unnecessary that it should be referred back, as he did not at all look upon the Commissioners as simple arbitrators. When the address to Her Majesty the Queen, praying for the Commission, was received by the Duke of Newcastle, he objected in a despatch dated Sept. 6, 1859, that "it indicated in detail" the mode of proceeding to be pursued by the Commissioners, and said:—

"I cannot advise Her Majesty to entertain the question, unless it is fully understood that the Commissioners are at liberty to propose any measures which they might themselves deem desirable."

As this was the statement of the Colonial Minister, and as the proprietors agreed to acquiesce in any arrangement that he practicable, he (Col. Sec.) did not see how it could be maintained that the Commissioners had exceeded their powers. But the matter he was discussing was not so much one for this House to consider, as for a properly constituted legal tribunal. The Government had been sustained, and they ought to endeavor to carry out the award.—They could not say to the Duke of Newcastle, you should do this, or you should do that; but since the Commissioners appointed by the Queen had given an award, this House should ask that it be held as binding until it was proved illegal by a judicial tribunal. There was no other course open for them but to press this upon the attention of the Home Government, and if it could be shown to be illegal, he for one would not raise his voice in favor of attempting to carry it into operation. Allusion had frequently been made to this side of the House having cut and carved the award. Nothing of the kind was done; it was sought to be confirmed just as received. It would be useless, as had been well remarked by the hon. member for Murray Harbor, to secure a loan to purchase land for 2s 6d an acre, if none could be obtained at that rate. The people were very anxious that the award should be carried into operation; and no wonder when arrears of rent for so many years were swept away, and a prospect afforded of their being privileged to purchase their lands at a moderate rate. He did not think the award was lost, and would cheerfully support the paragraph under consideration.

Mr. SINCLAIR did not think the Government would receive much opposition on the land question during the present session. The amendment proposed, stated that no benefit had resulted from the Commission. This was true, but he could not take much objection to the paragraph, as it expressed regret that the Colonial Minister had taken such a view of the Award as to intimate that the Commissioners had exceeded their power. It had been very clearly shown that his despatches were contradictory—a circumstance which could scarcely be accounted for, on any other supposition than that they were written by different parties. In his last he seemed to say it was a

mistake that the proprietors were bound by the Award. Now, they were certainly bound; at least in no other way could this House understand the matter. When the resolutions from the Commission were first introduced, he (Mr S) opposed them, on the ground that they only proposed the investigation should terminate in a recommendation. The resolutions when sent Home were objected to for this same reason, and also because they defined certain subjects to be adjudicated upon. The Duke would not at all consent to the enquiry, unless the Commissioners were left free and unfettered to go into all the questions in dispute, and unless the tenantry were bound to abide by their decision. The Legislature agreed to this proposal, and all were bound. But now His Grace says, to suppose this, was a great mistake, the Commissioners had exceeded their powers, and the only subjects which they ought to have adjudicated upon were those mentioned in the resolutions proposed by the present hon leader of the Government. Surely then, all the despatches on the subject were not written by the same individual; at least he would like to see the Colonial Minister take them up and endeavour to reconcile them. He was never very sanguine as to the benefits which would result from the Award; but since he had given his vote to bind the people to abide by it, he considered it his duty not to repudiate that vote; and, had therefore, last session voted to confirm the decision of the Commissioners. Even then, however, little as was the good it contained, it seemed doubtful if we should enjoy that benefit, because the Duke said he had "insuperable objections" to the arbitration clause. When he (Mr S) saw in the case of the Shores' Bill, how jealous the authorities at home were of the rights of the proprietors, he feared that little was to be hoped for from the Award. He was not, however, sorry for the course he had taken in voting for the Award. Little as was the benefit it contained, the people had a right to it; and he thought the House were in a better position now respecting the Land Question, than if they had repudiated the decision of the Commissioners. He did not believe any other ground could be taken by which anything would be gained from the proprietors than what was taken in the Commissioners Report; therefore he did not intend to oppose the Government, though they went ever so far to obtain the Award.

Mr BRECKEN rose to make an explanation in regard to what had been denominated a case of tyranny on the part of a proprietor's agent. Mr Clark had not tendered the money for the arrears of rent as had been stated; and instead of it being a case of tyranny, when he was served with a writ, and came down to Charlottetown to pay the amount, the agent in question joined him in a note at the Bank for the payment. He (Mr B) did not see that private matters of this kind should be brought up before the House.

Hon Mr WARBURTON explained that he had only given the statement as he had heard it, and thought as the report was going the rounds of the country, he, instead of doing the agent an injury, had done him a favour, by giving his friend an opportunity to contradict it.

After several members who had already spoken, had briefly addressed the Committee, the chairman put the question on the amendment proposed by the Hon Mr Coles, when their appeared—

For it—Messrs. Coles, Beaton, Sinclair, Walker, Conroy, Hensley, Warburton—7

Against it—Messrs. Gray, Davies, Howat, Laird, Speaker, Pope, Longworth, J. Yeo, Brecken, McLellan, Duncan, Ramsay, Montgomery, McAulay, Kaye, Col. Secretary—16.

Progress was reported.

Hon Mr THORNTON appeared at the Bar, and having been introduced to the Speaker, took the oath and his seat.

House adjourned.

MONDAY, March 9.

The Speaker took the chair at the usual hour.

Hon Col GRAY said that, on Saturday, some of the hon. members of the Opposition had complained that certain documents connected with what had been called "The Bay's Report" had never been laid before the house. The documents were of so elaborate and voluminous a character that the Government, fearing the expense of a large printing bill, had not ventured to incur the responsibility. He now held the original documents in his hand and was willing to lay them upon the table.

Hon G. COLES objected. The production of papers, in such a way, might be established as a precedent. If wanted by the House they should be officially applied for.

Hon the SPEAKER agreed with Hon Mr Coles, and the Hon Col Gray withdrew the documents.

The House then resolved itself into Committee to consider the draft of the address in reply to the Speech of the Lieutenant Governor. Mr. Muirhead in the Chair.

The original draft of the address was not to be found after an anxious and earnest search in every place where there was a probability of its being found.

Hon Col GRAY had a fair copy of the draft to the address which he was willing to submit to the House.

Hon G. COLES was of opinion that the House should report progress and the Speaker take the Chair.

On motion this was carried, and the Hon the Speaker resumed his official position.

Hon Col GRAY—if the document cannot be found they must commence again *de novo*, and he would be willing to supply the Clerk with his copy, from which a new draft could be made.

Hon Mr McAULAY was of opinion that if there was no precedent upon an occasion of the present kind, they might make one upon this occasion.

Hon the SPEAKER was of opinion it was better to have the original document; otherwise a dangerous precedent might be established.

Hon Mr WARBURTON was willing to accept of the draft of the Hon the Leader of the Government.

Hon Mr COLES thought that an adjournment, even for an hour, would not be a waste of time.

Mr MONTGOMERY also pleaded for time.

A Message from the Upper House was sent down with the usual formalities, through Mr J. B. Cooper, the Clerk, that the House had appointed the Hons Messrs Beer, Henderson and Walker as a joint Committee to take in charge the Legislative Library, in connection with the Committee appointed by the Lower House, and the said message was duly accepted.

A new copy of the Draft Address, in reply to the Lieut. Governor's Speech, having been made, the House again resolved itself into a Committee. Mr Muirhead in the Chair.

The 6th clause was carried unanimously; as was also the following one.

On the question of the eighth paragraph,

Hon Col GRAY regretted that he should be obliged to rise before the Committee, not for the purpose of congratulating hon members upon the flourishing condition of the Colony, but, on the contrary, to say how very much he deplored the apathetic indifference with which the people viewed the present very necessitous state of their finances. When the Government, of which the hon. leader of the Opposition was the head, gave way to that of the Hon Mr Palmer, in 1859, it succeeded to a legacy in the shape of an Education Act, which, although a very good measure in itself, he believed that few would deny that hitherto it had been very indifferently managed, and still worse provided for. In 1859, the educational establishment cost the country £14,280, with a Land Tax of only £4,800 to meet the expense, and he considered it was anything but

wise policy, upon the part of the Hon Edward Palmer, to accept office, without calling upon the people to remedy such a state of affairs. Last year, the charge for Education cost £16,931, with a Land Tax of only £4570. The plain fact was, that for the past twelve years, under such administrations, the people had been living in "free quarters," in the matter of Education, and the bill of costs was now staring them in the face. It might be urged that it was a good fault to run into debt on the score of Education. He would not yield the palm, to any hon member, in an anxious desire to encourage and maintain the Educational establishments of the Colony in all their integrity. He had good grounds for forming an opinion. More than forty years since he had been a boy at school in this city, and such was the Educational system at its best, in that day, that upon leaving the Colony, he had to undergo years of toil and study, as an adult, to acquire what he ought to have been well grounded and versed in during his childhood. A better day had, however, dawned upon the youth of the Island, and he was willing to give credit where credit was due. But while he could not undervalue the necessity of educating the people, he felt that there were many other requirements absolutely indispensable, and which should not be neglected in a young Colony. Lord Bacon had said that "knowledge was power!" He readily admitted this truism; but he still would say that mere book-learning would never fit a man to take his true position in the social scale. A knowledge of the world could only be obtained by a residence in the world, and he was afraid that their little narrow world had hitherto been kept in a very narrow and contracted state. They had two classes of young men among them; one consisting of those who, from an over love of their country, or from constitutional indifference, were content to drag on their lives in comparative poverty and obscurity. The other comprised those high spirited young men who now looked with contempt upon the land of their birth and fled away to other countries, where, in the great vortex, they hoped to obtain that position and status which they would vainly seek for at home. And why was this? He believed it would be found in the fact that they had isolated themselves from their neighbors. They did not give encouragement to emigration; had never made the slightest arrangement for that purpose; and it seemed that the dollars of the great Continental Republic, and the gold of Europe had no charm for them. Steam communication was required to bring them into contact with the world without; and Steam and Education must go hand in hand in order to enable them to keep pace with the neighboring Provinces, and to secure this, the facilities of transit and transport must be enlarged and extended. He might indulge himself in a train of irony similar to that of the famous minister, in the early time of the first terrible French Revolution, when a reply to a remark to the spokesman of a deputation of harving artisans, "that they must live," replied "I do not see the necessity." He might say that he did not see the necessity for roads, bridges, wharves, steam communication, and many other requisites; but he could not, nor would not trifle with so grave a question. He had been informed that some of their largest bridges were unsound as to require a thorough re-construction. The system of road-making adopted in the Island, required that general supervisor should be appointed; and, without at all detracting from the labours of the Road Commissioners, he believed that they gave public full value for their miserable pittance of £6 13s 4d. A proper officer of practical knowledge ought to be appointed to overlook the public works, and thus prevent so many thousands of pounds of the public money being yearly frittered away to no purpose. He had been credibly informed that thousands of bushels of grain, potatoes, and roots were prevented from being shipped last year, solely on account of the miserable condition of the roads. The present administration had an uphill task before them. They knew that they would not be able to lay upon a bed of roses. Great taxation would add to the popularity of any administration; but when

he undertook the task and responsibility of Leader of the Government, without under-rating the difficulties, he had determined not to shrink from telling the people that no Government, be it Liberal, or be it Conservative, could ever carry on the public services, with credit to itself and satisfaction to the country, without an adequate revenue. It would be unbecoming in him to say, whether he did or not, as a member of the late Government, raise his voice against these evils; or, he might be expected to give the names of his colleagues who had differed from him. It was sufficient to know, what was very obvious, that no steps had been taken in the matter. He would never sanction the "cooking up" of a fair balance sheet, to make the people believe that all was prosperous, while, at the same time, they were next to prostration. He preferred putting it to the good sense and sound judgment of the people to discriminate between a true and a false economy. The expenditure, last year, exceeded the revenue by about £13,000; and for a young and poor colony, without credit to maintain a public debt, to be thus rushing, from year to year, into such an excess, he believed that all hon. members would concur with him in thinking it a most unwise policy.

Hon Mr LAIRD expressed his opinion that it was not bad roads that made the country poor.

Hon G. COLES was glad that the hon. the Leader of the Government had come to agree with him at least. The hon. Leader of the Government might rely upon his support in carrying out the suggestions contained in this paragraph. He had always been in favour of a supervision of the road work, and years ago had urged such an appointment,—having one competent man solely responsible for plans, specifications, and also responsible for the work being properly executed. On the East River Wharf, he believed, a sum of £150 would require to be expended in order to make it what it ought to be, and should have been, had proper supervision been exercised. The intention of the Government, with regard to the initiation of the money votes, was, in his opinion, a good one, and should have his hearty support. In fact, he had suggested the same thing years ago, and he trusted that the principle would now be adopted, and thus enable the Government to keep their expenditure within their revenue. With regard to emigrants, they had nothing tempting to offer them—in fact it was like transporting them to bring them here. They had no manufactures, and the only recourse for them was to go into the woods, where, after the farm had been cleared, the rent would be always a drag upon them, and no person was likely to come to the Colony and be made a slave for life. The increase in the expenditure over the revenue must have arisen from previous balances, for the amount awarded last year for roads was not so great as it had been in previous years, and this showed the necessity of having a proper statement of accounts made out, of revenue and expenditure, yearly, as was done in England. He was willing, whether in or out of power, to assist in keeping up the credit of the Colony; but they must all regret that their debt had been doubled during the past four years. He believed that the expenditure upon the system of education was, perhaps, too large for the revenue, as His Grace the Duke of Newcastle had himself intimated. But the late Government were responsible for an addition of £4000 to the expenditure under this head, by increasing the salaries of the teachers, and, at the same time, reducing the number required as the average amount for the attendance of scholars. When the Education Act was passed it was never thought, nor ever intended, that the Land Tax would meet the expense, but that at least one-half should come out of the public revenue. The late Government should have grappled with the difficulty; but he was glad to find that the present Government had "taken the bull by the horns." With regard to the expression as to the interruption of our commercial relations with the United States, he believed, that instead of a decrease there had been an increase of commerce, for goods had been sent on here from the United States and were sold at what ever

price they would fetch. The ground of complaint should be that the Bank did not act fairly in the matter of discount. Notwithstanding the state of the roads, nearly, or quite all of their surplus produce had been exported; and he trusted that the measures to be proposed would increase the revenue, diminish the expenditure, and decrease their debt.

Hon Mr WARBURTON agreed with the hon the leader of the Government that their road system, as at present carried out, was a bad one; any traveller through the Island could see and would experience this fact. With regard to the Education Act, he might say that it was now more costly than ever, and yet there were fewer scholars now than at the time it was first brought into practical operation. The School Visitor was notoriously incompetent for his duty. He knew, in his own neighborhood, cases where the duty of the Visitor had been systematically neglected. If the duties were performed in the way that they had been, by the previous School Visitor, there would be much less grounds for complaint against their educational system.

Mr HOWAT—The hon the leader of the Government and the hon the leader of the Opposition seemed to have agreed remarkably well upon the question now before the House. In fact, from what he had heard, he was doubtful as to whether "the balance of power" might not be disturbed. The hon the leader of the Government wanted a supervisor of roads and bridges, but he (Mr H.) objected to the appointment and expense of another salaried official. The people knew how to make their own roads; and it was strange that the City of Charlottetown, with all its scientific knowledge, and all its scientific men, should have the worst roads in its own neighborhood. Experience was the best science; and no man brought from England, or elsewhere, would or could know so much as the practical men who had been engaged in the work, and knew how to dispose of the materials placed at their disposal to the best advantage. A practical Engineer from England would not be worth his cost; for the materials to make roads, and keep them in repair upon the McAdamite system, could not be found in the Island. He regretted very much the excess of expenditure over the revenue; but felt that he had not himself to blame. He had always urged economy, and economical measures, in fact had been, perhaps jocularly, called a Jos. Hume—they now saw the result. There could be no better maxim to cure an evil, than to let it never happen. As to the future prospects of the Colony he had neither fear nor doubt. The present unhappy war in the United States could not last for ever, and if there had been any derangement in their commercial relations, he had no doubt but that they would soon be remedied.

Hon COL SECRETARY applied for leave to introduce a Bill enabling the House to commit to the common Jail of Charlottetown any person convicted of contempt of the privileges of the House. At present the House had not the power to do so; but the Jail of the City ought to be made, like the Tower of London, the proper place for the reception of prisoners such as these. Judge Peters, in 1849, had laid it down that parties convicted of contempt of the Court of Chancery should be committed to the common Jail; and the House would do well to follow that example, and not compel the Serjeant-at-Arms to make his private residence a prison.

The bill was then brought in and read a first time; and the House afterwards adjourned.

MONDAY, March 9.

AFTERNOON SITTING.

Committee on the Address resumed.

Hon Mr COLES—A good deal had been said on our road system this morning. The hon member for Tryon appeared to think that their could be no improvement on the old system, and had referred to the time when Mr. Pope was Commissioner for his part of the country. No

doubt that gentleman was qualified for the duties of Road Commissioner, and had discharged them well; but this was only an additional argument in favor of having an officer of experience for the whole Island. Formerly it was almost impossible to pass along St. Peter's Road, near Charlottetown, at certain seasons; but since it had been macadamized it was one of the best pieces of road around, though it had not been properly managed, as the stones were not evenly broken of one size. All our roads, however, need not be macadamized—particularly on the hills. In former times, about 20 years ago, there was very little travelling compared to what was now, and consequently the roads were more easily kept in repair. The great majority of those appointed Commissioners did not understand road-making; therefore he thought, with the hon leader of the Government, that there ought to be one scientific person to have charge of the service for the whole Island. It was even more needful to have such an officer to attend to the bridges than the roads, and in all contracts for them, he should furnish a plan, to which the contractor ought to be made strictly to adhere. As to the paragraph under consideration, little need be said on it, as he believed it would meet with no opposition.

The paragraph was then agreed to.

The paragraph relating to Education having been read—

Hon Mr WARBURTON said there could be no objection to the clause, he would therefore move that it be agreed to.

Motion carried.

The clause respecting the financial condition of the Island was also agreed to. On the paragraph being read in regard to the initiation of money votes—

Hon Mr COLES said he thought it was unnecessary to introduce a measure on the subject. All that was required was for the Government to give notice that all applications for money should be made to them.

The paragraph was agreed to. When the next was read, which referred to the Elective Legislative Council,

Hon Mr WARBURTON remarked that he could go in with that clause now, but he could not a few years ago.—When he ascertained that it was in the power of the Government to swamp that Body by appointing an additional number of members, he was converted to the elective principle. The Government, he (Mr. W.) understood, were asked at the time for the correspondence which authorized such a proceeding; they would not give it; the inference, therefore, was that they had none, but that they made the appointments on their own responsibility.

Hon Mr HENSLEY thought the law was a very good one in itself, but the clause respecting the qualification of votes was very defective. He believed there had been not a little false swearing, on account of the voter himself having to judge whether his property constituted a qualification or not. Some means of valuing each person's property, together with a registration of votes, would prevent a great deal of evil.

Hon Col GRAY—The very object of the registration was to prevent the evil referred to by the hon member. The parties appointed to register votes were generally supposed to have a personal knowledge of the value of any property specified as a qualification, and it would be an easy matter for them to decide as to the vote. If a person possessed land valued at £100, and was £80 in arrears of rent, he could not be considered as having a right to vote. When the measure came down, he would be happy to have the hon member's suggestions.

Hon Mr WARBURTON asked if it was in contemplation to have a registration of Legislative Council votes as well as of the House of Assembly?

Hon Col GRAY—That was in contemplation.

Hon Mr WARBURTON considered that a measure of this kind was highly necessary. He knew of a number of persons in a certain locality who swore that they had a

qualification, though they had neither deed, lease, nor 20 years' possession. He believed the Supreme Court would have a good deal to do on account of cases of false swearing. He understood there was a person in St. Eleanor's Jail who had been committed for perjury. It was high time something was done in the matter.

Hon Mr POPE agreed with the hon member for the third district of Prince County, that this House should take some action to amend the law. But as regarded the case of the person committed to Jail at St. Eleanor's for perjury, it was a most iniquitous transaction. The young man had been told by some of the Liberal party, a day or two before the Election, when they thought he was on their side, that he had a good vote, and upon the strength of this information he had sworn to his qualification; but because he had turned and voted for the opposite party, he had been prosecuted for perjury, on the ground that he had no proper vote.

Mr HOWLAN said he was sorry to differ with the hon leader of the Government as to the ease of valuing the land. In his opinion this would be the most difficult part of the business in the registration of votes.

Hon Mr COLES also concurred in the opinion that something ought to be done with respect to the valuation of property to determine the qualification of voters. The Elective Council Act, too, required to be amended. The qualification clause only referred to freeholders and leaseholders, and it was a question of doubt whether those who held agreements were entitled to vote, and also those who were termed squatters. He thought the qualification ought to be more particularly defined, so that there would be no doubt in the matter. He was in hopes when he heard the Government intended to bring in a measure for the registration of votes, that that they would also have carried out their old pledge to establish voting by ballot.

Hon Mr POPE said he had never made any pledge to that effect. He, as a member of the Government was opposed to voting by ballot.

Hon Mr WARBURTON—It was the Political Alliance.

Hon Mr POPE knew nothing about the Political Alliance. He was never a member of it.

Hon Mr DAVIES said, though the Alliance had once proposed the principle alluded to, yet he believed it had been abandoned. He considered that squatters who had not 20 years' possession, had clearly no vote, as also those tenants who held only agreements. There was nothing in the Act, he thought, to prevent those from voting whose property might be encumbered. In his opinion, also, persons absent from the Island only one week, were as much disqualified by the Act from voting, as those who had been away six months; and therefore he considered that in this point it required amendment. The registration of votes was a necessary measure in regard to both Houses. The statute labor qualification did not work well, as a great many neglected to get their certificates.

Mr MONTGOMERY thought registration of votes was very well for the Upper House, because with it property was required; but in regard to this House, he did not see it to be necessary. The road qualifications had not worked altogether well this year, but it was a new thing, and had not a fair trial. It might be found also that registration would not operate very satisfactorily for the first election or two.

Mr CONROY entertained the opinion that a registration of votes was quite necessary for the Upper House. At the late election he saw a man come forward to vote who had property worth £200, and his vote was refused; and another whose property was not worth £15 was allowed to vote, because he swore to his qualification. He knew, however, that there was a great deal of difficulty connected with registration of votes. He had seen something of it in Ireland, where at the registration office, there was some-

times nearly as much trouble as at our hustings here.— They had heard from the hon leader of the Government, that the persons to be appointed were to be acquainted with the locality for which they acted. This was very well, but as most individuals belonged to some party, they would be apt to carry their prejudices with them into the registration office.

Hon Mr HENSLEY quite agreed as to the necessity of a registration of votes, as he had seen so much occasion for it at the Sheriff's court in Georgetown lately. There was so great a difference of opinion in regard to the value of land, that it required the evidence in some cases to be well weighed; and if this was done, and the voter received his certificate, there would be no trouble at the hustings. It would be somewhat difficult to arrange the details of the measure, but still he was glad to hear that one of this nature was intended to be introduced. With respect to the Lower House, something also required to be done. There was no provision in the Act about granting certificates in case of the death of the road overseer. A registration of votes for this House, would not be so difficult to arrange as for the other. He would most cordially support the paragraph under consideration.

Mr HASLAM quite agreed with what had fallen from hon members on the subject. A great deal of difficulty arose from the election law as at present, and both sides of politics appeared to suffer equally. Some who had tender consciences would not swear to their votes, and others again were reckless in the matter. He thought that registration would remove this difficulty, yet it would not remove all the evils connected with the franchise. In regard to registration for the Lower House, it would be serviceable, though not altogether necessary.

The paragraph was agreed to.

Hon Mr POPE remarked, that it was a matter of gratification, that this year they had got through the address in two half days, whereas, last session, it had occupied them a week. He congratulated the Opposition on the fair spirit which they evinced; and since they had commenced so well, he hoped they would carry it out.

Hon Mr COLES hoped the hon member was not jealous, as one of his party appeared to be this morning, that the leader of the Government and the leader of the Opposition agreed so well, on account of which he feared there would be no balance of power in the Colony. There were no very disputable matters in the Address. The only paragraph which admitted of difference of opinion, namely, that on the land question, they had debated at some length.

The Committee then rose, and the chairman reported the whole Address agreed to. When the Speaker was about to put the question on the Address, Mr Coles again moved his amendment, and the House divided.

For the amendment—Messrs. Coles, Banton, Walker, Thornton, Muirhead, Howlan, Warburton, Sinclair, Conroy, Sutherland—10.

Against it—Messrs. Gray, McAulay, Laird, Howat, Ramsay, Haslam, Col. Secretary, J. Yeo, Montgomery, Davies, Duncan, Pope, Kaye, McLennan—14.

The question was then put on the main motion, and carried 14 to 10, hon members voting contrary as above.

Mr HOWAT presented a petition from Dr. John T. Jenkins, in custody for contempt, acknowledging his error, expressing his readiness to give such an apology as the House might dictate, and praying to be relieved from custody.

Hon Mr COLES moved that he be discharged from the custody of the Sergeant-at-arms, on payment of that officer's expenses.

Hon Mr POPE said Dr. Jenkins was willing to give any apology the House might dictate. It might be a question whether it were not necessary to require from him some form of an apology before he could be consistently released.

Hon Mr COLES thought the petition was a sufficient apology.

Hon Col. GRAY supposed the petitioner, in saying he would accept any apology which the House might prescribe, had conformed to what was required of like prisoners in Britain, and where they were under the necessity of going down on their bare knees at the Bar, and apologizing to the House. It was for this house to decide in regard to the prisoner, but he (Col. G) would be satisfied to take the word for the deed, and in the prisoner's saying he was willing to take such an apology as the House might dictate, consider it as good as done.

Hon the SPEAKER said the course alluded to by the hon leader of the Government, had been the practice in the British Parliament, but it had gone into disuse.

Hon Mr WARBURTON thought the petition was ample apology. He hoped the hon and gallant Colonel would not require the British practice to be carried out.

Hon Col. GRAY said the hon member must have misunderstood him. He clearly stated that he was willing to accept the word for the deed.

Mr Coles motion was then agreed to, and the Sergeant-at-arms directed to bring Dr. Jenkins to the Bar of the House.

When he appeared at the bar, the Speaker informed him of the resolution which had been come to; whereupon Dr. Jenkins thanked the House for its clemency, and stated that he intended before to apologize, but had deferred doing so, thinking he would have been allowed to appear another time at the bar, before decision was taken in his case. He then retired, and the House adjourned.

TUESDAY, March 10.

On the motion of the hon Col. Gray it was resolved, after a slight discussion, that 168 copies of the Journals be printed.

Hon Col GRAY believed that it was the general wish of the House, and that an expression to the same effect had fallen from the hon leader of the Opposition, who was not now in his place, that the House should adjourn its proceedings in honor of the auspicious event of the marriage of His Royal Highness the Prince of Wales. He would therefore move an adjournment of the House, so that the House might embrace the opportunity of celebrating and remembering so auspicious an event.

Hon Mr LONGWORTH would not, in seconding the motion, debate upon the subject. It was one that required no comments of his. He only trusted that the union which promised to be so auspicious, would result in happiness to all; and that His Royal Highness when called to the throne of the British Empire, a time, he trusted long to be delayed, that he or his heirs would reign over a free, prosperous and happy people.

Hon Mr HENSLEY cordially endorsed every sentiment uttered by the mover and seconder.

Hon Mr MACAULAY briefly supported the motion, which was carried *nem con*, and the House at once adjourned.

WEDNESDAY, March 11.

The Speaker took the chair at the usual hour.

The House resolved itself into Committee on the Bill brought in by the hon Col. Secretary for making the Common Jail of Charlottetown the prison of the

House, and which had been read a first time yesterday. Mr. John Yeo in the chair.

The Bill was read a second time, and ordered to be engrossed, when the House resumed.

Hon Mr HENSLEY presented a petition from W. A. Johnstone, Esq., who had appeared as a witness at the bar of the House in the recent case of Breach of Privilege, complaining that a statement had been made by Mr. Ings, the Queen's Printer, in the *Islander* newspaper, that was untrue, and calculated to be injurious to him.

The petition was received by the clerk and read from the table.

Hon Mr HENSLEY gave notice that he should to-morrow move for a Committee of Privileges of the whole House upon the subject of the petition.

Hon Col GRAY objected to the expense the Colony would be put to if the course proposed by the hon member should be adopted. The reporter might have made a mistake, but it was scarcely worth while to make so great an outcry upon so small a matter. The House had no control over the Queen's Printer, as publisher or Proprietor of the *Islander*.— There seemed to be more meant than met the eye, in the grievance, and he moved that the hon member be allowed to withdraw the petition.

This after a slight discussion was agreed to, and the petition was accordingly withdrawn.

MESSAGE FROM THE GOVERNOR.

It was announced that His Excellency, the Lieutenant Governor desired the attendance of the members of the House, in the Library, whither the members, with the Speaker at their head, at once proceeded.

The SPEAKER then read to His Excellency, the address in reply to the speech made at the opening of the Session, for which His Excellency thanked the Speaker and the members of the House.

The ceremony of formally introducing the members to His Excellency, by the Speaker, was then gone through, and the members returned to their own apartment.

CONTESTED ELECTION FOR THE FIFTH DISTRICT OF PRINCE COUNTY.

The House then proceeded to the first order of the day, which was the inquiry into the truth of the allegations of the petition of Daniel Green and others against the return of James Muirhead, Esq., as member for the fifth District of Prince County.

Mr Montgomery in the chair.

The members were then all duly sworn by the Clerk, excepting Mr Muirhead, the party petitioned against, the hon E. Whelan who was absent owing to a domestic affliction, and Mr Brecken, who was absent on leave.

The petition of Mr Green having been read by the Chairman.

Hon Mr LONGWORTH suggested that in this inquiry all questions should be put to witnesses in writing, and not orally; and that they should also be put through the medium of the Chairman, the

Clerk recording the answers. The allegations in the petition were of a grave and complicated nature, requiring careful consideration and inquiry on the part of the House. It should also be arranged, as to whether the petitioner would appear at the bar by counsel; whether he would conduct his own case; or whether the House would have to conduct it for him.

Hon Mr HENSLEY thought the House as judges could not conduct the inquiry.

The hon SPEAKER said the practice in former cases—the Belfast and Murray Harbor inquiries—parties had appeared by counsel; the questions had been put in writing through the Chairman; and the answers recorded by the Clerk; and whether the parties appeared personally or by counsel, the questions, in his opinion, should be handed in in writing, and the answer duly recorded by the Clerk of the House.

It was then resolved, upon motion, that all questions be put in writing through the Chairman, and that all answers be duly recorded by the Clerk.

The petitioner, Daniel Green, Esq., was then called to the bar, and in reply to questions, stated that he had nothing to say or to add beyond the allegations in the petition he had already presented to the House.

All books, papers, documents, &c., connected with the matter were ordered to be laid upon the table; and all witnesses in the case ordered to withdraw.

James Campbell, Esq., Sheriff of Prince County, was then called, and deponed that he was returning officer, for the fifth district of Prince County at the last election, and that his poll clerk was Mr Charles Pope, of St Eleanor's. The poll book for Lot 28, was here handed to the witness, who after an inspection, said that it appeared to him that the vote of John McWilliams, an agent for Mr Cornelius Howat, had not been recorded. It was not till the day before yesterday that he had observed the omission. He believed it was an oversight, and that the vote should have been recorded for Messrs McLellan and Green.

Mr McWilliams was then called, and deponed that he was a duly qualified elector of the Island, and that at the last election, he voted in Lot 28 for Messrs McLellan and Green. He was inspector at one of the polling places on Lot 28, for Mr Cornelius Howat. He had received no written authority from Mr C. Howat to act, but had been requested to do so by the hon member's brother, and his name had been so entered in the official poll books of the District.

Mr MUIRHEAD declined to question the witness.

Mr HOWAT rose in his place and stated that his brother, Mr Alexander Howat, had been fully authorised to appoint an inspector for him on the hustings at Lot 28. It was thought that Mr McWilliams was admirably suited for the purpose, and he was therefore appointed; but the appointment had not been made in writing.

The House then adjourned.

WEDNESDAY, March 11th.

AFTERNOON SITTING.

Hon COL SECRETARY, a member of Her Majesty's Executive Council, laid on the table the following documents:—The Report of Mr Whitman, who was employed by the Land Commissioners; Blue Book for 1861; Road Correspondent's Returns and accounts; and the Treasurer's accounts, for 1862. The two latter were referred to the Committee on Public Accounts.

The House then resumed Committee on Privileges, with a view to consider the petition of Daniel Green, Esq., and others, relating to the return of James Muirhead, Esq.

Edward Holland was called as a witness, and deponed that he was present at the Election at St. Eleanor's, and heard Nathaniel Pearson vote for Green and McLennan. He made no record of votes.

John Green was called and gave similar evidence. Said he was right alongside of Pearson when he voted, and that he had known him for a long time.

James Campbell, Esq., the Sheriff of Prince County, was recalled. When questioned whether Charles Peters, Nathaniel Pearson, George Doull, and Charles Pope voted at the election for members of this House, at St. Eleanor's, said he believed they all did. The Poll Book was then placed in his hand, and on being asked to state how their votes were entered therein, he answered to the following effect:—In the Poll Book it appears Nathaniel Pearson voted for Haszard and Muirhead. The next vote recorded was George Doull's—the same, for Haszard and Muirhead. Charles Peters' vote was polled and struck off; there was a dispute as to his being a foreigner; he afterwards came forward and said he was a British subject. Before another vote was polled, I observed the Clerk struck his vote off; he then entered it in the same line and did not remove the erasure. Charles Peters polled for Green and McLennan; it was struck out, and the erasure not renewed. Charles Pope, as appears by the Poll Book, voted for Haszard. I am quite satisfied he voted for Green. On being questioned to the effect whether there was any circumstance connected with Charles Pope's vote to impress it on his memory, he further stated, it was among the last votes polled. He had known Mr. Pope for many years. He believed he scarcely ever voted at an election. It was the third last vote polled. I particularly remember he voted for Mr. Green. I think I saw Mr. Green speaking to him a little before. I am quite confident he so voted. Among other questions in regard to Charles Peters' vote, the Sheriff was asked if he could refer to the Poll Book and state whether it was included in adding up the column, to which he answered—I can. From reference to the Poll Book I am quite satisfied it is omitted in the adding of the column. Said, he distinctly remembered that Doull and Pearson voted for Green and McLennan, because they were outside voters, not resident in the district, therefore he took more particular notice. When questioned respecting the votes of John McFadyen and Albert Anderson, the Sheriff said he would make no statement from memory, he might have an idea, but would not swear to it. On being asked whether the Poll Clerk called out the

name of the voter, as he was about to enter it, the Sheriff answered—I never polled a second vote until he repeated the vote polled, and the names of the Candidates. Said that if the votes of Nathaniel Pearson, George Doull, Charles Peters and Charles Pope, were placed in their proper columns, Green would have 213 votes, and Muirhead 208. When asked in reference to Declaration Day, the Sheriff replied—On declaration day we did not examine how individuals voted; we only summed up the votes. We discovered the discrepancy when I gave Mr. Green a copy of the books after the declaration.—Withdrawn.

George Doull was then called. He deponed that he voted for McLennan and Green.

Charles Pope, the Poll Clerk, was next brought to the bar. When asked for whom he voted, he said, for Mr. Daniel Green. On being questioned to the effect if he so recorded his vote, he answered, he did to the best of his ability and recollection. The Poll Book was then placed in his hand, and he was asked how his vote was entered; to which he replied—"It is not correctly entered according to my intentions at the time; it is an error of mine." "It appears for Mr. John Haszard." When questioned as to whether he called out the names of the voters and the candidates, when about to record the votes, he said: in general; the voters name and those he polled for. When asked to account for the error which he had committed in mis-recording his own vote, he stated:—"At the time there was a great commotion or great excitement in the Court House. It was excessively full. I was placed in a position very inadequate for the duties I had to perform; and at half past four o'clock, p. m., on that day, the Sheriff made proclamation that all persons who were disposed to give their votes should come forward and give them within that period, or otherwise they would not have the opportunity of recording their votes any further. There was a considerable excitement at that period to know the state of the Poll, and how the Candidates stood with regard to each other; and at that period of time I got up to request the Sheriff to proclaim my vote for Mr. Daniel Green. I left the seat on which I sat, which was the Sheriff's seat in the Court House, and pressed my way towards the Sheriff, for him to proclaim my vote, for between the Sheriff and me persons were crammed in so that he and I could not see each other. On my return to my seat to record my vote, that Book which you have just put into my hands was knocked off the desk I occupied, and the inkstand upset, by persons passing and repassing over the rails of the jurymen's box, to get on to the platform where the Candidates stood; their agents and their inspectors. I had no protection. I imagine, that at the moment of my return, finding things so displaced, caused me to make that error." With respect to the vote of Chas. Peters, he said, on being questioned, and the Poll Book placed in his hands—"to the best of my recollection I have entered here as given me by the Sheriff. As he gave it to me so I have recorded it here. As far as my recollection serves me, this man was recalled, and his vote was admitted afterwards. As the Sheriff remarked to me 'sworn and allowed,' I was not ordered to make any alterations

afterwards. I entered it as the Sheriff ordered me, 'sworn and allowed,' as it is entered here." When questioned in regard to the erasure of Mr. Peters' name, he said:—"The erasure, when the vote was objected to, is mine; and the further entry also, sworn and allowed, is mine. The conversation that took place between himself and the Sheriff, I know not. On being questioned further as to whether it did not occur to him that he should have entered the vote anew, he said:—"I had done with it, after the Sheriff ordered me to make the entry I did, 'sworn and allowed.'" Among other things stated by the witness, he said that he was not away from his desk a second, and that he did not compare his book with those of other poll clerks at any time during the day.

Benjamin S. Mills was called, and deponed that he voted for McLennan and Haszard. The Poll Book was placed in his hand, and he was requested to state how his vote was therein entered. He answered, for McLennan and Muirhead.

Albert Anderson, was next called, and gave evidence that he voted for Haszard and McLennan, and upon an examination of the Poll Book, stated that his vote was recorded for Haszard and Muirhead.

John McFadyen was the next witness called, and gave evidence that he voted for Haszard and McLennan, though his name was entered on the Poll Book for Haszard and Muirhead.

The Committee then rose, and reported progress.

Hon Col GRAY, by command, presented a message from His Excellency the Lieut Governor, communicating a Despatch from His Grace the Duke of Newcastle, acknowledging the receipt of the joint Address of condolence, from both Houses, in reference to the death of His Royal Highness the Prince Consort.—Read and laid on the table.

House Adjourned.

THURSDAY, March 19.

The Speaker took the Chair at the usual hour.

The House then went into Committee upon the question of the petition of Mr Green, against the return of Mr Muirhead.

Mr Montgomery in the Chair.

Mr MUIRHEAD, in reply to a question from the Chairman, said he had but very little to state beyond the fact that from the close nature of the contest, and when he believed himself to be a defeated candidate, his opinion was, that he would demand a scrutiny; but when the Sheriff, upon the evidence of the poll books, had declared him duly elected, he did not think it was his duty to incur expense in the matter. His own opinion was, the poll books were wrong, and trusted that the House would order a new election.

Mr GREEN also, in reply to a question from the Chairman, said he thought the allegations set forth in his petition, had been so fully borne out by the evidence that had been adduced, that it was totally unnecessary for him to add a single word.

A very lengthened and desultory discussion ensued.—After the evidence adduced, both sides of the House seemed to agree that Mr Muirhead's return had been invalidated. The only knotty point in the debate was, whether the special vote of Mr James McWilliams should be allowed to be recorded for the petitioner Mr Green, he not having been appointed as agent for Mr O. Howat, personally, or in writing, by that gentleman, but by his brother, Mr Alexander Howat.

Mr HOWAT, in the course of the discussion, stated that he and his brother had held some conversation, as to the appointment of Mr McWilliams, and they had jointly agreed, that Mr McWilliams was a man well fitted for the place; he duly authorized his brother to appoint Mr McWilliams as his agent, but had not done so in writing, as it was not customary in his district to do so.

Hon Col. Secretary moved a resolution, to the effect, that the vote of John McWilliams, be retained as a legal vote recorded for Messrs McLennan and Green.

Hon Mr Speaker moved, a rider, to the effect that the vote should not be so recorded.

On division, the main motion was carried by 13 for; 11 against.

Progress was reported, and the House adjourned.

AFTERNOON SITTING.

Hon Col GRAY, a member of Her Majesty's Executive Council, delivered at the bar, a message from His Excellency the Lieut. Governor, transmitting copies of the following Despatches:—

1. *Respecting petition of the Legislature, praying certain privileges to Island built vessels:* No. 112, 28th June, 1862; No. 4, 26th Jan., 1863—Secretary of State to Lieut. Governor.

2. *Respecting Acts of the Legislature:* No. 111, 20th June, 1862—Secretary of State to Lieut. Governor; No. 54, 6th Aug., 1862—Lieut. Governor to Secretary of State; No. 124, 20th Sept., 1862; No. 126, 26th Sept., 1862; No. 127, 1st Oct., 1862; No. 130, 15th Nov., 1862; No. 131, 13th Nov., 1862—Secretary of State to Lieut. Governor.

3. *Land Question:* No. 103, 5th April, 1862—Secretary of State to Lieut. Governor; No. 45, 25th June, 1862; No. 52, 23d July, 1862—Lieut. Governor to Secretary of State; No. 120, 9th Aug, 1862—Secretary of State to Lieut. Governor; No. 65, 17th Sept., 1862—Lieut. Governor to Secretary of State.

4. *Initiation of money votes:* Extracts from No. 77, 10th Nov., 1862—Lieut. Governor to Secretary of State; No. 138, 16th Dec., 1862—Secretary of State to Lieut. Governor.

5. *Elective Council Act:* No. 125, 20th Sept., 1862—Secretary of State to Lieut. Governor; No. 72, 15th Oct., 1862—Lieut. Governor to Secretary of State; No. 129, 4th Nov., 1862—Secretary of State to Lieut. Governor.

Hon Col GRAY, explained with respect to the despatch, referring to the initiation of money votes, of which extracts only were furnished, that these extracts contained all that related to the subject; but if it was desired, the whole despatch would be produced.

The Despatches were ordered to lie on the table.

The House then resumed Committee of privileges on the election of the 5th District of Prince County.

Separate resolutions were moved by the hon. Col. Sec'y, to rectify the votes which had been erroneously entered in the Poll Book, each resolution embracing as many votes as were of the same class.

When the resolution was read, respecting the vote of Charles Pope, to the effect, that instead of being counted for Hazard, as entered on the Poll Book, it should be reckoned for Green:

Mr HOWLAN said, this was an extraordinary vote.—There appeared to be so much 'commotion' at the time the Poll clerk voted, that it seemed doubtful whether he voted at all or not. The whole of the trouble, in reference to this election, appeared to have been occasioned by the carelessness of that officer; and the evidence of such a man, he (Mr. H.) considered worth nothing. Had the poll book of the sitting member been produced, it would have decided his mind in this matter.

Hon Mr MACAULAY—There appeared to be a doubt in the hon member's mind, in regard to the vote under

consideration. There was little room for anything of the kind. It seemed that there was a "commotion," at the time the Poll clerk voted, and though others might not notice it, yet as he was an aged person, very little disturbance might disconcert him. At one of the polling divisions in King's County, a person came forward and gave his vote, and after he had done so, parties expressed their surprise to him, that he should have voted for the Candidates he did. He said he did not so vote, but on being assured to the contrary, he went back and had his vote corrected. What occurred in one place, might occur in another; but in the case of the Poll clerk, there was no one to correct his vote, when he entered it in the wrong column.

Hon Mr WARBURTON, remarked that the cases given by the hon member for Georgetown, were not parallel.—Mr Pope was an old poll clerk, and here he had said that he had voted one way, and had recorded his vote another. He (Mr. W.) was undecided how to act in regard to the resolution before the Committee.

Hon Mr LONGWORTH—The hon member who had just spoken, appeared to have some doubts on his mind as to the resolution. He was not compelled to vote; he could go outside the bar, and they might fancy he was absent for some other reason. He, (Mr. L.) however, would not shirk voting on this matter. The poll clerk was an old man, and his organs of vision and hearing, were doubtless not so perfect as they were once; but though he had entered his vote in the wrong column, he could not mistake the manner in which he intended to vote. But besides his evidence, they had that of the Sheriff, which was conclusive on the point. It was very improbable, that a person of Mr Pope's years, would come forward and make a statement on oath, which if false, could do him no good. If he had voted for Mr Hazard, he would not have been ashamed to acknowledge it.

Hon Mr COLES, thought the Sheriff's evidence did not state how Mr Pope voted, but only, that he had seen Mr Green speaking to him, shortly before he came to vote.—It was astonishing if Mr Pope voted for Green, that he plumped him, and did not give McLennan one also. There seemed to be such a "commotion" about that time, that he might have made a mistake in his own mind. He (Mr. C.) believed the principal "commotion" there was, that caused by Mr Hazard, who, after having received 150 votes from Mairhead, by deception, commenced, he and his friends, to plump himself. He (Mr. C.) thought it would be a bad precedent to alter the vote in question, as the whole issue of an election, and the fate of a party might depend on one vote, similarly recorded contrary to the alleged intention of the individual.

Hon the SPEAKER concurred in the opinion of the hon leader of the Opposition, that it was well not to alter a vote when once recorded; but there were exceptional cases, and this was one of these. There had been no conflicting evidence; even the sitting member had made no contrary statement. Besides the evidence of the Sheriff was quite conclusive in the case; it being strengthened by the circumstance, that Mr Pope did not usually vote at elections.

The Sheriff's evidence having been read,—

Hon Mr HENSLEY, said he was perfectly satisfied, respecting this vote. He quite clearly remembered the evidence given by the Sheriff. It was a most extraordinary case, no doubt, that a poll clerk should mis-record his own vote, but the evidence was satisfactory.

Messrs Coles, Warburton, and Howlan, having expressed themselves to the effect, that they were not aware that the evidence of the Sheriff, was so clear in regard to Mr Pope's vote, the resolution was unanimously agreed to, as were also the other separate resolutions. Hon J. C. Pope, then moved a general resolution, embracing all the disputed votes, which was reported from Committee, and is as follows:—

"Whereas, it appears by the evidence before the Committee, that at the election held at St. Eleanor's, in Prince

County, on the twenty-first of January last, for the election of two members to serve in the General Assembly, for the Fifth Electoral District of Prince County, Nathaniel Pearson and George Doull, polled their votes for Daniel Green, the petitioning Candidate, and that such votes were erroneously entered on the Sheriff's poll book, as having been polled for James Muirhead, Esq., the sitting member, and also, that John McFadyen, and Albert Anderson, at said Election, polled their votes for Messrs Hazard and McLennan, two of the Candidates at said election, and that the votes of the said John McFadyen, and Albert Anderson, were erroneously entered, as having been polled for the said James Muirhead; and that Benjamin S. Mills polled his vote for Hazard and McLennan, which said vote was erroneously entered for McLennan and Muirhead; and also that Charles Peters polled his vote for the said petitioning Candidate, which vote was not so returned by the Sheriff; and further, that John McWilliams, Inspector for Cornelius Howat, Esq., a Candidate at said Election for the Fourth Electoral District of Prince County, at the polling division, held on Township No. 28, in said Fourth District, polled his vote for the petitioning Candidate, Daniel Green, and that such vote was specially entered upon the poll book for said polling division, at Township No. 28, and duly returned to the sheriff, but omitted by him when casting up the total number of votes on the declaration day; and whereas it appears, that on the said declaration day, the Sheriff of Prince County, at his Court, held at St. Eleanor's, on the twenty-fourth of January last, for the purpose of declaring the Candidates duly elected for the Fifth Electoral District of Prince County, did declare James Muirhead, Esq., to have polled 212 votes, and Daniel Green, Esq., to have polled 208 votes; and whereas it appears, that by deducting from the number so returned for the said J. Muirhead, the votes of the said N. Pearson, G. Doull, J. McFadyen, A. Anderson, and B. S. Mills, the number of votes remaining for the said J. Muirhead, would be 207; and by adding to the number returned for D. Green, the votes of the said N. Pearson, G. Doull, C. Peters, C. Pope, and J. McWilliams, the number of votes for the said D. Green, would be 213, thus giving to the said D. Green, a clear majority of six votes over the said J. Muirhead;

Therefore, *Resolved*, that the said Daniel Green is entitled, by law, to take his seat in this House, as a member for the said Fifth Electoral District of Prince County, and that the said Sheriff of the said County, be directed forthwith, to appear at the bar of this House, and amend his return to the Writ of Election, for the said District, by striking out the name of the said James Muirhead, and inserting that of the said Daniel Green, as a member returned for the said district."

When the Speaker was about to put the question on the report of the Committee—Hon Mr Longworth moved to amend the same, by striking out all that related to the vote of John McWilliams, and inserting the following in lieu thereof:—

"The vote of John McWilliams, polled at Township, No. 28, at the late General Election of members for the House of Assembly, and duly returned to the Sheriff, as a special vote for Daniel Green, should have been added to the votes polled for said Daniel Green, by the Sheriff, at his Court held at St. Eleanor's, on the 24th of January last; but inasmuch as there is not sufficient evidence, that the said Sheriff, called the said vote to the notice of James Muirhead, at the said Court, the same cannot be taken into consideration, by this House."

Hon Mr POPE then moved that the words proposed to be struck out do stand part of the question, and the House divided on the motion, which was to the effect, that the resolution reported from Committee, should be agreed to:

For the resolution—Messrs. J. C. Pope, Gray, Kaye, Laird, Davies, McAnlay, Col. Secretary, Ramsay, McLennan, Yeo, Duncan, Howat, Huslam—13.

Against it, or for the amendment—Messrs. Longworth,

Coles, Thornton, Beaton, Warburton, Kelly, Henaley, Howlan, Walker, Sinclair, Sutherland—11.

Then pursuant to order, the Sheriff of Prince County, attended at the bar, and amended his return for the said District, by expunging the name of James Muirhead, Esq., and inserting in lieu thereof, the name of Daniel Green, Esq., as a member of the said Fifth District of Prince County.

Mr Green, having been so returned, appeared at the bar, and having been led in and introduced to the Speaker, by the Hon J. C. Pope, and Mr McLennan, took the oaths and his seat.

On motion of hon J. C. Pope, it was resolved that a Supply be granted to Her Majesty.

Hon Col GRAY, moved a resolution, which was carried, to the effect, that as the errors connected with the return of the Fifth District of Prince County, were attributable to the officers employed in conducting the election for that district, this House, when in Committee of Supply, will vote a sum, sufficient to pay the costs necessarily incurred by Daniel Green, in making good his claim to his seat as a member of this House.

Mr Green obtained leave of absence until Tuesday next. Adjourned.

FRIDAY, March 13.

Hon Mr Speaker took the chair at the usual hour.

Mr F. BRECKEN brought up the report of the Committee, which had been appointed to report upon the matter of expiring laws.

The report was read by the Clerk, and the House resolved itself into a Committee of the whole.

Mr. John Yeo in the chair. The first clause being read by the chairman.

Hon Mr COLES complained that the proceedings of the Committee of the House appointed to revise, and republish the laws of the Colony, had not been properly carried out. From the volume of the Laws now before him it seemed to him that the laws had not been properly consolidated, and not rendered so useful as they might be to the magistracy of the Island.

Hon Mr LONGWORTH in reply to the hon leader of the Opposition, was prepared to prove that the Commissioners had carried out the full meaning and spirit of the resolutions of the House, empowering them to consolidate all that could be consolidated. All obsolete statutes had been removed, and with one or two exceptions, all the rest that could be consolidated had been consolidated by the Commissioners. There was the Militia Act, which had not been touched, because there might be some change in their present Volunteer arrangements of the Volunteer force. There was also the Jury Act; and he believed the better course for the House to pursue, would be, to pass a short Act continuing the expiring laws for a given time. No one could deny that their legal volumes had been made more compendious, through the action of the Commissioners.

Mr. BRECKEN expressed himself, that the present volumes of the Laws were a great improvement upon any that he had before seen. He would, with permission, move the following resolution:—

"That it is the opinion of this Committee that the Act 6th Vic. cap. 20, intituled "An relating to Landlord and Tenant" (continued by 15th Vic. cap. 3;) also the Act 15th Vic. cap. 5 intituled "An Act to consolidate the laws now in force regulating the sale of the interest of Leaseholders when taken in execution;" also the Act 15 Vic. cap. 10 intituled "An Act to consolidate and amend the laws now in force relating to Division Fences;" and, also, the Act of 9th Vic. cap. 3 intituled "An Act to consolidate and amend the several Acts relating to Dogs, and the taxation thereon;" (continued by 15 Vic. cap. 25) be continued for ten years.

This was adopted, and the Chairman reported progress.

Hon. Jos. Hensley, J. Longworth and Mr. F. Brecken, were appointed a Committee to report upon the subject.

The Hon. J. C. Pope, presented the annual return of the Medical officer of the Lunatic Asylum. It was a very lengthy document, and after being read, was laid upon the table.

Mr. John Yeo presented a petition from several inhabitants of Lot 8, requesting additional Post Office accommodations.

After the petition had been read it was unanimously resolved that:

All petitions referring to the Postal Department be referred to the following Committee, with the usual powers, &c.—Messrs Yeo, Duncan, Laird, Haslam, Beaton.

House adjourned.

AFTERNOON SITTING.

Mr. Brooken, from the Committee to bring in Bills on expiring laws, presented to the House a Bill to continue certain Acts therein mentioned, which was read a first time.

Mr. John Yeo presented a petition of William T. Hunt, James Campbell, and other members of King Hiram Lodge, of Free masons, at St. Eleanor's, praying for an Act of Incorporation.

The petition was referred to a Special Committee, who presented a Bill in accordance with the prayer of the petition; and said Bill was referred to the Committee on private Bills.

Adjourned.

SATURDAY, March 14.

The Speaker took the Chair at the usual hour.

The usual formalities having been gone through—

Hon Col. GRAY said that as an English mail left that evening, the House would excuse him, he trusted, for bringing forward a correspondence, the early reply to which, and the early acceptance thereof would, he believed, prove of great benefit to the Colony.

CHARLOTTETOWN, Oct. 18, 1862.

Sir; I have been directed by Sir Graham Montgomery, the Proprietor of 4,523 acres of leased lands, on Township No. 51, and 2,685 acres of leased lands, on Township No. 59, to ascertain whether the Government would be willing to purchase the fee simple of the said lands; and, if so, what price they would give per acre. The lands are mostly held under leases for 999 years, at one shilling sterling per acre rent.

Awaiting an early reply, I have the honor to remain

Your obedient servant,

T. HEATH HAVILAND,

Agent for Sir Graham Montgomery.

W. H. Pope, Esq.,
Col. Sec'y, &c., &c.

CHARLOTTETOWN, Jan. 3, 1863.

Sir; By the last English mail, I received a letter from Sir Graham Montgomery, wherein he states, that he is willing to sell to the Colonial Government, his portions of Townships Nos. 51 and 59, for four shillings sterling per acre, inclusive of all arrears of rent, payable partly in money and partly in debentures, as in Lord Selkirk's case.

I remain your obedient servant,

T. HEATH HAVILAND,

Agent for Sir Graham Montgomery.

W. H. Pope, Esq.,
Col. Sec'y, &c., &c.

On the receipt of this His Excellency the Lieutenant Governor, had been pleased to appoint a Commission to inspect and report upon the Lands in question offered for sale. The Commissioners so appointed, had presented the following report:—

To His Excellency George Dundas, Esquire, Lieutenant Governor, &c., &c., in Council.

MAY IT PLEASE YOUR EXCELLENCY,—

We the Commissioners, appointed by your Excellency in Council, to inspect and report on those portions of Townships Nos. 51 and 59, the property of Sir Graham Montgomery, Bart., beg to submit, that having made a careful inspection of the said property, we would recommend the purchase thereof by the Government, at the rate of 6s currency per acre.

We would beg also to acquaint your Excellency in Council, of the earnest assurance of the Tenantry to meet their engagements with the Government, should the Estate of Sir Graham Montgomery be purchased.

THOMAS OWEN,
FINLAY McNEIL,
JOHN ALDOUS.

It should be observed, continued the hon. Leader of the Government, that, in addition to the favorable terms offered by Sir Graham Montgomery, was the remission to the purchaser of all arrears of rent, and the opportunity should be secured, without delay, by the Government, or middlemen might step in to secure so good an offer. He believed that there were leaseholders in the neighborhood of Montague Bridge, who were willing and able to pay at the rate of fifteen shillings per acre, to convert their leaseholds into freeholds; in other portions, of course, the rate would be lower; but there would be no doubt whatever, that the purchase of the Estate, if effected, would be a self-sustaining one.

On motion, the House resolved itself into a Committee of the whole, to consider the above correspondence.

Mr Howat in the Chair.

Hon Mr Coles wished to know if Sir Graham Montgomery owned any part of Lot 34?

Hon the Speaker in reply, said that Sir Graham Montgomery held a portion of Lot 34; but perhaps, felt inclined to try the issue of the Award, upon that portion of his property.

Hon Mr COLES willingly agreed to the purchase—all the land was leased, and nearly all settled; it was also likely to pay, and nothing in the Award would be more beneficial to the Tenantry of Lots 51 and 59, than the acceptance of this offer. He could have wished that his constituents, on Lot 34, might have participated in this boon; but he believed that he might speak on their behalf, and say that were not so selfish as to throw an obstacle in the way of the Tenantry of Lots 51 and 59, because they could not get the same privileges themselves. He believed, however, that after Sir Graham Montgomery had parted with his interest in Lots 51 and 59, he would soon dispose of his interest in Lot 34, for it would be hardly worth his while to keep an agent.

Hon Col Gray then moved the following resolution:

“Whereas Sir Graham Montgomery, Bart., is willing to accept the sum of four shillings sterling per acre for his Township lands on Lots 51 and 59, including all arrears of rent, the amount to be paid half in debentures and half in cash:

Resolved—That the Government be empowered to conclude the purchase under the provisions of the Land Purchase Act, with the exception of the mode of payment:

Resolved—That the Government be authorized to raise the money to the extent of one half the contemplated purchase, in accordance with the offer of Sir Graham Montgomery, either by the sale of debentures to be issued for that purpose, under the Land Purchase Act, or by the issue of warrants, drawn upon the Treasury for that purpose.”

This was duly seconded.

Hon Mr Warburton inquired what amount would require to be raised.

Hon the Speaker—One half.

Hon Mr Warburton—This was much better than the Award; and if proper arrangements had been made, money enough might have been raised in England, at a reasonable per centage, to have completed the purchase of the whole of the Proprietary Lands.

Hon Mr Hensley supported the resolution. The sum required to be raised was small; while the advantages held out on behalf of the Tenantry upon these estates were obvious.

Hon Mr COLES—If the loan bill had been adopted, they might have got their money at four, instead of six per cent. He thought the better way would be to pass a short act, allowing the Government to issue debentures at six per cent for this purpose, payable in ten years. The Land Purchase Act had been the best measure yet passed; and, although slow in operation, it had relieved the Tenantry, more than any other from, Proprietary influence. So far back as 1843 complaints had been made, and an act was passed allowing, or permitting the Tenants to pay their Landlords in "Merchandise Produce." He believed that the "Loan Bill" was the law of the land; as it had been passed without a suspending clause, and had never been refused by the Imperial Government. He, however, was willing to go for six per cent to complete this purchase.

Hon Col GRAY begged to assure the hon leader of the Opposition, that when large Proprietors, such as Sir Samuel Cunard, Mr Bruce Stewart or Mr Lawrence Sullivan could be induced to sell, the Government would be prepared with the money, to purchase at a fair and reasonable average price, as in the present instance. The Worrell Estate had been purchased at the rate of 12s 6d per acre, under the auspices of the hon leader of the Opposition, and the Island would shortly be called upon to pay a debt of £18,000 in order to redeem the debentures issued for the purchase.

Hon Mr COLES had applied for accounts with respect to the management of the Worrell Estate, but could not obtain them. Taking into consideration the amount of lands yet unsold upon the Worrell Estate, he believed that there should be, upon a fair balance sheet, a clear profit of over £42,000 in its favor. The purchase of the Worrell Estate, he believed, had laid the foundation of a good system; it had led to others, one of which was the purchase now before them.

Hon Mr LONGWORTH was of opinion, that if proper arrangements had been made by the Government of the day, who purchased the Worrell Estate, that the sum of £18,000 would not have been due at the present time. The hon leader of the Opposition, had told them that he believed the Loan Bill was at present the Law of the land, but such was not the case, it had never received the sanction or approbation of the Imperial Government, and was consequently become a dead letter. No better course, he believed, could be adopted than that laid down in the resolution at present before the House.

Mr HOWLAN—said it seemed to him that many members on the opposite side of the house, had lost all faith in the Award, or the benefits to be derived from it. He cordially agreed with the proposed terms of the present purchase, and only regretted that his constituents were not likely to have to favorable an opportunity presented to them. Although the purchase of the Worrell Estate might entail a trifling loss upon the Colony, it would not be money badly laid out, for it had broken the ice, and led to other purchases, like the one at present under consideration, all of which were of advantage to the Colony.

Mr DUNCAN complained of the waste of time in the debate. If they had got the loan of £100,000, to purchase the land, where was the land to be found, or who would offer it to them?

Hon Mr THORNTON supported the proposition. The present Government had come forward in a proper way with their resolutions, which was a great improvement, upon the manner in which the purchase of Lot 54 had been effected some years since.

Mr MONTGOMERY briefly supported the resolution.

Mr SINCLAIR gave his hearty support to the motion, expressing at the same time his regret, that so few offers of the kind had hitherto been made, otherwise the beneficial influence of the Land Purchase Act might have been tested thoroughly. All the estates yet offered to the Government for purchase, seemed to be those that did not remunerate the Proprietors. The Arbitration Clause of the Award, was what they should stand by, because the Proprietors would know that in all time to come their lands would be liable to be sold at a fair valuation. When they had secured the arbitration clause, would be the proper time to arrange for a Loan.

Hon Mr DAVIES, was well acquainted with the estates in question; they were well settled, and the reason, he believed, if the Tenants were in arrears, was on account of the excitement in connection with the settlement of the Award. He felt assured that the purchase would be a self sustaining one.

Mr CONROY supported the resolution, and like other hon members on that (opposition) side of the house, wished sincerely that his constituents, or even a portion of them, might have a similar chance offered to them.

Mr HASLAM thought that such an opportunity of allowing a large number of leaseholders being enabled to change their leaseholds into freeholds, should not be lost sight of.

Hon Mr POPP believed the proposed purchase a most advantageous one, taking all the circumstances into consideration. There could be no fair comparison between this and the Worrell Estates. Upon the latter, there was a large quantity of wilderness lands, still unoccupied, while upon Lots 51 and 59 nearly the whole of the lands were leased and occupied.

The resolutions were carried unanimously.—Progress was then reported—the Speaker in the chair.

Mr John Yeo, Messrs. Laird, Haslam, Howat, Conroy, Hensley and Sinclair, were appointed a Committee to receive and report upon all petitions from School Teachers, and upon School matters.

The House then adjourned.

AFTERNOON SITTING.

TENDERS FOR STEAMBOATS.

Hon Col Gray presented to the House tenders for two steamboats to ply between this Island and Nova Scotia and New Brunswick, as asked for in an advertisement lately inserted in the *Royal Gazette*. The tenders received were two in number, one from Mr Michael Stevenson, with Canadian securities, offering to supply two boats to ply as stated in the advertisement, for the sum of £3000, annually, over and above such grants as might be given by the Governments of Nova Scotia and New Brunswick; and the other from Messrs W. C. Bourke, and R. R. Hodgson, with Island securities, offering the same for £3000, giving the Island Government, the benefit of grants from the other Provinces.

The hon leader of the Government, in moving that the papers be laid on the table, explained that the reason for so doing was that some members of the Government contemplated taking shares in the proposed steamers, if the Island tender was accepted, and they thought it better to bring the matter before the House to prevent the appearance of any jobbery in the transaction?

Considerable discussion arose on the subject, and as it was stated that Mr Boultenhouse, the former owner of the "Westmorland," had a tender on the way, which had not arrived on account of the detention of the mails at Cape Tormentine, the matter was allowed to lie over.

Hon Mr Hensley introduced a Bill to incorporate a Marine insurance Company.

Adjourned.

Monday, March 16:

The Speaker took the chair at the usual hour.

The following petitions were presented:—

Mr Duncan—From the Inhabitants in the neighbourhood of Creek River, applying for aid to build a wharf.

Dr Kaye—for opening up a new Road on Lot 61.

Hon D. Beaton—For straightening a road on Lot 47.

Mr Duncan—from Lot 61, for a new road running south to McKinnon's line.

Hon Col Gray—From Inhabitants of Wood Island and its vicinity, to supply a shipping place.

Dr Kaye—for opening a new road on Lot 61.

Hon Mr Warburton—for a new road on Lot 15.

Hon D. Beaton—from a portion of the inhabitants of Lots 44, 45, & 46, praying for a grant to open a new road.

Hon D Beaton—from E. G. Kennedy, of Lot 47, for extra remuneration on account of carrying the local mail.

The petitions were referred to the various Committees, *pro jerna*.

STEAM COMMUNICATION.

Hon COL GRAY held in his hand a tender from Mr Boultenhouse, to supply the Government with a steamer, for mail communications. It was dated March 4th—and the twelve days delay between the date of the letter, and its receipt, would at once prove that some better postal accommodation was absolutely necessary. The tender was a most important one, so far as regarded the interest of the Island. The hon member then read the following:

TENDER FOR STEAM BOAT.

SACKVILLE, 4th March, 1863.

"I will furnish the Government of Prince Edward Island—as requested by notice in the *Royal Gazette*, newspaper, of the said Island—with a new first class Steamer, of not less than one hundred and eighty feet long, twenty-six feet beam and eleven feet hold, to be built, essentially, of Juniper, under the inspection of John Tucker, Lloyd's Surveyor, and fit her out as you require, for the accommodation of passengers, with Engine and Boiler of sufficient power to run sixteen miles per hour; will perform the whole service of three trips, each week, each way, calling at the intermediate ports between Pictou and Shediac, for the term of six years, for the sum of Two hundred and Twenty pounds, Island currency, payable in Warrants on your Treasury, for each and every month the boat may run in each year; your Government to receive any money that other Governments may grant for that service. Will give a lien on the Steamer for the faithful performance of the contract."

C. BOULTENHOUSE.

The House then went into Committee of the whole. Mr Sinclair in the chair.

The Hon J. C. POPE—observed that there was a very great difference in the Tenders, but that of Mr Boultenhouse if carried out according to the terms proposed, would be the most beneficial to the Colony. Proper securities, however, should be given.

Hon Mr McAULAY suggested that it might be better for Island interests if a little delay could be allowed, before a decision was arrived at, upon this matter. The tender of Mr Boultenhouse seemed certainly to be the best before them at present, but if his suggestion for delay was adopted, it might be the means of fostering and encouraging their enterprise at home.

Hon COL GRAY was quite willing to let the contracts be on the table till the Governments of Nova

Scotia and New Brunswick had been communicated with upon the matter.

Hon Mr COLES—agreed in this proposition, one good boat would at present suffice for all the wants of the Colony, and if at any time another was wanted, a fresh contract could be made.

Hon COL GRAY believed that no Island Company could compete with the offer made to them, by Mr Boultenhouse, but in accepting the tender, should it be accepted; ample security should be demanded.

Hon Mr LONGWORTH was also of opinion that no Island Company could compete with Mr Boultenhouse. His terms were the most favourable, and if the boat was built under the proposed terms, and proper security taken, no harm could accrue. Even at the last they might fall back upon the tenders offered by their own people.

Hon Mr DAVIES could not but believe that the terms offered were too low; and ample security should be required for their being fully carried out. It would, he believed, have been better to support a local company, for the interests of the Island; but in the present case his opinion was, that good securities should be required from the Contractor, Mr Boultenhouse, his offer being evidently the best for the advantage of the Colony.

Hon Mr COLES believed that the acceptance of the offer of Mr Boultenhouse would be the best they could do for the interest of the Colony. Mr. Boultenhouse was a man who knew his own business, and the only question was, that of ample security for the due performance of the contract.

Mr HOWAT believed that an Island Company would be best for the community.

Mr DUNCAN was most decidedly of opinion that one boat could not fairly perform the terms of the contract offered by Mr Boultenhouse. He believed that the better course would be to wait till the neighbouring provinces had been telegraphed to, in order to learn their decision as to what amount they would be willing to pay for the services of one boat; or if two boats were placed upon the route, what extra subsidy they were willing to grant.

Hon J. C. POPE was clearly of opinion, even with due regard to all Island interests, that Mr Boultenhouse's tender was the most advantageous yet laid before them; but he trusted that the House would take care to have efficient securities for the due performance of the proposed contract.

The tender was laid upon the table with the others.

ADDRESS TO HER MAJESTY.

Hon COL GRAY, pursuant to notice, now rose to bring under the consideration of the Honourable Members of that House, a Despatch from His Grace the Duke of Newcastle, Her Majesty's Secretary of State for the Colonies, dated August 9th 1862, setting forth the reasons why His Grace could not advise Her Majesty to grant the royal allowance to two acts passed in the last Session of the House, to confirm and facilitate the operations of the Award of the Royal Commissioners, who were jointly appointed to settle the much vexed, but important Land Question. The action which had, from time to time, been taken upon this all-important matter, was so clearly expressed in the Address he then was about to move,

that he would say nothing in the shape of a *resumé*. In the despatch before them, the Duke of Newcastle stated that the Proprietors objected to be bound by the decision of the Commissioners, on the plea that they had exceeded their powers. His Grace also gave them his own reasons for concluding that the objections so offered were valid ones. At this juncture, he would not offer any remarks as to his own views of the legality, or illegality of the Award, nor would he allude to the proposals of the Proprietors further than to say that two points appeared to him sufficiently obvious, and fully borne out by an attentive perusal of the document. First, that the Proprietors were alive to the necessity of settling the question; and secondly, that the Duke of Newcastle had set the Award aside, until His Grace could have the opinion of the Legislature, as to the propriety of accepting certain proposals from the Proprietors, as a substitute, in lieu of the Award, and which His Grace considered, in some respects, more favourable to the Tenantry than the Award itself. It had been said outside that they had no chance of obtaining justice from the Duke of Newcastle, because it was well known that one of their objecting Proprietors was a brother-in-law of Lord Palmerston. Reasoning by analogy, he would say that this fact afforded the strongest ground for entertaining a contrary opinion. The Duke of Newcastle was too high-minded a nobleman to allow his sense of justice to be diverted from its true course, by any undue influences, come from whence they may, and the very fact of Mr Sullivan's relationship to the Prime Minister of England, was a warranty to the people of the Island, that Lord Palmerston would be very chary in his dealings with this matter, rather than incur the imputation of unworthy, by using the great power and interest he had at his command. Apart from this, he (Col G) could not believe that the Proprietors would wish to evade their share in the solemn compact, so faithfully adhered to by the late House of Assembly, unless they conscientiously believed the truth and justice of the averment that the Commissioners had acted illegally, and exceeded their powers; nor could he suppose that the Duke of Newcastle, with all his knowledge of the gravity of the question, intended in this despatch summarily to set aside the labours of the Land Commissioners, gentlemen who were supposed, when they accepted the onerous task, to be second to none for good sense and sound judgment; two of whom held a prominent position in that honourable profession of which their present Speaker had been for so many years a distinguished member. He could not admit that His Grace the Duke of Newcastle meant that this despatch should be so interpreted, without giving all parties interested the right of being heard before a proper tribunal. Their course of duty was plain, and they were bound to take such action upon the matter as would quiet the minds of the inhabitants of the Colony, and set this important question for ever at rest. He saw no other mode of procedure but that of forwarding an humble address to Her Most Gracious Majesty, and he would therefore move that the House do resolve into a Committee of the whole to take into consideration "The State of the Colony."

Seconded by Dr. Kaye.

Hon Mr COLES thought there was something wrong in the proceeding of the hon leader of the Government. The better course would have been to have entertained question in the Committee of the whole House while in debate upon the reply to the address of His Excellency the Lieutenant Governor. At all events, upon so important a question, he believed it would be only fair and right to have a call of the House.

Hon Mr McAULAY was of opinion that the topic involved in the proposed Address in reference to the Award, had been thoroughly exhausted; and the course proposed to be taken by the hon the leader of the Government, ought surely to be taken as somewhat complimentary by the hon the leader of the opposition, and his friends.

Hon Mr LONGWORTH—It might have been, perhaps, during the period when the hon the leader of the Opposition was in power, and held the reins of government that such a motion as this would have been feared; but such was not the case at the present time. The Government had laid down a programme, which they were fully prepared to carry out; and in the consideration of the motion now before the House, there was a fair field offered to all parties. If there was any doubt upon the question of the Award, this was the time to have it fairly and properly settled by the House, on the part of the people.

Hon Mr WARBURTON was not at all unwilling to accept the opportunity offered by the present motion of the hon the leader of the government, for many other subjects might be introduced with great advantage to the community.

Mr BRECKEN believed that the course the Government had pursued was the right one. The hon the leader of the Opposition might have fought shy of such an inquiry while he was in power, but the present Government had redeemed their promise, in this motion, to bring the whole question before the proper tribunal. The Award ought not to be shelved, and he believed Prince Edward Island, small as it was among the Colonies of Great Britain, would receive as full a meed of justice, at the hands of the Imperial Government, as a larger Colony. He felt assured that no other course could have been adopted, or more calculated to give satisfaction to the people than the manly course taken by the honourable the Leader of the Government.

The House then resolved itself into a Committee of the whole.

Mr McLennan in the chair.

Hon Col Gray proceeded to read the following
ADDRESS TO THE QUEEN'S MOST EXCELLENT MAJESTY.

Most Gracious Sovereign,—

We, your Majesty's loyal and devoted subjects, the Legislative Council and House of Assembly of Prince Edward Island, in Parliament assembled, beg leave to approach your Majesty and most humbly to submit to your Royal consideration, that in the year 1859, the House of Assembly of Prince Edward Island, submitted to your Majesty an humble address, in which it was represented that

"In certain despatches from one of Your Majesty's ministers, the Right Honourable Sir Edward Bulwer Lytton, Baronet, Secretary of State for the Colonies, dated Downing Street, 20th October and 3rd December, 1858, the Right Honourable Baronet therein states, that the whole question of the land tenures in this Island is engaging his most anxious attention, and that it would give him unfeigned pleasure to receive such suggestions for their amicable settlement as could be accepted by Your Majesty's Government.

"Having taken these despatches into consideration, after mature deliberation, and with an earnest design to terminate the disputes which have so long disturbed the peace and harmony of the Colony, the House have adopted the following resolutions:—

"Whereas certain questions arising out of the original grants of the lands in this Island, severally called the Escheat question, the Fishery reserve question, and the Quitrent question, have for many years caused much discussion, and difference of opinion amongst the people of this Island, and many delusive projects and impracticable measures have been and are from time to time enounced respecting such questions, whereby the tenantry have been and are greatly imposed upon and induced to support the propounders of such measures, under the delusive hope that by doing so they will be relieved of the payment of rent; and the attention both of the people and Legislature being occupied with such deceptive schemes, measures intended to develop the resources of the Colony are not only neglected, but a state of society equally opposed to the moral, social, and political welfare of the people, and their true interests, is produced: And whereas various despatches have for a great number of years declared that Her Majesty's Government will not consent to any compulsory interference with the lands and rights of the proprietors, and which has been strongly reiterated in the despatch of Sir Edward Bulwer Lytton, now Her Majesty's Principal Secretary of State for the Colonies, dated 20th October, 1858, and 3rd December, 1858, from which it is clear that any measures for the benefit of the tenantry must result from an amicable arrangement with the proprietors: And whereas the agitation of hostile measures, such as escheat, fishery reserves, and quitrents, must not only result, as they always have done, in leading the tenantry into cost and trouble, without in any way ameliorating their condition, but will also engender a feeling in the proprietors, rendering them disinclined to listen to proposals, which, if such agitation were at an end, they would be likely to entertain: And whereas Sir Edward Bulwer Lytton in his despatches above referred to, while refusing to sanction measures which in England are considered inconsistent with the rights of property, has expressed the readiness of Her Majesty's Government to co-operate with the Legislature in furthering measures for the settlement of the land tenures, if conceived in a spirit of fairness and conciliation to all parties:

"Therefore resolved, 1st. That an humble address be presented to Her Majesty, praying that Her Majesty will be pleased to direct a Commission to some discreet and impartial person, not connected with the Island, or its affairs, to inquire into the existing relations between landlord and tenant, and to negotiate with the proprietors for such abatement of present liabilities, and for such terms for enabling the tenantry to convert their leaseholds into freeholds, as, without infringing on the rights of the landlords, may be fairly and reasonably asked for to ameliorate the condition of the tenantry.

"2nd. Resolved, That in the opinion of this House the basis of any such arrangement should be a large remission of arrears of rents now due; and secondly, the giving every tenant holding under a long lease an option of purchasing his land at a certain rate, at any time he might find it convenient to do so.

"3rd. Resolved, That a remission of arrears of rent may be reasonably asked, inasmuch as the existence of these arrears, although it is due partly to an unwillingness of the tenants to pay rent, under the idea that escheat or some other delusive scheme would enable them to evade; yet it is also due in part to the laches and remissness of the landlords and their agents in not enforcing it; and because, in many cases, the arrears, however incurred, amount to so large a sum that the exacting them would prove ruinous to a large number of loyal and industrious people, and would further entirely put it out of their power to avail themselves of the plan suggested in subsequent resolutions for purchasing their farms.

"4th. Resolved, That as the circumstances of the tenantry would not in general enable them to pay down any large portion of the purchase money, the best and only means for converting the tenures into freeholds lies in the adoption of the plan which would practically constitute every farm a savings bank for its owner, in which he could from time to time invest his savings at interest, towards the purchase of his farm, an arrangement which could be effected by the following means, viz: that the landlords should agree to permit the tenants to purchase their farms for such sum per acre as shall be fixed upon; and providing further, that when any tenant (whose rent was paid up) should be desirous of paying any sum, not being less than ten pounds, towards the purchase of his land, he should have the option of doing so, and that the interest on the ten pounds, or other amount so paid, should thenceforth go in reduction of his yearly rent, and so on for every payment on account of purchase until the whole was paid, when he should receive his deed, and that similar covenants should be inserted in all future leases for terms over 40 years; such an arrangement would not only give the tenant the advantage of paying an instalment of his purchase money, and at the same time reducing his rent whenever he chose, without subjecting himself to the vexation and costs incident to cases of inability to meet instalments agreed to be paid at a particular day, but would, in the opinion of this House, gradually, but certainly, change the tenures into freeholds, without the aid of loans, and the expensive subsistence of public offices, by which heavy liabilities have already been, and would, if persevered in to a much greater extent, be imposed on the public finances.

"We do therefore humbly pray that Your Majesty will be pleased to take the foregoing matters into Your Royal consideration, and to appoint some fit and proper person or persons, Commissioner or Commissioners to inquire into the relations of landlord and tenant in this Island, and negotiate with the proprietors of township lands for the fixing some certain rate of price at which every tenant may at any time have the option of purchasing his land, or of paying instalments of such purchase, and thereby gradually reducing the yearly rent until the whole price thereof is paid; and also to negotiate with the proprietors for a remission of the arrears of rent in such cases, and on such townships as the said Commissioner or Commissioners, from the circumstances of the tenantry or otherwise, may deem reasonable and expedient; and also to make such report respecting the Fishery Reserve question, and other questions relating to the township lands of this Island, as we confidently hope will effect a final settlement thereof, and prevent all agitation regarding the same in future."

"(Signed) DONALD MONTGOMERY,

"House of Assembly, P. E. Island, "Speaker,"
9th May, 1859."

That subsequently to the transmission of this address, to your Majesty's Principal Secretary of State for the Colonies, the following correspondence took place, and was duly transmitted by His Grace the Duke of Newcastle, to the Lieutenant Governor of this Island:

" No. 11.

" Downing Street, 6th Sept, 1859.

" Sir,

" I HAVE to acknowledge Sir D. Daly's despatch, No. 29, of the 13th May last, addressed to Sir E. B. Lytton, transmitting an address to Her Majesty from the House of Assembly, in pursuance of certain resolutions of the House, praying that Her Majesty would direct a Commission to inquire into the existing relations of landlord and tenant in the Island, with a view to the passing of remedial measures. The House of Assembly also propose that this Commission should direct its attention to the Fishery Reserve question.

" The resignation of Her Majesty's late Government has prevented an earlier answer to your despatch.

" The Assembly, in their address, not only pray for the appointment of a Commission, but they likewise indicate, in detail, the measures which, in their opinion, should form the basis of that arrangement between landlord and tenant which the Commission should endeavour to bring about. Now, without expressing any opinion adverse to the appointment of such a Commission, I am convinced that any prospect of a beneficial result from its labours would be nullified if its action were fettered by such conditions as the Assembly would thus impose.

" I cannot advise Her Majesty to entertain the question, unless it is fully understood that the Commission are at liberty to propose any measure which they may themselves deem desirable.

" I have communicated this correspondence to Sir S. Cunard, as representing the landowners in this country, with a letter, of which I enclose a copy.

" I have, &c.

" (Signed) NEWCASTLE."

" Downing Street, 6th September, 1859.

" Sir,

" I AM directed by the Duke of Newcastle to transmit to you a copy of a correspondence between the Government of Prince Edward Island and this Department, upon the subject of the appointment of a Commission to propose measures of arrangement between landlords and tenants in Prince Edward Island.

" With reference to this communication, I am to suggest that you will call a private meeting of such landowners as may be in this country, and ascertain whether there are any concessions which they are ready to make, with a view of bringing these questions to an amicable issue.

" I am, &c.

" (Signed) H. MERIVALE."

" Sir S. Cunard."

" Downing Street, 21st March, 1860.

" Sir,

" WITH reference to my despatch No. 11, of the 6th Sept, last, in which I informed you that I had communicated to Sir Samuel Cunard the correspondence which had taken place upon the subject of the appointment of a Commission to propose measures of arrangement between landlords and tenants in Prince Edward Island, I transmit to you the copy of a letter which has been addressed to me by Sir Samuel Cunard, and several other proprietors of land in the Island.

" THE Proprietors, it will be seen, do not think that the appointment of a Commission in the manner proposed by the House of Assembly in their address of the 9th of May last, would be the most desirable mode of proceeding, as the labours of such a Commission could only terminate in a report, the conclusions of which would not be binding on any of the parties interested. They suggest, therefore, instead, that three Commissioners or Referees should be appointed,—one by Her Majesty, one by the House of Assembly, and the third by the proprietors,—and that they should be invested with power to hear and determine all the questions in dispute. It is further sug-

gested that the expense of the Commission should be divided equally between the Crown, the tenants and the proprietors.

" If the consent of all the parties can be obtained to this proposal, I believe that it may offer the means of bringing these long pending disputes to a determination. But it will be necessary, before going further into the matter, to be assured that the tenants will accept, as binding, the decision of the Commissioners, or the majority of them; and, as far as possible, that the Legislature of the Colony would concur in any measures which might be required to give validity to that decision. It would be very desirable also that any Commissioner who might be named by the House of Assembly, on behalf of the tenants, should go into the inquiry unfettered by any conditions, such as were proposed in the Assembly last year. I have therefore to request that you will ascertain and report to me whether the tenants of Prince Edward Island, or the House of Assembly, on their behalf, are prepared to agree to the proposed reference.

" I have, &c.,

" (Signed) NEWCASTLE."

" Lieut. Governor Dundas."

" Bush Hill House, Edmonton, Feb. 13, 1860.

" My LORD DUKE;

" WE have been furnished with a copy of a memorial, addressed to Her Majesty by the House of Assembly of Prince Edward Island, on the subject of the questions which have arisen in connexion with the original grants of land in that Island, and the rights of proprietors in respect thereof.

" WE observe that the House of Assembly have suggested that Her Majesty should appoint one or more Commissioners to inquire into the relations of landlord and tenant in the Island, and to negotiate with the proprietors of township lands for fixing a certain rate of price at which every tenant might have the option of purchasing his lands; and also to negotiate with the proprietors for a remission of the arrears of rent in such cases as the Commissioners might deem reasonable, and proposing that the Commissioners should report the result to Her Majesty.

" AS large proprietors of land in this Island, we beg to state that we shall readily acquiesce in any arrangement that may be practicable, for the purpose of settling the various questions alluded to in the memorial from the House of Assembly, but we do not think that the appointment of Commissioners in the manner proposed by them would be the most desirable mode of procedure, as the labours of such Commission would only terminate in a report, which would not be binding on any of the parties interested.

" WE, therefore, beg to suggest, that instead of the mode proposed by the House of Assembly, three Commissioners or Referees be appointed,—one to be named by Her Majesty, one by the House of Assembly, and one by the proprietors of land,—and that these Commissioners should have power to enter into all the inquiries that may be necessary, and to decide upon the different questions which may be brought before them, giving, of course, to the parties interested, an opportunity of being heard.

" WE should propose that the expense of the Commission should be borne by the three parties to the reference, that is to say, in equal thirds; and we feel assured that there will be no difficulty in securing the adhesion of all the landed proprietors to a settlement on this footing.

" THE precise mode of carrying it into execution, if adopted, would require consideration, and upon that subject we trust that your Grace would lend your valuable assistance.

" We have, &c.,

S. Cunard.	E. Cunard, per S. Cunard.
Graham Montgomery.	Selkirk.
James Montgomery.	Laurence Sullivan.

" To his Grace the

" Duke of Newcastle, &c. &c. &c.

The foregoing correspondence having been received in the Island, on the 14th April, the following Resolutions were passed by the Assembly :

“ Prince Edward Island, House of Assembly,
“ Saturday, 14th April, 1860.

“ Resolved, That this House deems it expedient to concur in the suggestions offered for the consideration of the House of Assembly, as set forth in the despatch from His Grace the Duke of Newcastle, dated ‘ Downing Street, 21st March, 1860,’ on the subject of the proposed appointment of a Commission of inquiry for the arrangement of the long-pending disputes between landlords and tenants of this Island.

“ The House of Assembly therefore agree to the appointment of three Commissioners, one by Her Majesty, one by the House of Assembly, and the third by the proprietors, the expense of the Commission to be equally divided between the Imperial Government, the general revenue of the Colony, and the proprietors.

“ The House of Assembly also agree on the part of the tenantry to abide by the decision of the Commissioners, or the majority of them, and to pledge themselves to concur in whatever measures may be required to give validity to that decision.

“ Resolved, That in order to carry into effect the suggestions of His Grace the Duke of Newcastle, as set forth in his despatch to his Excellency Lieutenant Governor Dundas, of the 21st March last, for settling the long-pending questions between landlords and tenants in this Island, this House do hereby name the Honorable Joseph Howe, of Nova Scotia, as referee or arbitrator on behalf of the tenantry of this Island, to act under the Commission to be issued by Her Majesty's Government, as set forth in the despatch referred to, the other two referees or arbitrators under the said Commission to be named, as intimated in the said despatch, one by Her Majesty's Imperial Government, and the other by the proprietors.

“(Attest.) JOHN MCNEILL,
“ Clerk of the Assembly.”

That the receipt of the said resolutions was acknowledged by His Grace the Duke of Newcastle in the following despatch :

No. 23. DOWNING STREET, 16th June, 1860.

SIR;

“ I have had under my consideration your despatches, No. 15, of the 16th of April, and No. 22, of the 30th April. In the former despatch you enclose a resolution, in which the Assembly agrees to the proposed appointment of Commissioners on the subject of tenures of lands, binds itself to abide by the decision of those Commissioners, or the majority of them, and pledges itself to concur in whatever measures may be required to give validity to that decision. In the second despatch you inform me, that a short Act has since passed through both Houses, giving effect to the foregoing resolution.

“ I cannot do otherwise than express my sense of the promptitude and completeness with which the House of Assembly has thus given its support to the plan devised, in the hope of putting an end to the differences which have prevailed in Prince Edward Island.

“ In Mr. Howe the Assembly, acting on behalf of the tenantry, have selected a Commissioner whose known ability, and prominent public position must well qualify him for the proposed inquiry.

“ From Sir Samuel Cunard I have received a letter, of which a copy is enclosed, naming as the Commissioner selected by the proprietors Mr. John William Ritchie, of Halifax, who I doubt not, will honorably discharge his functions.

“ I have written, in exercise of the choice belonging to Her Majesty's Government, to request Mr. John Hamilton Gray, of New Brunswick, to undertake the remaining office of Commissioner. Mr. Gray has recently conducted another public inquiry, with a degree of ability, carefulness, and justice, which entitles him to the confidence of all concerned in the intended investigation.

“ Although the privilege of selecting each Commissioner has been conferred on a separate authority, so as the better to ensure satisfaction with the composition of the Commission, yet it is my view, and I doubt not will be that of the Commissioners themselves, that none of them ought to be regarded as the special advocate of one interest, but rather that the whole should devote their efforts to framing such recommendations, as shall be demanded by the equity of the case, and be conducive to the general good of all classes of the community. Their conclusions, whatever they may be, will possess double weight, if happily they should be unanimous.

“ The time of meeting in Prince Edward Island will be best determined by the Commissioners themselves, who will be able to communicate with you upon any points which they may wish to ascertain, as bearing on the subject of the most convenient period for the purpose.

“ It will be desirable that previous arrangements should be made, as far as practicable, for having at hand all the witnesses and all documentary evidence which the Commission is likely to require, so that the time needed for the actual sitting in the Island may be reduced within the most moderate compass, consistent with the due and complete accomplishment of the inquiry.

“ I shall take an early opportunity of forwarding to you a Commission under the Royal Sign Manuel, containing the appointment of the several gentlemen named to serve on the Commission.

I have, &c.
(Signed) NEWCASTLE.

Lieutenant Governor Dundas.

On the 25th of June Her Majesty was pleased to issue the following Commission:—

(L. S.) VICTORIA B.

“ Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith. To all to whom these Presents shall come, greeting.

“ Whereas we have been moved by the Assembly of Our Island of Prince Edward, to appoint Commissioners to inquire into the differences now prevailing in Our said Island, relating to the rights of landowners and tenants in our said Island, with a view to the settlement of the same on just and equitable principles: And whereas the said Assembly has further, by a resolution dated the 14th day of April last, set forth its agreement to abide by the decision of any such Commissioners, or the majority of them, and to concur in whatever measures may be requisite for giving validity to their decision: And whereas it is highly desirable that the said differences should be adjusted :

“ Now know ye, that We, taking the premises into Our Royal consideration, are graciously pleased to nominate and appoint, and do by these presents nominate and appoint Our trusty and well-beloved John Hamilton Gray, Esquire, Our trusty and well-beloved Joseph Howe, Esquire, and Our trusty and well-beloved John William Ritchie, Esquire, to be Our Commissioners for enquiring into the said differences, and for adjusting the same on fair and equitable principles.

“ Given at Our Court at Buckingham Palace, this 25th day of June, 1860, in the 24th year of Our Reign,

By Her Majesty's command,
(Signed) NEWCASTLE.

That the said Commissioners duly executed your Majesty's said Commission, and on the 18th day of July, 1861, transmitted to His Grace the Duke of Newcastle their report and Award. That therein the said Commissioners, among other matters, reported and awarded as follows :

“ 1st. That tenants who tender 20 years purchase to their landlords, in cash, shall be entitled to a discount of 10 per cent., and a deed conveying the fee simple of their farms. Where the tenant prefers to pay by instalments, he shall have the privilege, but the landlord shall not be bound to accept a less sum than £10 at any one time; nor shall the tenant have a longer term than 10 years to liquidate the debt.

“ 2nd. That tenants whose lands are not worth 20 years purchase, and who therefore decline to pay that amount, may tender to their landlords what they consider the value of their farms. If the landlord declines to accept the amount offered, the value shall be adjusted by arbitration. If the sum tendered is increased by the award, the tenant shall pay the expenses, if it is not, they shall be paid by the landlord. If the sum awarded is ten-

dered in cash, a discount of five per cent. to be allowed; if not, payment to be made by yearly instalments of not less than £10, the term of payment in no case to exceed 10 years.

- 3dly. That the rent shall be reduced in proportion to the instalments paid, but no credit shall be allowed for any such instalments, until the three years arrears allowed by this award have been paid, nor while any rent accruing after the adjustment of the value of the farm remains due.
- 4thly. That proprietors who hold not more than 1,500 acres, or those who desire to retain particular lands to that extent, shall not be compelled to part with such under this award.
- 5thly. That leases under a term of less than 40 years shall not be effected by this award.
- 6thly. That all arrears of rent due by the tenants previous to the 1st of May, 1838, be remitted."

The Award having been thus duly transmitted to your Majesty, His Grace the Duke of Newcastle forwarded a despatch, bearing date, Downing Street, April 5th, 1862, to the Lieutenant Governor of this Island, covering a draft bill, from certain proprietors who were parties to the said Commission, as a substitute to be taken in lieu of the Award; the said Proprietors objecting to be bound by the decision of the Commissioners.

That the Legislature of this Island passed, during the session of 1862, two Acts, intitled respectively, "An Act to give to effect to the report of the Commissioners on the Land Question," and "An Act to facilitate the operation in certain particulars of the Award or Report made by certain Commissioners, to settle and adjust differences respecting some of the Township Lands in this Colony; and a minute of the Executive Council of this Island, dated July 22d, 1862, was forwarded to His Grace, the Secretary of State, of which the following is a copy :

[Extract from Minutes of the Executive Council.]

COUNCIL CHAMBER, 22nd July, 1862.

AT A MEETING OF COUNCIL—PRESENT :

His Excellency the Lieutenant Governor.

The Hon. Mr. Palmer,	The Hon. Mr. Laird,
" Mr. Gray,	" Mr. Pope,
" Mr. Yeo,	" Mr. Simpson.
" Mr. Haviland.	

"The Board having taken into consideration the proposed Bill, intitled, "A Bill for settling differences between Landlord and Tenant, and to enable Tenants on certain Townships to purchase the reversion of their Farms," submitted by Sir Samuel Cunard, on behalf of himself, and certain other Proprietors of Lands in this Island, and transmitted to His Excellency the Lieutenant Governor, in a despatch from His Grace the Duke of Newcastle, bearing date the 5th day of April, 1862, have to report that they cannot consistently recommend His Excellency to hold out any expectations by which Sir Samuel Cunard, and his associate Proprietors, or His Grace the Duke of Newcastle might be induced to believe that the Legislature of this Colony would sanction any measure respecting the Land Question reported upon by the Land Commissioners, which might differ essentially from the principles embodied in their report.

The House of Assembly at its last session, deeming the faith of Her Majesty's Government pledged to this Colony to maintain and carry out the Award of the Commissioners in its true meaning and spirit, have, by an overwhelming majority, passed a Bill for its confirmation. The Legislature, at the same time, passed a Bill to facilitate the execution of the Award in that part which provides for ascertaining, by the medium of an Arbitration, the price of Land, in cases where the Proprietor and Tenant cannot mutually agree between themselves; a provision of this nature appearing indispensable to give full effect to the method of valuation, in this respect, awarded by the Commissioners.

"In the Bill proposed by Sir Samuel Cunard, above referred to, it is recited that the said Commissioners "exceeded the authority intended to be given them by the Assembly and the said Proprietors." This assumption on the part of the Proprietors appears to be founded upon rules of construction merely applicable to instruments of a certain and well-defined legal character, but which rules would appear to be totally inapplicable to a report or adjudication proceeding from a Commission acting under the extraordinary powers conferred upon the Land Commissioners. These powers were never intended to be restrained or limited by any formal or

arbitrary legal rules. By reference to the words of the Commission it will appear that the Commissioners were empowered to enquire into the existing differences between Landowners and Tenants, and to adjust "the same on fair and equitable principles." From the language here employed, the powers conferred upon the Commissioners were of an unlimited description; and, in the opinion of the Board, amply sufficient to enable them to define any mode of settlement, even one of a purely equitable character. The Board know of no more equitable principle than that of an impartial valuation of each Tenant's farm.

"For the Commissioners to have attempted this, by their own personal labours, would have been a work of almost endless duration, and incalculable expense. Having, then, established clearly the principle of valuation, they found that the object could be accomplished in shorter time, and at much less expense, by the intervention of Valuers, in whose judgment also, more confidence would likely be reposed, from the circumstance of their being Judges chosen by the parties themselves. In order that this, the principal element in the Award, might not in any instance be rendered ineffective by the obstinacy of either party in the issue, refusing to nominate his Arbitrator, the Legislature provided a means as simple and just as could be devised, by which the intentions of the Commissioners might be carried out.

"These enactments on the part of the local Legislature it will be observed, do not in any manner vary or trench upon the principles of the Award; and they have been passed, not only for the purpose of carrying out the provisions of the Award in fuller detail, but as being essentially necessary, in view of the Despatch of His Grace the Duke of Newcastle to His Excellency the Lieutenant Governor, of the date of the 21st March, 1860.

"By a passage contained in the Despatch of the Duke of Newcastle to His Excellency the Lieut. Governor, dated the 7th of February, 1862, His Grace appears to apprehend that the arbitration system prescribed by the Commissioners, would necessitate a multiplicity of separate local arbitrations, which, in the estimation of His Grace, would constitute insuperable objections against this mode of adjustment. The Board, however, see no reason to apprehend that in the practical working of the measure, many of these arbitrations would be called for. On the contrary, they are of opinion that should arbitrations be resorted to, two or three cases on a Township would have the effect of establishing a price or prices that would become the respective standards of value on that Township.

"The Board feel impelled to express their hope, that His Grace the Duke of Newcastle, in considering the Bills which have been passed by the Legislature of this Colony, for the purpose of giving effect to the Award of the Commissioners, will bear in mind, that the differences which the Commissioners were appointed to finally determine, have, for upwards of half a century, exercised a most beneficial influence upon this Colony, and that the people generally, hailed with much satisfaction the prospect of having these differences adjusted by a mode to be pointed out by the very talented Commissioners, to whom they were referred,—and that should anything occur to prevent such adjustment, and the confirmation of their unanimous, able, and impartial Report, to which the Legislature, by these Bills, seeks to give effect, the consequences will be of a very serious nature, and result in causing much anxiety to Her Majesty's Ministers, and also to those to whom may be intrusted the Government of the Colony.

A true Extract, which I certify.

CHARLES DESBRISAY, C. E. C.

That the said Bills were not submitted by your Majesty's Secretary of State for the Colonies for your Royal allowance, for the reasons set forth in the following despatch :

DOWNING STREET, 9th August, 1862.

SIR;

"I have received your Despatch No. 45, of the 15th of June, enclosing two Bills, passed with suspending clauses, by the Legislature of Prince Edward Island, intitled Cap. IV, An Act to give effect to the Report of the Commissioners on the Land Question, and Cap. XII, An Act to facilitate the operation in certain particulars of the Award or Report made by certain Commissioners to settle and adjust differences respecting some of the Township Lands in this Colony.

"In forwarding these Acts you informed me, that you would shortly communicate to me a minute of your responsible advisers, explaining the reason for framing these measures; and this you have since done in your Despatch No. 52, of the 23rd of July; I am therefore now in a position to communicate to you the conclusion to which I have been led.

"It appears from the minute of your Ministers, that they consider the so called Award of the Land Commissioners to be binding on the Proprietors, and the Legislature, and on this ground they state that they are unable to entertain Sir Samuel Cunard's proposal for enabling the Tenants in Prince Edward Island to ac-

quite freehold interest in their holdings, which was transmitted to you in my Despatch of the 5th of April last, No. 143.

"I very much regret that it is not in my power to concur in the views by which your Government have been led to prepare these Bills; or to advise Her Majesty to bring them into operation by giving her assent to them.

"Your advisers appear to consider that H. M. Government had proposed to the Proprietors of land, and that those Proprietors had consented to place themselves and their interests absolutely in the hands of the Commissioners. This, however, was far from being the case.

"The Proprietors consented that Commissioners should be appointed "to enter into all the enquiries that might be necessary, and to decide upon the different questions which might be brought before them, giving, of course, to the parties interested, an opportunity of being heard."

"The main questions thus to be decided upon were: First, at what rate Tenants ought to be allowed to acquire freehold interests in their property; and next what amount of arrears of Rent should be remitted by the Landlords,

"On the first and most important of these questions, the Commissioners professed themselves unable to come to any conclusion, and instead of deciding it, they recommended, virtually, that it should be decided by other Arbitrators, to be hereafter nominated. This, however, is not what they were charged to do; they were authorized by the Proprietors to make an Award themselves, but they were not authorized to transfer the duty of making that Award to others. The trust confided to them was evidently a personal one. The Proprietors relied on the skill, knowledge, and fairness of the three gentlemen appointed in 1860; but they could not, therefore, be called upon, in deference to these gentlemen's opinion, to confide their interests even to Arbitrators specially designated in the Award, much less to persons whose very mode of appointment is undetermined by it.

"This objection might, of course, be waived by the Proprietors, but it is not waived, and being insisted upon, I am obliged to admit that it is conclusive; and I am bound further to say, that it is, in my opinion, an objection founded not on any technical rule of law, but on a sound and indisputable principle of justice,—the principle, namely, that a person who has voluntarily submitted his case to the decision of one man, cannot, therefore, be compelled, without his consent, to transfer it to the decision of another.

"It is, therefore, impossible for me to advise Her Majesty to sanction the two Acts which you have forwarded, and which, of course, are intended to render the Award obligatory on all who consented to the reference.

"I must instruct you, therefore, however unwillingly, to treat the Commissioners Award only as an expression of opinion, which, however valuable as such, cannot be made legally binding on the parties concerned; and which, therefore, ought not to be allowed to stand in the way of any other proposal which promises an amicable settlement of the question.

"It was under these circumstances, and with these impressions, that I forwarded to you the proposal made by Sir Samuel Cunard, in hopes that it might be found to furnish a basis of agreement in lieu of the recommendations of the Commissioners.

"Your Government refuse to consider this proposal, not, as I understand, because they think it in itself inadmissible, but because they consider themselves as bound to give effect to the Commissioners' Award.

"This Award being now out of the way, I have to request that you will bring Sir Samuel Cunard's proposal under their re-consideration. I do not think it desirable that I should myself express any opinion upon its merits. I will only observe, that it is in some respects more favorable to the Tenants than the Commissioners' Award; and that it will give me great pleasure to learn that it is likely to furnish a solution of these difficulties, which, so long as they are unsolved, must continue to obstruct the progress of the Colony.

"This conclusion which I have adopted respecting these Acts, renders it unnecessary that I should do more than acknowledge your Despatch No. 46, of the 25th of June, enclosing a memorial from Mr. Haythorne against the Act (Cap. xii) to facilitate the operation of the Award.

I have, &c. &c.

(Signed)

NEWCASTLE.

Lieut. Governor Dundas, &c. &c.

That from the foregoing despatch of His Grace the Duke of Newcastle, we conclude that the inability of His Grace to submit for your Majesty's Royal allowance, the Act of

the Legislature passed to give effect to the Award of the Commissioners on the Land Question, is grounded solely upon the objection set forth in His Grace's despatch, as being urged against the said Award, by the proprietors, who had agreed to be bound thereby; and also, that the said objection is one which, in the opinion of His Grace, might be waived by the said proprietors.

Under these circumstances, the Legislative Council and the House of Assembly, beg respectfully to submit to your Majesty, that in the negotiations, conducted by your Majesty's Secretary of State for the Colonies, and the Lieut. Governor of this Island, respecting the Land Commission, it was expressly stipulated by His Grace the Duke of Newcastle, in his despatch of the 6th Sept., 1859, already referred to, that it should be "fully understood, that the Commissioners are at liberty to propose any measure which they may themselves deem desirable." And that in the letter of Sir Samuel Cunard, and other Proprietors addressed on the 13th Feb., 1860, to His Grace the Duke of Newcastle, it was expressly agreed to by the said Proprietors, that they would "readily acquiesce in any arrangement that may be practicable for the purpose of settling the various questions alluded to in the memorial of the House of Assembly. That viewing these declarations in connection with the authority conferred by your Majesty's Commission wherein the Commissioners were empowered to enquire into the said differences, and to adjust the same on fair and equitable principles, the Legislative Council and House of Assembly most humbly conceive that no competent legal tribunal would decide that the equitable principles agreed to and determined upon by the Commissioners, as above recited, were not within the fair scope of the authority conferred upon them.

That your Majesty's loyal subjects, the Legislative Council and House of Assembly of Prince Edward Island, most humbly submit to your Majesty—That the Award of the said Commissioners, who were appointed by warrant under the Royal Sign Manual and Signet, was made under a reference solemnly agreed to by your Majesty, by the Proprietors, and by the House of Assembly of this Island, and that, therefore, according to the well known legal maxim, "*Omnia presumuntur rite et solemniter esse acta donec probetur in contrarium*," the said Award should be considered to be good and valid in law.

That we do not seek by the passing of a law to compel compliance on the part of the Proprietors, to an Award which is in itself liable to an objection founded on any principle of justice or equity; but we most humbly submit that the question as to whether the Award of the Commissioners can or cannot be made legally binding on the parties concerned, is one proper for the consideration of your Majesty's Judicial Tribunal.

We, therefore, humbly pray that your Majesty will cause it to be notified to the Proprietors, to be effected by the said Award, that unless cause to the contrary be shewn, before a judicial tribunal, to be provided by your Majesty, your Majesty's allowance will be given to a Bill passed, to give effect to the said Award of your Majesty's Royal Commissioners.

AFTERNOON SITTING.

MONDAY, March 16.

Committee on the Address to Her Majesty, with respect to the Land Question, resumed.

Mr. HOWAT—was disposed to support the Address to Her Majesty, brought forward by the hon. leader of the Government. What had called it forth, was the refusal of the Duke of Newcastle to sanction the two Acts passed last session relative to the Award. As to the Award itself, he (Mr. H.) thought it was the best measure that could be obtained for the tenantry; and that was all he need say respecting it at present, as the subject had been very fully discussed. He did not think that we should be bound by the Duke's opinion, and maintained, that before we relinquished the Award, we should ask that its legality be tested by a proper judicial tribunal. He contended that as the Home Government were a party to the Commission, they were bound in fairness to carry out its decision, unless it were proved to be illegal. No charge could be brought against the majority of the former house in regard to the Award; they were willing that it should go into operation. But how had the British Government done their part? It might be said to be presumption for us to bring a charge against the Duke of Newcastle, but, if we had just reason, we might bring an accusation against any individual, from the highest to the lowest in the Kingdom. It was folly to say that we were bound to acquiesce in his views, merely because he occupied such a high position. There were others in the British Government and in the House of Commons who stood equally as high as he, and they might call in question his proceedings in our case. If the simple fact of a person being in a high position screened him from blame, there could be no justice in the affairs of the nation. He, (Mr. H.) however entertained the opinion that if the subject of the Award were brought formally before the notice of the British Government, this Colony would obtain redress. If the Government refused to take action in the matter, there might be some one on the Government side of the House of Commons who would espouse our cause; and, if none could be found among them, perhaps some member of the Opposition might take it up, as it was probably the case in Britain as here, where it was known there were some very active gentlemen in the Opposition. [Laughter]

Mr. HASLAM—remarked that there was a compact entered into between the tenantry, the proprietors, and the British Government; all the parties were bound to abide by the decision of the Commission; at least, we had reason to doubt that if the Award had been more favourable to the proprietors, the tenantry would have been compelled to keep by it. The only inference which could be drawn from the various Despatches of the Duke of Newcastle on the subject, was, that all parties were to be bound; this being the case, we had a very strong reason why we should support the Address proposed by the hon. leader of the Government. The Duke, in his Despatch of the 9th August, 1862, says:

"I must instruct you, therefore, however unwillingly, to treat the Commissioners' Award only as an expression of opinion, which, however valuable as such, cannot be made legally binding on the parties concerned; and which, therefore, ought not to be allowed to stand in the way of any other proposal which promises an amicable settlement of the question."

Here His Grace said the Award was only to be treated as an expression of opinion, and referred to some other proposal for settling the question. He (Mr. H.) believed he was correct in saying this allusion was to what was called the proprietors' bill, in which he understood they proposed 15 years purchase as the terms on which the tenants should obtain the fee simple of their lands. The proprietors had found fault with the Award, but what had they offered in its stead? They had not proposed an equitable measure. The Award, however, was equitable, because it provided

by the arbitration clause for a difference of price, according to the quality, as it was well known that while some farms were worth 15s. an acre, others were not worth 5s. The Commissioners themselves, while they laid down 20 years' purchase as the highest rate, had stated £100,000 would purchase so much at 2s 6d an acre. This shows that they considered there ought to be a variety in the price, though he did not agree with them that land fit for cultivation could be obtained at the latter price.

Hon Mr COLES—They took the Selkirk Estate as the basis of their calculation.

Mr HASLAM—They ought to have taken the Worrell Estate into consideration as well as the Selkirk Estate. The proprietors seemed to have taken alarm at the arbitration clause as perhaps a low price, such as was given for the Selkirk Estate, might be fixed upon. He thought we had no course open but to prosecute the Award. The British Government were in duty bound to do us justice, and settle this question which had troubled the country for so long a time. If it be not settled soon no person can see the end.

Hon Mr COLES thought we were about as far off from getting this question settled as ever we were. The hon. member who had just sat down spoke as if there was some great calamity about to come over the country. He (Mr. C.) supposed he meant that the Volunteers were to be called out to protect the tenantry, as they were now pretty well dispersed all over the Colony. But the proprietors would likely be able to enforce their claims, notwithstanding the hints of the hon. member. The hon. the leader of the Government evidently had not forgotten the old family compact which was in existence in the Colony when he left it years ago, as he appeared to be suspicious of the influence of family relationship in the old country. He seemed to think that as Sullivan was a brother-in-law of Lord Palmerston, the Duke of Newcastle was afraid he might offend the Premier if he consented to the Award.

Hon Col GRAY explained that these were not his own views, but what others stated.

Hon Mr COLES—Perhaps he had misunderstood the hon. leader of the Government. With respect to the Address which had been moved, he (Mr. C.) never heard such a rigmarole of old documents. He believed there was scarcely ever a paper of such length read which ended in so little. The hon. member for Tryon said they were not going to yield to the Duke of Newcastle; he must be brought up before the British Parliament, and if he did not do what the little Colony of Prince Edward Island wanted, he must take his walking ticket. All this was just a waste of words, as it was not probable that His Grace acted in such an important a matter as the rejection of the Award without consulting his colleagues. The hon. member for Belfast said when he introduced his famous resolutions that the whole question might be settled in 8 months, but it would take 8 years at the rate the majority were proceeding. All this in reference to settling the Land Question had arisen out of various discussions which had taken place on the subject. A good deal of it had originated with the passing of the Rent Roll and Tenants' Compensation Bills. These Bills were served by the Colonial Minister pretty much as were the Bills of last Session, relating to the Award. Labouchere, in a despatch dated 21st December, 1855, in reviewing the correspondence respecting the Rent Roll and Tenant's Compensation Bills, said:—

"I will not now repeat arguments which have been urged on various occasions by my predecessors; it will be sufficient for me to express my decided opinion, that whatever character may properly attach to the circumstances connected with the original grants, which have been often employed against the maintenance of the rights of the proprietors, they could not, with justice, be used to defeat the rights of the present owners, who have acquired their property by inheritance, by family settlements, or for valuable consideration.

"Seeing, therefore, that the rights of the proprietors could not be sacrificed without manifest injustice, I feel that it will be my duty steadily to resist, by all means in my power, measures similar in their character to those which were recently under the consideration of Her Majesty's Government."

Here, the complaint was that the Bills were an interference with the proprietors' rights, and the objection to the arbitration clause was of a similar nature. In the same Despatch the Colonial Minister went on to say :

"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 a 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 offers 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 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 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."

It was in accordance with this suggestion that the Government of that day passed the Purchase Bill and the Loan Bill, in order to settle this long-vexed question. The Loan Bill had the approval of Her Majesty's Government, and he could show that the Colonial Minister of that day had made promises in regard to it, as strong as ever had been given respecting the Land Commission; and, therefore, he was not surprised that the two Bills of last session were rejected. Mr. Labouchere, in a despatch under date of 14th August, 1857, wrote :—

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

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

When the Colonial Minister actually encouraged the local Government to go on and make arrangements with the proprietors respecting the purchase of their lands, on the strength of the Loan, who would suppose that it would not be carried out? But see what Sir Bulwer Lytton wrote on the following year :

"With reference to my Despatch of September last, acquainting you that I had communicated the correspondence respecting the proposed Loan of £100,000, to the Lords Commissioners of Her Majesty's Treasury, I have now to acquaint you, that in the present state of the

finances of the Colony, Her Majesty's Government are of opinion that it would be hopeless to attempt to obtain a guarantee from the House of Commons."

Here the proposed Loan was set aside on the ground that the finances of the Colony were in an unsatisfactory state.—though our debt then was only about half what it is now—and another suggestion made, as would be seen by reading the remainder of the same Despatch :—

"The whole question, however, of the Land Tenures, together with that of the Fishery Reserves, is engaging my most anxious attention; and it would give me unfeigned pleasure to receive such suggestions for the amicable settlement of these differences as could be accepted by the Imperial Government."

"It has occurred to me that if, within the Island, an impartial Committee could be formed, composed of members fairly representing the interests of Landlord and Tenant, they might devise modes of settlement consistent with what, in this country, are considered the legitimate rights of property, and which would obtain the concurrence of both parties."

The Palmer Government took up this suggestion of a Commission, just as we took up the suggestion of the loan. The Commissioners were appointed and gave in their award, and then we heard that there were insuperable objections to it. And the Bills to confirm it having been received at the Colonial Office, we were now told that the Commissioners had exceeded their powers. To say, after what the Colonial Minister had stated in his Despatches, that it was any use to have the Award tested before a judicial tribunal, was all nonsense. He (Mr C.) believed that we would never gain anything for the tenantry but by purchasing the proprietors' lands. We might be able to get reasonable terms from them by making good our claims against them.

Hon COL. SECRETARY—What claims?

Hon Mr COLES—The claims referred to in Cunard's Bill. He was rather surprised to find that the proprietors' admitted that there were claims against them; but so it appeared from this clause inserted in their Bill :—

"Be it further enacted, that the hereinbefore recited declaration or Award of the said Commissioners, respecting the Escheat or forfeiture of the lands, and the arrears of Quit Rents, and the lands called or known as the Fishery Reserve; and also concerning the remission to tenants of arrears of rent, which have accrued due previous to the day of 1856, and which are now unpaid; be, and the same is hereby declared to be, valid and binding at law and in equity."

They appeared anxious to have these clauses of the Award confirmed. With respect to the Fishery Reserves, he thought the Commissioners had come to an improper decision. The Judges of this Island, some years ago, settled that the Colony had a right to the Reserves, even up the Bays and Creeks, and on this ground he contended we had a strong claim against the proprietors. Then, in regard to the Quit Rents, we would have a good claim for them when the present Land Assessment Act expired. He was astonished to observe in the Award that the Commissioners decided, from Lord Goderich's Despatch, that the arrears of Quit Rents were given up. Now, the arrears were only to be remitted to those who accepted the terms of redemption.

Hon COL. SECRETARY rose to correct the hon. leader of the Opposition; the redemption was not for the arrears, but for the Quit Rents themselves.

Hon Mr COLES would read an extract from the Despatch in corroboration of his statement. Lord Goderich wrote :—

"It is possible that some persons may be desirous to redeem their Quit Rents before the expiration of the five years to which the claim to the Quit Rents has been foregone. I shall be very glad to accede to this course, and shall be prepared to advise His Majesty to remit immediately the claim to arrears due from the persons who may be desirous to

effect such an adjustment. I shall also be willing to consent that they may receive at the same time a formal release from the condition requiring them to settle their lands in the proportion of one person to every two hundred acres. But I cannot sanction any more favorable terms of redemption, whatever be the period at which it be effected, than the payment of fifteen years purchase."

This showed that the arrears were to be remitted only to those who were willing to commute for their Quit Rents, but as no redemption was ever made, he contended that when the Land Tax Act expired the claims for these Rents would revive retrospectively and prospectively. This was his view of the matter, and that there were about £140,000 of arrears due, notwithstanding the decision of the Commissioners to the contrary; but it was no wonder that they came to the conclusion they did, as they were told by the Government that all arrears were remitted. It had been stated that if the Government enforced the payment of the arrears of Quit Rent, the tenants would have to pay them. This objection was of very little force, as most of the arrears were due on wilderness land; and all the arrears, if paid, would go for the benefit of the Colony, special provision being made for this when we passed the Civil List Bill. Now these were the two points, Fishery Reserves and Quit Rents, which we should urge against the proprietors. As to Escheat, he did not contend for it; he allowed that the time had gone past to agitate a forfeiture of the original grants. With respect to the Loyalists, he maintained that all those proprietors who had given up to them the lands promised, were not liable for arrears of Quit Rent up to that time, but no further. The claims against the proprietors to which he had referred, were what the Government ought to have urged, and not again to have sought to bring up this "gigantic humbug," as his hon friend from Prince County had denominated the award. His Grace the Duke of Newcastle, had stated, that the objection to it was not founded on any "technical rule of law, but on a sound and indisputable principle of justice," and if this were the case, it was not at all probable he would alter his decision on the subject. The only hope was the intelligence received by last Mail, that Lord Derby had nearly a sufficient majority in both Houses of Parliament, to overturn the Palmerston Government, and if this Island affairs were only brought forward, it might be the means of effecting a change of ministry, and thus dismissing the Duke of Newcastle from office. For one, he could not vote in favor of the Address before the Committee, though he did not intend to give it a factious opposition, and perhaps would not move any amendment.—It would only put off time, though he did not doubt the hon leader of the Government was anxious to carry out his views.—More good was likely to result from the purchase of the Montgomery estates, agreed upon last Saturday, than all the Award would ever effect. Land purchased by the Government at 6s an acre, could be sold to cover expenses at 9s., besides remitting to the tenant all arrears of back rent. Before land could be purchased under the award, the arrears of rent from 1858 would have to be paid, in addition to the first instalment of £10, which would make the sum to be paid, when the purchase was effected, about £46, as much as a farm would cost altogether on the Montgomery estates agreed to be bought. This was in his (Mr. C.'s) opinion, the best method of settling the land question; and if we only agitated the main questions inserted in the preamble of Cunard's Bill, he did not doubt, but we might obtain the lands on reasonable terms.

Mr HASLAM—The hon leader of the Opposition had made allusion to what he stated, and said that we were going to force the Duke of Newcastle to yield to us. He (Mr. H.) did not desire anything of the kind. His Grace had stated that the Award was illegal, and all that they asked was for him to show how it was illegal. The hon member was in favor of the loan, but were we in a more likely position to obtain it now, when our debt was about £80,000, than when it was formerly applied for? Besides, though we had the loan, there was no evidence that we could get land to purchase on reasonable terms. The very lowest which had been bought was the Selkirk estate, and that under circumstances which would not likely occur again. He did not think that all the benefits which would result from the award, would arise from the purchase of land under its provisions; but through its operation the proprietors would be glad to sell their lands to the Government on better terms. If the arbitrations were brought into play, they would give the proprietors quite a different opinion of the value of their lands. The hon leader of the

Opposition appeared to think that if the Colonial Minister only said so and so, we ought to yield immediately. Now, he (Mr. H.) held quite a different opinion, and maintained that we should go a little further, and ask the Duke, for the reason of his statement.

Hon Col. SECRETARY said it was useless to take up time discussing what the award would or would not accomplish. The last House by a vote of 23 to 6, decided in its favor; and since then a General Election had taken place, and the voice of the people showed unmistakably that they desired it should go into operation. The hon leader of the Opposition seemed to take great amusement to himself, in speaking of what influence this Island might have at Home. It was not on the extent of our Island, but on the justice of our cause, we relied. We wished to go to the Queen, and to say, that we considered the Duke of Newcastle was not the proper authority to declare to us whether the award is legal or illegal. After we had done all in our power, then only would we feel satisfied, that we had endeavored to carry out the wishes of the people. The hon leader of the Opposition took exception to the preamble of the Address under consideration, on account of its length. It set forth no more than the facts of the case, which were necessary to be stated. The same objection made to the Address, might be urged against his own speech; among other things, he had taken us back to the subject of Quit Rents. He had given up Escheat; both that and its apostle, Cooper, had disappeared from this House. The hon member had read an extract from a Despatch about Quit Rents, but had taken very good care to omit reading another very important part of the same Despatch of the 27th January, 1833, which ran thus:—

"In reviewing the proceedings of this department respecting Quit Rents, I observe that the proprietors and inhabitants of Prince Edward Island have frequently represented, and I think with justice, that they ought to be dealt with on this subject, in the same manner as the inhabitants of the neighboring and larger Colonies.

"I now act on this principle, by extending to Prince Edward, with such adaptations as existing circumstances require, the same measure which has lately been adopted in New Brunswick.

That this measure included a remission of arrears, would be seen by an extract from Lord Goderich's Despatch to Sir R. Campbell, Governor of New Brunswick, which was as follows:—

"I have to desire that you will direct notice to be given, that His Majesty is graciously pleased to remit all Quit Rents due previously to midsummer day last."

But if there existed any doubt as to the meaning of Lord Goderich's Despatch, it was set at rest by a Despatch in 1838, in which the then Colonial Minister, Lord Glenelg, stated:—

"That all rent in arrear at the period when the Provincial Act 11 Geo. 4, c. 17, was confirmed and came into operation, must be considered to have been remitted by the authority of the despatch of 27th January, 1833."

After what was contained in these despatches, if the hon leader of the Opposition had no stronger claims to bring against the proprietors than the Quit Rents, they need not trouble themselves much about them. Another subject the hon member brought up was the Fishery Reserves. He had given the opinion of the Judges in the matter, but that would not help him much. He (Col. Sec.) believed that in no one instance had the tenantry pressed a claim to the reserves, in opposition to the proprietors. True, the vendors of the Worrell estate, gave up something on this score; it was not, however, because they acknowledged the claim, but because they wished to effect a sale. The first objection made by the Duke of Newcastle to the Award, was the multiplicity of local arbitrations, which it would occasion; the next was, that the Commissioners had not power to delegate their authority. This was a principle which every lawyer very well understood; but he contended that the Commissioners had more extensive powers than common arbitrators, inasmuch, as they were to devise such means for settling the various questions in dispute, as they might deem advisable. All then, that we could now do, was to bring the matter in a respectful address before the Throne, and leave the consequences to themselves.

Hon Mr LAIRD wished the hon Col Secretary, to explain, why the proprietors in their bill asked the Fishery Reserves, Quit Rents, and Escheat, to be given up, if the Colony had no right to them.

Hon Col SECRETARY presumed the proprietors had included these questions, because they were referred to in the Award.

Hon Col GRAY believed they had been inserted in the bill, because they had been mentioned in the resolutions which he introduced, as delusive schemes.

Hon Mr COLES did not know whether the proprietors considered them as delusive schemes. He believed, that even Mr Palmer did not think that the Fishery Reserves were ever given up to them. It was not decided in their favor, at the Georgetown Court, in the case between Mr Cox and the proprietor of the Morell farm. As to the arrears of quit rent, an action might be entered in the Courts here for their recovery, any time after the Land Assessment Act expired. The case of New Brunswick was different, as there they accepted of the terms of commutation.

Mr BRECKEN—If the hon leader of the Opposition, was so favorable to the collection of arrears of quit rent, why did he not give his support to his friend, Mr Benjamin Davies, when that gentleman was a member of this House?

Hon Mr COLES said, he did give him his support; all the difference between them was, as to the method of carrying it out.

Mr BRECKEN had scarcely the moral courage to denominate it a "gigantic humbug," but if there was ever a great humbug it was this quit rent question. If it were so that they could be demanded, then, in ninety-nine cases out of a hundred, the tenants would have to pay them. The hon member had also alluded to the Loyalist question. Now if he was so very zealous to rectify this matter, why did he not take it up when he was in power. Others had agitated this question, and he (Mr. B.) believed, that when his father was a member of the Legislature, he had entered into it seriously, but no satisfactory result was ever attained; and now the time had gone by, when it would be of any avail to agitate the question. In regard to the subject before the Committee, the hon member for the first District of Queen's County had well expressed the views of the majority, when he stated, that they wished to ask the Duke of Newcastle, why he had given the decision which he did respecting the award. It might be that while this document was lying at the Colonial office, he had taken legal advice on its contents. All we wished was to ask him on what authority he had set it aside. And on this question the hon leader of the Opposition, who held himself to be the mouthpiece of the people of this Colony, occupied a very anomalous position, inasmuch as he opposed this effort to obtain the award, while they had so unmistakably declared their wish to have it in its integrity. If they were not satisfied with it, should we be successful in our effort, they would have themselves to blame. He did not venture to call it a humbug, like his hon friend from Prince County, but took the more cautious method of raking up the old subject of quit rents. He had harped also upon a certain case in regard to Fishery Reserves which had been before the Supreme Court, at Georgetown; but he had not referred to the difficulties which were brought up there, one of which was the precise boundaries of the reserves when they were granted. He (Mr. B.) did not know there were records extant which would show where the boundaries were, and it would take probably more than they were all worth to decide the question. He agreed with the Commissioners, that it was difficult to understand why this belt of 500 feet had been reserved all round the Island. It was one of the mistakes of the olden time, and showed how ignorant of the country those were who made the reservation. It was something like the case of the British statesman, who asked what kind of timber grew on the banks of Newfoundland. (Laughter.) He (Mr. B.) considered it was time enough to take up the quit rent question, when the Land Tax Act had expired. Unless the hon leader of the Opposition was prepared to show that he was able to set aside the claims of the proprietors, what was the use of agitating this subject. Let us lay aside this humbug, and endeavor to get what we could reasonably apply for.

Hon Mr WARBURTON—Much had been said on the quit rents and Fishery Reserves. He observed that they occupied a prominent place in the proprietors' bill, which showed that they were desirous to have so much of the award as related to them confirmed. He contended that all the benefits in the award would not be an equivalent for giving up our claims to these, and consequently there was nothing to be gained by addressing Her Majesty on the subject. Even though it were worth obtaining, there would be little use in agitating the question, as it appeared that everything the Duke of Newcastle sent to the Island, he first submitted to Sir Samuel Cunard, who, no doubt, had put his veto upon this award. Hon members on the Government side, had maintained that the voice of the country was in favor of the award; he could only say, that during the summer, when its contents were first made known, he had held ten or twelve meetings in Prince County, at all of which he expressed his opinion against it, and called it a humbug; but notwithstanding

this, and all the opposition put forth against him, he had been returned.

Hon Mr POPE asked the hon member, how it was that his colleague, who had supported the award, was not only returned, but returned at the head of the poll.

Hon Mr WARBURTON—A great part of his support came from Princetown and Royalty, the people of which were not affected by the land question. Those in the district who had most interest in the matter, were principally the settlers on Lot 18. He (Mr. W.) was not going to occupy time, and would simply say, that he was returned to oppose the award and the general policy of the Government, except in such measures as would be for the general benefit of the country.

Hon Mr LONGWORTH rose simply to refer to one or two points. A great many topics had been embraced in the speech of the hon leader of the Opposition, but very few of them were applicable to the question before the Committee. The subject of Quit rents and Fishery reserves had been brought up. He (Mr. L.) thought the Commissioners were perfectly justified in coming to the decision they did on the quit rents, as Spearman's letter in 1838, containing the decision of the Lords of the Treasury, appeared to finally set the matter at rest. But admitting, for argument sake, that the quit rent question might be successfully agitated, he contended, as had been stated by the hon member for Charlottetown, that the burden of paying them would come upon the tenantry, inasmuch as their leases render them liable for all taxes. In regard to this question, then, the hon leader of the Opposition had failed to show any just cause why the Government should pause in going forward with this address. The ground taken by him with respect to the fishery reserves, was a little more reasonable than the other; but there were great difficulties also connected with this question. It had come before the law officers in England, and different opinions had been given on the subject. The hon member said that the Judges here had given their decision adverse to the proprietors' claims on the reserves; but he had not stated the facts fairly. The decision of the jury in the case of the Morell farm brought before the Court at Georgetown, was to that effect, but it was considered so extraordinary, in view of the evidence before them, that a rule was obtained and the decision was set aside, and has never been revived since. The Counsel for the proprietor argued, that before his claim be given up, the opposing party were bound to shew the exact boundary of the reserve. Witnesses were brought to prove that the land on the shore had wasted away a certain number of feet in so many years, and there was no possibility of determining how many more had wasted away previously, up to the time that the reserve was made. He, (Mr. L.) as well as the hon member for East Point, were retained, in the case, and he would remember that it was not maintained, that the reserves extended up the small rivers and creeks, but the jury decided that they did; and when asked for their reason, they answered that such was their opinion. It had, therefore, to be so recorded, though it was afterwards set aside. Before the Crown could make good its right to the reserves, it would in every case have to institute similar proceedings, and consequently the costs would amount to a large sum of money, such as would not warrant prosecuting the matter. He, therefore, thought that the two very strong objections, urged by the hon leader of the Opposition to the passing of this Address had been disposed of. The Duke of Newcastle had raised objections to the validity of the Award, and had stated in his last despatch, that it was "out of the way." That the report of the Commissioners was illegal, might be only his own opinion, and as it was the desire of his (Mr. L.'s) constituents, that this matter should be fairly investigated, he would support the address. He knew the public sentiment of Queen's County, and that was in favor of carrying out the award. Though in some cases very little benefit might result from it, should it be allowed to go into operation, yet on the large estates it would be productive of good.—It had already proved advantageous, by inducing certain proprietors to sell their lands to the Government; and if confirmed, it would doubtless be a still greater benefit. He thought no hon member should hesitate to record his vote in favor of the memorial to Her Majesty; if the award could be obtained, they would have gained the desire of the people, and if it could not, the sooner it was known the better.

Progress was reported, and the House adjourned.

TUESDAY, March 17.

The Speaker took the chair at the usual hour.

Mr Duncan moved that the standing orders of the House be suspended, in order to enable hon members of the House to present petitions:

This was agreed to, and the following were presented:

Mr Duncan from the inhabitants of White Sands and Murray Harbor, praying for a wharf; ordered to lie upon the table.

Mr Laird from the inhabitants of New Glasgow, praying for a wharf. Laid on the table.

Mr McAulay from the Post Master at Souris, for an increase of salary, on account of greatly increased duties. Referred to the Post Office Committee.

Hon Col Gray from inhabitants of Lots 48, 49, & 66, for aid in opening up a new road. The petitioners had forwarded a subscription list with the petition. Referred to the Road Committee.

Mr Haslam, from the inhabitants of Lot 67, for continuing a new line of Road that had already been formed. Referred to Road Committee.

Some other petitions were presented, but owing to technical objections being taken to them, their consideration was deferred until the call of the House for that purpose.

ADDRESS TO THE QUEEN ON SUBJECT OF AWARD

The House then resumed itself into a Committee of the whole, upon the State of the Colony.

Mr McLennan in the chair.

Hon Mr KELLY had always thought the bills were bad bills, and that it would be useless to send them home. In his own district few were interested. Twenty years purchase would be of no use among his constituents. All arrears had been legally secured from them some time since, and recently these obligations had all to be renewed.

Hon Mr McAULAY regretted that the hon member, who had last spoken, should imagine that he was elected to legislate for his own District alone. The hon member should have taken a more enlarged view of the matter, and believe that he had been sent to that House to legislate for the benefit of the whole Colony. He (Mr. McA.) would stand by the Award, the valuation clause in which would be the best thing ever offered to the Tenantry of the Island. True, they had grievances; but of discontent they had done; and the only questions that could be made out, in opposition to the award were from musty old despatches. The great canker was their School system, which had already entailed a debt of £70,000 upon the Colony, and he regretted that so important a matter had not been mentioned in the Address. The settlement of the Land Question had been deferred by the hon gentlemen on the opposite side, who had offered a factious opposition to the award throughout. The question of Fishery Reserves and Quit Rents were nothing in comparison to the Award; which, if adopted, as he trusted it would be, would bring peace, prosperity, and plenty toward to the Colony.

Hon Mr COLES was of opinion, that the questions of the Fishery Reserves and Quit Rents were not half so much a humbug, as the Award would turn out to be. If there were no grievances, why should these documents have been placed before them?—The debt of the Colony had been increased under the late Government to an enormous extent, and instead of setting down the total amount of indebted-

ness, at £70,000, he was of opinion that £10,000 additional should be added, and that £80,000 would be much nearer the mark. With regard to the remark which fell from the hon member for Georgetown, as to the Educational system, he felt bound to tell that hon member, that under the old liberal regime there were more scholars taught at the Central Academy at an expense of £300, than were now taught at an expense of equal to three times that amount, at the so-called College, and with less other general benefits to the Colony at large. He quite agreed with his hon colleague, that to tenants like those upon Lots 51 and 59—and their case was applicable to many others—that the twenty years' purchase would be no good. In fact, the despatch of the Duke of Newcastle had settled the whole question of the Award, and might be looked upon, as a final and positive one. It therefore, was high time, that the Government should have some other measure prepared for the relief of the tenantry, than this much-talked-of and celebrated arbitration clause. To talk of twenty years' purchase, was ridiculous and absurd; it would be no inducement for emigrants to come here, and agree to make themselves slaves for twenty years. Sooner than advocate such a measure, he would far rather, even after the many years he had been an active politician in the Colony, stay at home and mind his own business. Free thought, free action, and free lands were necessary for the benefit and future progress of the Colony.

Mr MONTGOMERY thought that the hon leader of the Opposition, was bound to support the resolutions and principles embodied in the important document before them. If he were a true friend of the people, he would do so, for it would make this Colony as free as any under the British sceptre.

Mr HOWLAN would notice the fact, that if the hon Mr Warburton had called the award a "gigantic humbug," it was also on record that the hon Mr Yeo, who had always supported the award, had expressed his opinion, "that he knew it would not pass." It seemed to be agreed upon by all hands that some remedy was required, and he preferred the loan. The arbitration clause was the last resource; but even the Duke of Newcastle, in one of his despatches, seemed to think the loan preferable. He (Mr. H.) thought that portion of the award of the Land Commissioners was the best. If the loan had been, or could be procured, he believed that the lands of the Island might be purchased at a fair average rate. He spoke on behalf of a numerous body of tenantry, and as a tenant himself, that they preferred the Loan to the Arbitration clause.

Mr HASLAM suggested to the last speaker, that he had overlooked the provisions of the Land Purchase Act.

Hon Mr THORNTON looked upon this, as a final settlement of the long-vexed Land Question, and felt inclined to support it on that account.

Mr CONROY—"Hope deferred, maketh the heart sick." His constituents were worse off now, than they had been four years since, owing to the continuous agitation of this question. It was time that some decision should be arrived at upon so important a matter. The hon gentleman, then made a smart personal reply, to an attack that had been

made upon him and his constituents in the columns of the *Monitor*, one of the Charlottetown papers, but which had no reference to the subject under debate.

Hon Mr DAVIES was of opinion, that if they carried the proposed address, it would make an end of the matter, and the question of the arbitration clause would be finally settled. This was not what the Proprietors Bill proposed to do, for he believed that no good would result to the tenantry, from the acceptance of that proposal. It was useless now, to talk of Fishery Reserves and Escheat—those were things of the past, and their object should be to keep steadily in view the legalization of the award. As to the talk of the Loan Bill, he, (Mr. D.) believed, that when amounts were required for the purchase of Lots or Estates, such as the Selkirk or Worrell; or that of Sir Graham Montgomery's, recently offered and accepted by the House, money could always be found in the Treasury for the purpose, if not, they had better, in the first place, fall back upon local capital, than go elsewhere. The Proprietors should have offered a more practical measure; and under all the circumstances, he felt bound to give his cordial support to the motion.

Hon Mr Coles, amendment.

RESOLVED—“That it is the opinion of this House, that the only apparent means of relieving the tenantry from Proprietary bondage in this Island, is by the provisions of the Land Purchase Act, and a Loan guaranteed by the Imperial Government, as recommended by the Royal Commissioners.”

Mr DUNCAN complained, that while the opposition were opposing the address, they had nothing tangible to offer in its stead, except, talk of Quit Rents and Fishery Reserves. If the award should be carried out, there were, he believed, some seven thousand acres of land in Queen's County alone, that would be rendered freehold under its successful operation. If the award was adopted, he believed it would be a great boon to the tenantry of the Island, and the matter should not be allowed to drop very easily, but should be settled by a judicial tribunal. The great loan, so much talked of, was not required, there not being sufficient land to sell; why even the Worrell Estate had not yet been all sold, while there was still a debt, nearly due, of £18,000 upon it, which must be met by the Colony. If that was the operation of the celebrated Land Purchase Act, the less it was worked the better. With regard to the estates of Sir Graham Montgomery, that had been offered to and accepted by them, at a reasonable price, he (Mr. D.) believed that, but for the question of the award, they never would have been in the market.

Hon Mr COLES said that the late Government, had sold 300 acres of the Worrell Estate, to a stranger, for £25.

Hon Col GRAY said that the present Government would be willing to sell the same quantity, or even more, at half the price, if a purchaser could be found. They could scarcely expect more, for much of the land was entire swamp.

Hon Mr COLES said, that there ought to be sufficient now in hand, to meet the whole of the liabilities of the Worrell Estate. Why, even the proposed purchase of the Montgomery Estates, was founded

upon the principle of the much-abused Land Purchase Act. He still, thought the loan preferable to the celebrated arbitration clause; and he believed it to be only fair to the people, to let them know that the only way in which, they could work out the redemption of their rights and privileges, would be by means of the Land Purchase Act. It was useless to continue harping upon escheat, as many honorable members did, it was a thing of the past, although, not without a certain amount of good in its time, but it should be remembered, that it was to a Liberal Government, that the tenantry were indebted, for the introduction of the Land Purchase Act and the Loan Bill. He believed that the award would be an injury to the tenantry; under which they would have to suffer great distraint and expenses. It was no matter from what quarter the money was to be obtained, so long as the tenant system, so obnoxious throughout all the British North American Provinces, could be got rid of. He trusted it would be got rid of soon in this Colony; but upon most just and equitable principles.

Hon Col GRAY thought that a very long time had been wasted in the discussion of this matter. They were, in fact, travelling over the same ground that they had gone over yesterday. The word “loan” seemed to be used by the hon leader of the Opposition and his supporters, like that which might be used to frighten children in a nursery. The former bugbear used to be “original grants;” now it was “the loan.” Well, on Saturday last, an advantageous purchase of land, involving a loan of £2000, had been accepted by the House. This purchase, he believed, would be a self sustaining one; and when other lands were offered, upon equally favorable terms, the Government would be prepared with the money. They must, however, be allowed to raise the necessary loans required, in their own way, and at the current market value of money, at the time the sales were effected. The Selkirk Estate was a self sustaining one, although he admitted that it had been purchased under favorable and peculiar circumstances; but upon the Worrell Estate, there yet remained the sum of £18,000 liabilities to be paid, with only £400 in the Treasury to meet the demand. Let the case be put fairly—if, when it was known, that a loan of £100,000 was granted, and within the reach of the Island Government, would it not be reasonable to expect, that the proprietors would at once raise their prices. Everybody that had lands to dispose of, would follow the example, and the Government of the day, no matter whether it was Liberal or Conservative, would be compelled to give way to the outside pressure, that would be brought to bear upon them, and compel them to agree to the terms laid down by the proprietors. He was willing to carry out the Land Purchase Act, and willing to give honor to where honor was due, to the Government that introduced it, but the proposed loan of £100,000 he could not agree to. At present he (Col. G.) had understood from Mr DeBlois, the agent of Sir Samuel Cunard and Mr Sullivan, that these gentlemen had no intention of selling at such rates as the Government could afford to give. As for the arbitration clause, the objections against it, even supported by the opinion of His Grace the Duke of Newcastle, could not be considered as conclusively establishing its illegality.

Hon Mr HENSLEY said that there was no difficulty in the matter before the House. Upon the questions of Escheat, Fishery Reserves, and Quit Rents, he had seen no reason to change opinions previously expressed by him; he thought that these questions had been set at rest for ever. The Award might have been better; but there was nothing compulsory about it. It gave the tenantry the right to purchase at a fair and equitable price. The remission of arrears of rent suggested in the award, could not fail to be a benefit. In fact, if he thought that the award was wrong, he would vote against it; he could not conceive it would be injurious to any parties. It was not antagonistic to the Land Purchase Bill; for both the Award and the Land Purchase Bill could be worked together. The Loan, it was evident; was only a recommendation of the Commissioners; but even now, if it was absolutely necessary, it might be taken up. The arbitration clause was no doubt, an obnoxious one to some of the proprietors, fearing that it might depreciate the value of their property. But they could take advantage of the provisions of the Land Purchase Act. He did not believe that the despatch of His Grace the Duke of Newcastle would settle the subject, or that the veto of a Colonial Secretary could be placed even upon so small a Colony as this. The matter should be referred to a proper judicial Tribunal; for the tenantry of the Island were anxious to have the matter set at rest as speedily as possible. There were some verbal objections to the address, but waiving them, he was prepared and willing to support it.

Hon Mr POPE willingly gave credit where credit was due, and he did so to the hon member who had last spoken. There had been a wide range of discussion, and nearly all that had been discussed last year, had been again repeated upon the present occasion. For young members, such an allowance might be excusable, but for experienced ones, to occupy the time the House in repetitions, there was no excuse. The Government went out to the hustings, pledged upon the question of the award, and the country had nobly sustained them. The present cheap rate, at which estates were offered, he believed was owing to the passing of the award, which was known to have been unanimously adopted by the three Commissioners. He was not in favor of a loan, the Government had found sufficient means to purchase the Selkirk estate, and make it self-sustaining, and any other estates that might be offered could be purchased on their own credit, at the same self-sustaining rate. The Government had no other course to pursue, than the one they had adopted; and every member who voted for the award during the last session of the House, was bound to support the address proposed by the hon leader of the Government.

[A slight personal discussion here ensued between the hon J. C. Pope and Mr Howlan. The latter charging the hon member with having said, that he had no confidence in the award. This, Mr Pope most emphatically denied.]

Hon Col GRAY said that it was no business of the House, to listen to the repetition of a private conversation, and suggested that they should at once proceed to business.

Hon Mr COLES said that the opposition were always being taunted respecting the purchase of the

Worrell Estate, and the loss likely to arise thereon but there was nothing said about Lot 11. The loan he believed, could be obtained easily, if proper measures were taken for that purpose.

The Chairman reported progress, and the House adjourned.

AFTERNOON SITTING.

A Bill to continue certain Acts therein mentioned, was read a third time and passed.

Mr Brecken presented a memorial from the city Council of Charlottetown, praying a guarantee on a Loan of £5000—for not less than 5 years, nor more than ten—to enable the Corporation to build a new Market House. He said this was a matter, that did not affect the city alone, but also all the surrounding country. He hoped that the memorial would be favorably entertained by the House and moved that it be received and read.

The motion was carried and the memorial read, whereupon,

Mr Brecken moved that the said memorial, be referred to a Committee of the whole House, on Friday next. He knew that it was no enviable position to ask for such a guarantee; but trusted that if obtained, it would result in no loss to the country; but on the contrary, that the new Market House, would prove a source of profit and emolument to the city.

The motion was warmly supported by Mr Davies, and by one or two others, but opposed by Messrs Howat, Coles, Warburton and Laird. On the question being put thereon, it was carried 13 to 11, and ordered accordingly.

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

By the hon Col Gray—A petition of Kenneth Morrison Postmaster, at Flat River, praying for an increase of salary.

A petition of divers inhabitants, of Flat River, Belle Creek and South Pinette, praying for a grant of £100, to repair and extend the wharf at South Pinette.

By the hon Mr Kelly—A petition of James Wisener and others, praying for an allowance for a Courier to take the mail bags from Adam's office, Lot 49, to the Monaghan Post office, a distance of six miles. Also several road petitions, and a petition of divers inhabitants of French Fort Battery Point, and St. Peters' Road, praying for a grant to extend the wharf at Battery Point.

By the hon Mr Coles—A petition of divers inhabitants of St. Peters' Road, Lot 36, praying for a grant, in addition to an unexpended grant, for the erection of a wharf at Cranberry Point. Also several road petitions.

By the hon Colonial Secretary—A petition of divers inhabitants of Lots 57 and 58, praying for a grant to erect a bridge over Anderson's Mill stream. Also, a petition of divers inhabitants of Lot 49, praying for a grant to repair the old Georgetown Road.

By the hon Mr Longworth—A petition from Lot 65, praying for a grant, to extend the wharf at Nine Mile Creek.

Also a petition of Donald Scott, formerly contractor for work, at the wharf at Minchin's point, praying for payment, of interest, on the sum of £249, withheld from him by the Government, for a period of two years and three months, and then recovered by him in a suit at law.

By the hon Mr Hensley—A petition of divers inhabitants of Souris and vicinity, praying for a grant to improve and extend the breastwork, in course of construction, at Souris Harbor.

By the hon Dr Kaye—A petition of inhabitants of Pleasant Valley, Lots 62 and 64, praying for the opening of a road, in the county line, from Pleasant Valley road, to the shore, a distance of about three miles.

A message was received from the Legislative Council, stating, that it had passed the Bill, authorising the House

of Assembly, to commit prisoners in contempt to the common jail of Queen's County, with certain amendments, which were to the effect, that the same power might be extended to the Legislative Council. The amendments were agreed to by the House.

House resumed Committee, on the state of the Colony, with the view of adopting an address to Her Majesty on the Land Question.

Mr SINCLAIR acting conscientiously, felt bound to give his support to the Government on this question, for the simple reason, that he did not see any other course which they could adopt. He felt that if he was in their position, he could not act otherwise than they now were doing. A decision had been come to by the Commissioners, and the question was, were we entitled to have this decision carried into effect? He believed we were entitled to the award, and he hoped he would never possess so little patriotism, as to vote against any proper effort to obtain it, merely because it might have the effect of humbling a Government to which he was opposed. There was a difference of opinion on this side of the House, some advocating that we should take up the recommendatory part of the award, in reference to the loan. He was not opposed to the loan, but before we applied for it, he would like to see that it could be made available for purchasing land at a reasonable rate. And further, before we occupied time on this subject, he desired to see some probability, that the loan could be obtained; for, so far, the Duke of Newcastle had only said, that he could hold out no prospect of a loan. The loan was only a recommendation, and to receive it was a favor. But the arbitration clause, he (Mr. S.) contended was our right, and he did not feel inclined to give it up for another part of the Commissioners' report—a part, which if acceded to, would only be a favor. He considered that an address to Her Majesty, praying that the award might be allowed to go into operation, was the only ground we had to work upon at the present time. He was not one of those, who thought the award, if carried out, would be productive of very great benefits. Were he inclined, he could point many objections to it. There was one clause, however, to which the proprietors particularly objected, namely, the arbitration clause; and it appeared, that they had endeavored to get rid of it, by offering a compromise, in what was termed the proprietors' bill, as an equivalent. But it was not an equivalent, inasmuch as the sum agreed to be taken for their lands was 15 years' purchase, when it was known that some farms were not worth nearly so much. It had been urged by those who advocated the loan, that if we had the money, the proprietors would be ready to sell on reasonable terms. True, we had received a proposal of this kind, but the proprietors, as a body, did not appear inclined to sell. In his opinion, then, it would be important to gain the arbitration clause; for, as had been very well remarked by the hon and learned member for East Point, it might work so as to enable us to carry out the Purchase act. He believed, though the award was carried, it would not prevent us from making, at another time, an application for a loan. The Commissioners' recommendation for a loan, was only a matter of opinion, but the rest of the award he considered more than a matter of opinion. The Colonial Minister would have us treat it all as such; but he (Mr. S.) believed it ought to be binding on all parties, and therefore, he would support the resolutions before the Committee.

Hon Mr POPE could not see the object of the amendment proposed by the hon member for East Point. The words which he proposed to strike out, appeared to be the very pith of the whole resolution.

Hon Mr LONGWORTH expressed himself to the same effect as the last speaker, and hoped the hon member would not insist on his amendment. He was happy to hear the arguments of the hon member for Princeton; they were clear and sound and straight forward. We ought first to endeavor to get all the benefits we could from the award,

and then if we felt convinced that we could derive any advantages from the loan, we might make application for it in due form.

Hon Mr HENSLEY would not press his amendment; he would have preferred the reading which he had suggested, but would not divide the Committee upon it.

On motion of Mr Brecken, the hon member had leave to withdraw his amendment.

The question was then put on the amendment submitted by the hon Mr Coles, when there appeared—

FOR IT—Messrs Coles, Whelan, Kelly, Conroy, Warburton, Howlan—6.

AGAINST IT—Messrs Gray, Kaye, Col Secretary, Brecken, Longworth, Pope, Howat, Haslam, Davies, Thornton, Beaton, Sutherland, Sinclair, Walker, Hensley, McAulay, Green, Montgomery, Duncan, McLennan, Ramsay—21.

The original motion was then put and carried. The Speaker took the chair, and the question was again put and carried on the same division as above, reversing the order.

Mr Brecken presented a petition from the Committee of the Charlottetown Reading Room, praying for a grant to enable the petitioners, to supply the people of this Island, with more speedy and satisfactory means of obtaining foreign news, than is at present attainable.

Hon Mr Whelan presented two ordinary road petitions. PETITION OF THE GRAND ORANGE LODGE.

A petition of David Kaye, Grand Master, and J. T. Leeming, Grand Secretary, of the Grand Orange Lodge of Prince Edward Island, was presented to the House by the hon. Colonial Secretary, and the same was received and read, praying for the passing of an Act of Incorporation.

Hon COL. SECRETARY, in moving that the petition be referred to a special Committee to report thereon by Bill or otherwise, said:—Mr. Speaker, the petition which I now desire to bring under the consideration of this House, is signed on behalf of the Orangemen of Prince Edward Island. The petitioners, I am happy to say, Sir, are very numerous, and, permit me to add, highly respectable. The Orange Lodges in this Island comprise several thousands, among whom are Clergymen of the National Church, Clergymen of the Dissenting Churches, Members of this House, Members of the Upper House, and those of our population who may justly be termed "highly respectable"—men whose connection with the organization is, in itself, good evidence that in Orangism there is nothing inconsistent with those principles which should guide the conduct of every loyal subject of our Queen. The petitioners, Sir, ask that their Grand Lodge and its subordinate Lodges may be incorporated—that to them may be extended the same legislative favors as have been granted to Lodges of Free Masons, Sons of Temperance, and even to the Romish Bishop in this City. For the information of the House, I purpose to place upon the table a copy of the book containing the Constitution of the Orange Society. The following "Declaration" contains a full exposition of the principles and aims of every worthy Orangeman:—

" LOYAL ORANGE INSTITUTION.

"Thou shalt teach men ordinances and laws, and shalt show them the way wherein they must walk, and the work they must do; moreover, thou shalt provide out of all the people, able men, such as fear God, men of truth, hating covetousness, and place them to be rulers of thousands, and rulers of hundreds, and rulers of tens."—*Ezekiel*, c. xviii, vs. 20, 21.

" GENERAL DECLARATION.

"At all times nothing can be more natural, and at this time nothing can be more reasonable, than that those who have common rights to protect, and common interests to defend, should act together and know each other. It is by division, that the benevolent objects of true patriots are frustrated, and their best and noblest efforts for the public good defeated. In these distant but important appendages of our Great Empire, it must be obvious to every loyal and reflecting mind, that a union of intelligence, an increase of means, and a knowledge of each other are essential.

"The LOYAL ORANGE INSTITUTION is formed by persons desirous of supporting, to the utmost of their power, the principles and practice of the CHRISTIAN RELIGION, to maintain the Laws and Constitution of the Country, afford assistance to the distressed members of the Order, and otherwise to promote such laudable and benevolent purposes as may tend to the due ordering of Religion and Christian Charity, and the supremacy of LAW, ORDER and CONSTITUTIONAL FREEDOM.

"Its Members associate in honor of King William the III, Prince of Orange, whose name they bear, and whose immortal memory they hold in reverence, tending as he did, under Divine Providence, to the overthrow of the most oppressive bigotry, and the restoration of Pure Religion and Liberty. They revere the Memory of that Immortal Prince, not only as a Patriot, a Constitutional Monarch, and a Hero, but as a true Christian; and hope in the adoption of his name, to emulate his virtues, by maintaining Religion without persecution, or trampling upon the rights of any.

"The Orange Society lays no claim to exclusive loyalty, or exclusive Protestantism; but it admits no man within its pale whose principles are not loyal, and whose creed is not Protestant.

"Disclaiming an intolerant spirit, the Society demands, as an indispensable qualification, without which the greatest and the wealthiest may seek admission in vain, that the candidate shall be believed to be incapable of persecuting or injuring any one, on account of his religious opinions; the duty of every Orangeman being to aid and defend all loyal subjects, of every religious persuasion, in the enjoyment of their Constitutional rights.

"The rules of the society are open not only to members of the Institution, but to the whole community; there is no reserve, except the signs and symbols, whereby Orangemen know each other; and these mysteries are essential to the proper qualification of the Brotherhood, the recognition of the members, and the prevention of intrusion and imposture from strangers and enemies.

"The association is general, not confined to any particular place, person or nation, but extends itself wherever a Loyal Protestant Briton is to be found, to the remotest corners of the Globe, for the establishment of Protestant Faith and British Liberty, to the latest ages of posterity. Its whole Institution is one neighborhood, within which every Orangeman is at home, in the farthest parts of the world; and such is the mechanism of the Association, that while its operations are thus extended, its every movement is alike felt and answered in every part.

"In short, the Orange Institution, like a glorious moral luminary, is intended to pour its refulgence, not on one part only of the ample circumference of the British dominions, but simultaneously on every portion, equally enlightening the whole periphery.

"The Institution in these Colonies, can never be suppressed, but by means which would subvert the Constitution, and annihilate the connection with the Mother Country.

"In many quarters, where the true nature of the Orange Institution is not properly known, its designs and objects have, by some, been misunderstood, and by others misrepresented. From the name it bears,—being connected in every one's mind with the history of parties in Ireland, some are apt to suppose that its sphere is necessarily confined; not reflecting that an instrument, which has been chiefly used in the country of its birth to suppress Rebellion, repel Invasion, and secure Domestic Tranquility, may be found equally efficacious to loyal men of all countries, in protecting their lives, liberties and properties in these Colonies. The Society is constituted upon the broadest principles of National Freedom. It takes its stand upon the glorious principles of the Revolution of 1688; it lays its foundation in the field of British Liberty, it disdains the badge of faction, and knows no emblem save the "Altar and the Throne."

"As the Prince of Orange was invited to England by a Coalition of Parties, who were united by a common sense of their sacred duty, to preserve their Religion and Liberties, so the Orange Society, named after that Immortal Prince, invites a similar combination, and calls upon the sons of Britain, to lay aside political feuds, and, like their illustrious ancestors, who signed and sealed the Great Covenant of Freedom, to sacrifice every private consideration, and establish a centralization of Freedom, upon such a comprehensive basis, as will enable every limb and fibre to receive vitality and nourishment from the parent stem."

The Orange Oath or Obligation I will also read:—

"I, A—B,—do solemnly and voluntarily swear, that I will be faithful, and bear true allegiance to Her Majesty Queen Victoria, and to Her lawful Heirs and Successors, in the Sovereignty of Great Britain and Ireland, and of these Provinces dependant on, and belonging to, the said Kingdom, so long as she or they shall maintain the Protestant Religion and the Laws of this country: that I will, to the utmost of my power, defend them against all traitorous conspiracies and attempts, which I shall know to be against her or any of them; that I will steadily maintain the connections between the Colonies of British America and the Mother Country, and be ever ready to resist all attempts to weaken British influence, or dismember the British Empire; that I will be true and faithful to every brother Orangeman in all just actions, neither wronging him nor knowing him to be wronged or injured, without giving him due notice thereof, and preventing it if in my power. I swear that I will ever hold sacred the name of our Glorious Deliverer, King William the Third, Prince of Orange; in grateful remembrance of whom, I solemnly promise (if in my power), to celebrate his victory over James at the Boyne, in Ireland, by assembling with my Brethren, in their Lodge Room, on the 12th day of July, in every year; I swear that I am not, nor ever will be, a Roman Catholic or Papist; nor will I marry a Roman Catholic or Papist, nor educate my children, nor suffer them to be educated in the Roman Catholic Faith, nor am I now, or ever will be, a member of any Society, or body of men that are enemies to Her Majesty and our Glorious Constitution; that I never was, to my knowledge or belief, rejected in, or expelled from any Orange Lodge; I further declare, that I will do my utmost to support and maintain the Loyal Orange Institution; obey all regular Summonses, and pay all just dues, (if in my power); and observe and obey the Constitution and Laws of the same; and lastly, I swear, that I will always conceal, and never in any way whatsoever, disclose or reveal, the whole, or any part of the signs, words, or tokens, that are now about to be privately communicated to me, unless I shall be duly authorized so to do by the proper authorities* of the Orange Institution, of which I am now about to become a member. So help me God, and keep me steadfast, in this my Orangeman's Obligation."

*The proper authorities here referred to, are a Warrant under the Great seals of the Grand Lodge, or a special Authority from a Grand Officer.

I shall be prepared to hear it alleged by hon members on the Opposition side of this House, that the Orange Institution is an illegal association—that Orangemen seek to proscrib Roman Catholics, to persecute them, and deprive them of those privileges to which, as subjects of the British Crown, they are entitled, and that they are the sworn enemies of peace and good order. I ask you, Mr Speaker, and the hon members of this House, if there be anything in the "Declaration," or "Obligation" which I have just read, that evidences illegality! Our national boast is, that we are a Protestant nation, and we may be assured, that to our Protestantism owe we it, that we are a great and free people. Had James II succeeded in subverting the Protestant religion, and replacing Britain under the yoke of the Papacy, where at this time, would be

constitutional liberty, either in England or in Europe! It is my opinion, Sir, that had not Providence guided our glorious deliverer, the great and good King William, we should at this day be enjoying civil and religious liberty after the manner in which those blessings are enjoyed in Roman Catholic Spain. Constitutional Government in Britain goes no further back than the days of William and Mary. The revolution of 1688, is generally termed in the history of our country, the "glorious" and "fortunate" revolution—the Papal power was at that era annihilated in England—a legitimate sovereign was then driven from the throne of his ancestors, for having attempted to subject the people to a popish government; then was it solemnly declared by the nation, that "it had been found by experience that it is inconsistent with the safety and welfare of this Protestant kingdom, to be governed by a popish Prince, or by any King or Queen marrying a Papist;" and when the throne was tendered to William and Mary, and the succession regulated, it was expressly on condition, that if at any time the sovereign should be reconciled to, or hold communion with the See or Church of Rome, or profess the popish religion, or marry a Papist, he or she should be excluded from, and be for ever incapable to inherit or enjoy the Crown, and the people should be absolved from their allegiance. Is there, Sir, in the "declaration" or "obligation" which I have read to this House, from the Book of Constitution of the Orange Institution, any thing inconsistent with the Bill of Rights?—Orangemen seek to maintain the Protestant succession, upon the principle laid down in that great declaration of the undoubted rights of Englishmen. For so doing they are denounced by Roman Catholics, and told that their acts are illegal. I am well aware, Sir, that Orange societies are obnoxious to Roman Catholics, but this I cannot help. The Protestant succession is also obnoxious to them, and shall that be abolished to please the subjects of the Bulliness the Pope, who should have no jurisdiction within this realm? To assert that Orange Institutions are illegal, is to assert that which cannot, in my opinion, be proved. In Upper Canada, a large proportion of the population are Orangemen. The Attorney General of that Province, in the course of the visit of His Royal Highness the Prince of Wales, namely, the Hon J. A. McMillan, is, I believe, an Orangeman. I would ask, Sir, is it reasonable to suppose that a Crown law officer of Mr. McMillan's standing, would identify himself with an "illegal association?" Is it not within your knowledge, Sir, and the knowledge of this House, that the Hon J. H. Cameron, the Grand Master of the Grand Orange Lodge of British America, was received at the Court of Queen Victoria, as the bearer of an address from the Orangemen of Canada; and that Her Majesty has on several occasions, graciously received addresses from the Grand Orange Lodge of British America? Can it be supposed that Her Majesty would so recognize "illegal organizations?" It will probably also be alleged that Orangemen are disturbers of the peace. The Belfast riot, instigated by Roman Catholics in this Island in 1847, at which a poor old Protestant was murdered, caused the organization of Orange Lodges among the Protestants of this Colony. Is there any occasion to prove that orangemen have conducted themselves disorderly in this Island? I answer, there is not. On the contrary, they have, in my opinion, been the means of preserving peace in the Colony. Before these Institutions were organized, it was no unusual circumstance to hear of Protestant Scotchmen being maltreated on the public highways by Roman Catholic rowdies.—Since their organization we have heard of no such occurrences. Again, I shall be told, that orangemen desire to deprive Roman Catholics of those rights to which the laws of the realm entitle them. Such is not the fact. The obligation not to marry a papist, say our opponents, is very objectionable. I reply, it does not become a Roman Catholic to urge this objection. Marriage of Roman Catholics with Protestants are strongly discouraged by the Romish Church. It is asserted by others that the Orange Institution is a secret association. What, Sir, I would ask is the

Romish Church with its Confessional? If it was proper to incorporate the Romish Bishop in Charlottetown, as was done last Session, surely, it cannot be improper to incorporate the Grand Orange Lodge. Orangemen contend it is their right to demand that they be not ruled over by Roman Catholics. It is to avoid this indignity that so many of the Protestants of this Island have banded themselves together. It is all very well for British men in the House of Commons to pander to the popish party in that House. In Britain, at the present day, there is no fear of a Romish Government; but in this Island it is very different. In Britain, Romanists form about one fifth of the population; here they form seven sixteenths of our people. The twelve members who constitute the Opposition of this House, are the representatives of constituencies essentially Roman Catholic. Under these circumstances, Mr Speaker, the Protestants of this Island would prove themselves unworthy their ancestors, were they not to exert themselves to the utmost of their ability to prevent this dependency of the British Crown from falling under the rule of the Romish priesthood. I trust that in the introduction of this subject, I have not expressed myself as to wound the feelings of the Roman Catholic members of this House; and that the discussion which will probably follow, shall be characterized by moderation. I have purposely avoided all reference to the dogmatic teachings of the Romish Church, as being calculated to arouse ill feelings. But, Sir, it may be that I shall yet be driven to enter upon that unpleasant part of the subject. I would wish to avoid it; but if occasion requires I shall not shrink from it.

Hon Mr HENSLEY—I am prepared, Mr Speaker, to oppose the motion, and am truly sorry that ever such a motion was made in this House. Some very respectable persons may be connected with the Orange Institution in this Island, but this does not prove it to be a necessary organization. In one of the documents read by the hon Col. Secretary, some principles are enunciated with regard to charity. I think those subscribing to it could take a much higher charter to show them their duty in this respect than the Orange charter. The hon member has stated that the Protestant religion is the basis of the constitutional liberties of Britain, and the origin of her greatness. This I myself believe, and every Protestant believes; but Britain does not owe what she is to the Orange association. If it be necessary to commemorate the memory of King William, it can certainly be done without the obligation of an oath. I see no necessity for such an organization in our midst as the Orange Institution. I do not imagine we are in so great danger of Roman Catholic ascendancy, as some appear to suppose; but if there was really danger, it could be warded off in other ways more proper than by encouraging Orange Lodges. It is well known that such associations as these lead to the organization of counter societies; and judging from other places, we have reason to fear it will not be otherwise here. I am as sincere a Protestant as perhaps any one, but see no necessity for introducing the question of Orange Lodges in this House. It is bringing religion very low, if we have to take oaths on the subject.

Hon Mr WARBURTON—I am also opposed, Mr Speaker, to this petition going to Committee. This Orange organization, however respectable some may be who are connected with it here, has been the cause of a vast amount of disturbance and bloodshed in my own country. I do not know why this King William should be held in remembrance. I do not wish to speak disparagingly of him as an individual, but cannot see there is any occasion to revere the memory of an individual who was just about as religious as the Colonial Secretary of this Island. We know that laws have been passed to suppress Orangemen.

Hon Col SECRETARY—Not to suppress Orangemen, but processions.

Hon Mr WARBURTON—It is well known that when the Prince of Wales visited Canada, he refused to land at a certain town because the Orangemen wished to form in

procession. This shows that the Institution had not the Royal approval. I will read an Orange toast given at some of their meetings in Ireland, which I think will prove that such a society, instead of promoting religion, must contribute to exterminate the last remnant of it on earth. The toast runs thus:—

"The glorious, pious, and immortal memory of the great and good King William, who saved us from the Pope and popery, brass money and wooden shoes. He that wont drink this toast, may the north wind blow him to the south, and a west wind blow him to the east; may he have a dark night, a lee shore, a rank storm, and a leaky vessel to carry him over the ferry to Hell; may the devil jump down his throat with a red hot harrow, that every pin may tear out his inside; may he be jammed, rammed, and dammed into the great gun of Athlone, and fired off into the kitchen of hell, where the Pope is roasting on a spit, and the devil pelting him with cardinals."

This showed very little christian spirit; if it does, I know not what the spirit of christianity is. It, however, evidences the spirit of the Orange society; and I feel confident that no Institution which tolerates such sentiments, can be productive of good in any part of the world. I believe I am as good a christian as the hon Col. Secretary, and I must differ from him entirely in the opinion which he entertains of this association. We may be Protestants, and if I did not believe I was right, I would not be one; but that is no reason why we should bind ourselves by oath into organizations for opposing Roman Catholics.— We ought to look in charity upon others who differ with us in creed. That very part of the Orangeman's obligation, which prevents him from marrying a Roman Catholic, displays hatred to those belonging to that Church— In Ireland, at the time of the Rebellion in 1795, though there may have been Orangemen before then, they were first called *Peep o' day Boys*; and at that time, on account of their proceedings, a counter association was formed by Roman Catholics under the name of *Defenders*. The conflicts between these two parties were the means of nearly exterminating Roman Catholics in some parts of Ireland. The Orangemen there professed to be organized to uphold law, but it was rather an anomalous position for an armed force to hold that they were engaged in maintaining law, when they would not be controlled by law. Here also, Orangemen are coming forward, and wishing to be recognized as the defenders of our country and constitution.— No necessity exists for organizing secret societies for this purpose, as Her Majesty's Government is quite able and ready to uphold the majesty of the law. I hope the prayer of the petition will be rejected, for why should any measure be introduced here, that would tend to prevent Protestants and Roman Catholics from living on friendly terms. I will oppose incorporating the Orange Institution, because I look upon it as one of the greatest curses which can afflict any country.

Hon Mr COLES—I cannot give a silent vote on this subject, Mr Speaker, as I am sorry it has been brought in here. A year or two ago, Sir, when we were discussing the Volunteer question, hon members of the majority were astonished to hear that there were Orange Lodges in the Island. It appears that now there is a number of Lodges, and they come forward to have the institution incorporated, because they have received a little encouragement from the Government. This association pretends to be loyal, and yet it would dictate to the Queen. They will support her so far, but no further. I am a Protestant, and as such I do not consider that Protestantism is in danger. No alteration can take place in the constitution of the Colony in favor of Roman Catholics, as long as it is a dependency of Great Britain. Orangemen, I understand, became very bold at the last election, and dictated what they wanted. There is a bye-law of the Institution, I believe, which binds the members to vote in political contests as the majority of them desire; therefore, I contend it takes away the liberty of the person. No doubt those

who become members of the society enter it voluntarily; but they are at first induced to join it in a great measure through curiosity. This is at least the case with many of the young men. The hon Col. Secretary has failed to show that Orange Lodges are incorporated, either in Great Britain or in any of her Colonies. It was attempted in New Brunswick, but failed; and I believe that even there the existence of the organization was found to cause bloodshed. I hope that no vote of this House will incorporate such a body. The passing of an Act of this description will authorize processions, and the wearing of badges and orange flowers as I saw displayed by some going to the meetings last summer. If we incorporate this institution, Ribbon Lodges have just about as good a right to ask a similar favor. As has been referred to by the hon member for the third District of Prince County, the Orangemen of Canada, notwithstanding their boasted loyalty, did not show much love for their Sovereign, in seeking to force the Prince of Wales under their arch. I have no objection, if Protestants think their religion in danger, to connect themselves a little more closely together; but there is no necessity that they should bind themselves in an association by an oath. There is one part of the Orangemen's obligation which I consider highly objectionable, namely, that which refers to his protecting his brother Orangeman. Supposing he had been guilty of some crime, how, Sir, would it act! I am doubtful, Sir, in view of this oath, if those who take it are fit persons to act on a jury. These Lodges, I contend, should not be sanctioned by the Legislature of any Colony. I do not say, but there may be many respectable men connected with them; but, Sir, I believe, there are many worthless ones too. The inference which I drew from the remarks of the hon Col. Secretary, was, that if the majority of the members of this House were Roman Catholics, the Protestant religion would suffer. As I have said already, I have no fear on this score. I do not consider there would be any danger, though every member of this House were a Roman Catholic. They could do nothing without passing an Act of Parliament, and that if it interfered with the rights of British subjects it would not receive the Royal assent. If I thought the Roman Catholics were wishing to overthrow our liberties, I would be as determined to resist them, as any Orangemen; but when I find them dealing fairly, I cannot treat them otherwise, than I do the rest of my fellow colonists. I have heard of petitions, which, instead of being received, were thrown under the table; I, however, would be ready to treat this one so, as it is said to be signed by respectable persons. Now was the time, though, for those opposed to the petition to express their opinions. I am of opinion that this Island would have been better off, if there had never been any Orangemen in it. If they are encouraged by an Act of incorporation, they may walk forth in procession, with their banners flying; and though not disposed to break the peace, yet when numbers are congregated we know they are apt to become excited; and thus some poor Roman Catholic might meet a number of Orangemen in this state, and be tempted to do some rash act, which would no doubt be followed by bloodshed. The Orangemen might be able to say in extenuation of their offences that they were insulted; but the insult would be caused by provocation. I do not blame those who are Orangemen now for joining the Institution, as perhaps they did so out of curiosity, but I blame them for encouraging others to follow their example. I will oppose the petition going to Committee, but I suppose some hon members feel a little dependent upon Orangemen, and dare not vote against them.

Mr CONROY—Mr Speaker, I rise also to express my regret that such an application has been made to this House. I have seen nothing to awaken fear among Protestants that they are in danger. I do not purpose to speak of Roman Catholics now; but to say that though I am a Roman Catholic, and esteem my Roman Catholic friends, yet some of my warmest friends have been Protestants. Sir, I saw before me the near relatives of one, who, though a Protestant, was among the first to treat me as a friend, when I came to this country to make it my home. We visited

his day after day, and the heat of feeling was between us; but, Sir, if I had thought he was an Orangeman, I would not have gone near him, for, Sir, we look upon Orangemen as our sworn enemies. It does not comport with the dignity of an Englishman to insult his friends, and I had hoped that nothing of this kind would have been introduced into our Legislature. I believe there is not an Irishman in the Colony, who will hear of the passing of such an act as is prayed for in the petition before this House, but will think it is time to prepare for danger. I am not aware what Roman Catholics have done, of which Protestants appear to be so much afraid. In St. Dunstan's College the cause of all this agitation? Perhaps no one knows more about the much-talked-of negotiation respecting a grant to that institution than myself, as I was a sort of go-between in the matter—I was the person who introduced the hon the Colonial Secretary to his lordship the Bishop. After this he used to go down to the Bishop's every day (laughter), and the subject of conversation was the grant to St. Dunstan's College. One day he asked me whether I intended to present a petition for the grant; and said that I better not do so this year, as the majority could not go for it; but that next year they would give it of their own accord.—This is the truth, and I presume the hon Colonial Secretary will not deny it. He need not then keep up an agitation on that subject. As for this Orange petition, I hope it will be rejected.—Let us live in peace, and let there be no provocation to induce Roman Catholics to forget themselves. If the Act prayed for is passed, it will lead the Roman Catholics to band together in a similar manner. I know what dire mischief and bloodshed has been caused by Orange Lodges in my native country, and I look upon the Act applied for, as one of the very worst which can be passed in this House.

Mr HASLAM—I rise, Mr Speaker, merely to correct a statement made by the hon leader of the Opposition, that Orangemen are not free to exercise the elective privilege as they please. I am not an Orangeman, but I know that some who belong to the Institution made a determined opposition to my election, and that others supported me. This shows that they must be free to vote as they think proper. The hon member for Tignish says, that if the Act prayed for in this petition is passed, the Roman Catholics will probably band together in societies. This may result, but I do not understand why it should be the case, as in other places Roman Catholics and Orangemen live on friendly terms. Other secret societies are incorporated, such as the Free Masons and the Sons of Temperance. I do not belong to either of these associations, but I have heard it said by one who is a Son of Temperance and an Orangeman, that he could scarcely tell the difference between the two institutions. I do not see then, that it would be proper to refuse privileges to one secret association which are granted to another. If the petition is referred to a Committee, and a bill be brought in, I will be better prepared to express my opinion on the subject.

Mr MONTGOMFRY—The hon leader of the Opposition has said that some hon members cannot give an independent vote upon this question. As there are some Orangemen in the first District of Queen's County, probably he may have referred to me. I can tell him that I am as free as any hon member of this House. I am one of those who said, when this subject was referred to in a former House, that though I had been born and brought up in the Island, that I did not know where to lay my hand on an Orangeman. I do not know why they have increased in numbers so rapidly, if it be not for the denunciations made against them by the hon leader of the Opposition. I attribute it to nothing else.

Hon Mr MAULAY—When the subject of Orangeism was brought up on a former occasion, we did not know those calling themselves by that name, as a body in this Colony, but now we have an application from them. And why should we refuse their request? We know nothing against them; they have committed no act of violence. We have seen accounts in the public prints of the doings of Orangemen in other countries, but we do not know whether they were true or not. Because some drunken person at a meeting in Ireland had spoken of dragging a harrow down a man's throat, or some other impossibility, was that any evidence that Orangemen were disposed to break the peace. If this application be refused, it will, I think, be an effectual means of increasing their number. I will support the prayer of the petition.

Hon Mr LONGWORTH—Mr Speaker, I did not intend to offer any remarks upon this subject; and I see no occasion for the

feeling to which this discussion has given rise. I am not an Orangeman, nor am I connected with them in any way; yet, I am disposed to support the motion before the House. The association, it appears, has been in existence here for some time, and has now become so far developed as to require an Act of incorporation. As we have not heard that they ever committed any deeds of violence, and as the petitioners are men of respectability, we cannot well deny them their request. Orange Lodges, I understand, have been in operation here for only a few years, and I believe were it not for the strong language employed against them in this House, they would not be nearly so numerous at the present day. So far as the constitution of the association is concerned, I see nothing in it contrary to the British Constitution. So long as this cannot be shown, we are not in a position to lay our hands on the Institution, and deny its application for the passing of an Act necessary for the proper management of its property. We can principally judge of the association by the character of the individuals who compose it. I believe that the words which fell from the hon member for Tignish had reference to my father, who had a warm heart, and who, though a Protestant, knew no distinction of creed under his roof. By giving my support to the prayer of this petition, however, I think I will not be doing what he would have considered improper, nor be trenching upon the rights of any class of my fellow subjects. The world is wide enough for us all of every sect and creed. I contend that the Orange Institution is likely to do more mischief in a covert, secret capacity, than by being publicly recognized. Such a movement as this will bring out the principles to the light of day, and if they are contrary to right, they will soon meet their condemnation. If the principles upon which the Institution is based, however, are legal, have we the power, I ask, Sir, to refuse the prayer of the petition? There are other secret societies, such as the Sons of Temperance, and Free Masons, which have been a long time in existence, and have never made public their secrets to this day. This Body has, though it may have retained some of its secrets, laid its constitution upon the table, in order that he who runs may read; and notwithstanding it is there open to all, nothing has fallen from hon members to show that it would be proper to refuse the prayer of the petition.

Mr HOWLAN—Mr Speaker, it is a very unpleasant duty for me, who am but a young member of this House, to record my views on this subject. If I thought any class of Protestants were refused their rights, I would be the very first to come forward in their defence. I have lived among Protestants, and have had communication with them not only in matters relating to business, but in the more congenial intercourse of the social circle, and I must testify that I have experienced from them nothing but uniform kindness. But, Sir, what connection has the Orange Institution with Protestantism? What evidence have we of the boasted loyalty of Orangemen, that we should proceed to recognize their association by an act of incorporation. I can prove, Sir, that they have disturbed the peace of society, outraged law, and threatened the Sovereign upon the Throne. I will read an extract, which will at once set at rest the question of their loyalty.

“In this great organized hypocrisy, professing to be the ally of the Protestant religion and the Sovereign, the Committee on Orangeism, in 1835, had traces of a conspiracy of great magnitude, and widely extended ramifications existing for changing the succession to the Crown, from the young, pure, and virtuous Princess Victoria, (two years only before her accession to the throne in 1837) to the hoary libertine the Duke of Cumberland the Grand Master of the Grand Orange Institution of the Empire.”

Here we have undoubted evidence that this Institution does not promote peace, nor inculcate loyalty. I will next refer to the oath or obligation of an Orangeman; and to show what is meant by the term “Protestant Ascendancy” in some of their documents, would call attention particularly to “The Annals and Defence of the Loyal Orange Institution of Ireland,” by Ogle R. Gowan, Esq., late acting

Grand Secretary, Dublin, 1825, wherein the following explanation of this term is given:—

“And that no doubt may remain of what we understand by the words “Protestant Ascendancy,” we have further resolved—That we consider the Protestant Ascendancy” to consist in—among other things, a Protestant parliament; a Protestant hierarchy; Protestant electors and Government; the benches of Justice; the Army and Revenue, through all their branches and details Protestant.”

If this is Christian charity, if this is not proscription, I must say that for the short time I have lived, I have lived in vain. I say, then, to let this petition, asking privileges for such an exclusive association, go to Committee would be a di grace to this House, and degrading to *Magna Charta*, which hangs over your head, Mr Speaker. I will now read from an undoubted authority to show that Orange Lodges are not legal in this country, nor in any other Colony, unless legalized by an act of Parliament. The authority whom I shall quote is Joseph Napier, Esq., afterwards Lord Chancellor of Ireland, and the time at which he made the statement respecting the Orange Institution, was the year 1815. He grounds his opinion on the following statute laws of England:

“Accordingly, the statute 4 Geo. IV c. 87 prohibits the taking of any oath not required, or authorized by law, by the members of any society; and coupling this with the 5 and 6 Wm. IV, c. 62, s. 13, the employment of any form of oath under any circumstances in an association, is I think, forbidden and illegal.—The same statute (4 Geo. IV c. 87, ss. 1 and 2), only permits the use of a test which is approved by two Justices of the County &c., where the society usually assembles, and which, in order to continue valid, must be confirmed by the majority of the Justices, at the next general sessions.

“The 2 and 3 Vict., c. 74 (now continued by the 8 and 9 Vict., c. 55), extends the provisions of the 4 Geo. IV, c. 87, and prohibits the use of all secret modes of communication by signs and passwords amongst the members of any society.

“The generality of this prohibition is strongly proved by the express exemption of the Society of the Freemasons, and of the Friendly Brothers in the 2nd section, and as all these statutes are to be read together, hence it will be manifest.

First—That no form of oath can in any manner, or under any pretence lawfully be used or administered in the proposed association.

Second—That secret signs and passwords or other secret modes of communication cannot be employed or sanctioned.”

It has been said by some hon member in the course of this debate, that we have the Sons of Temperance, and Free Masons amongst us, and that those Bodies have been incorporated, why should we deny a similar privilege to the Orange association, which is only another secret society? Will any man, come forward and tell me, Sir, that these two Institutions interfere with a person's civil rights or religious opinions? These were organized to promote moral principles and confer social advantages, which is quite a different purpose from proscribing their fellow-men. I hope, Sir, we have christianity, and liberality, and patriotism enough in this House to thwart this measure. A bill for the purpose prayed for in the petition was introduced into the New Brunswick Legislature, and lost there, and I believe it will be lost here. I am not a prophet, nor the son of a prophet, but I predict that it will never become the law of the land. We have heard it said that this Orange association is a very noble Institution; but when we come to look at the page of history, we see its career darkly traced with deeds of blood. And this is the way we ought to judge of its principles, by noting their effects in the history of the past, and not by being told that the members of the Institution here

are respectable men, and that no acts of violence have marked its course in this Colony. Sir, if this matter had been introduced by a religious man, or one that stood high in the Protestant church, and not by the hon Col. Secretary, I might have given it some attention. I have lived among Protestants, in both town and country, and every one in the locality where I reside, from the minister down, knows that I am neither narrow minded nor prejudiced, so that few will doubt me when I say, that had this question been introduced by a sincere Protestant, I might have given it some consideration. But what am I to think, Sir, when I see this matter brought up by an individual, of whom it is my firm conviction, that were it to serve his purposes as well, he would turn round and favor the Roman Catholics, as much as he now opposes them. I will substantiate my opinion by a reference to the public newspapers. The letter, an extract from which I will read, is one addressed by the present Colonial Secretary, to Mr Hutchinson in 1856, and published in the *Islander* of that day:

“By imputing such sentiments to me, and affecting detestation of them, you doubtless wished to induce in the mind of that class of the Roman Catholic citizens of Charlottetown who hail from the County of Monaghan, that you are their most particular friend and adviser, and I their bitter enemy. Your conduct in this particular forcibly reminds me of a practice which obtains among pick-pockets, who, when pursued, join lustily with their pursuers in the cry *stop-thief*. Being a bad man, characterised by an arbitrary, malicious and vindictive disposition, and an understanding so very limited as to lead you to deny all merit to those who differ from you in politics or religion, you no doubt thought it would suit your selfish ends to denounce me to the Irish Catholics of Charlottetown, as having offered an unprovoked insult to their country and religion. I think you will discover ere long that you were mistaken. Allow me, Sir, to tell you that early in life I learned to accord to my fellow-man the utmost freedom in all matters of religion—to interfere with the religious belief or prejudices of no man—to “fling down no man's altar—to punish no man's prayer—to heap no penalties and no pains on those solemn supplications, which, in divers tongues, and in varied forms, and in temples of a thousand shapes, but with one deep sense of human dependence, men pour forth to God.” I am not a Roman Catholic; but I cannot, I dare not denounce as a “damnable heresy” a religion which, for fourteen centuries, was the only christian religion, and which is at this day professed by two-thirds of the civilized world. I would not dare to swear upon the Holy Evangelists “to do all in my power to exterminate the Roman Catholic religion within the Realm, or within this Island, by wading ankle deep in the blood of Irish Roman Catholics, or otherwise,” and when I deny the charge which you have made against me, I feel that I have every right to be believed.”

And here this evening we have had his opinion in 1863. All this is sufficient proof to me that the hon member who presented this petition is not sincere, for I believe if he found it to be his interest he would change his course again. I am sorry to be constrained to repeat a private conversation, but think I may be permitted to do so in corroboration of what I have just said. It is a statement made some years ago by the hon gentleman who presented this petition, to the effect, that all ministers and priests were a parcel of—rascals. If we wished to procure a steam engine, where should we go but to Scotland? and if we desire to gain information respecting Orangemen, where ought we go but to the countries in which its principles have flourished? In Ireland, my native country, this Institution has wrought direful mischief, and there amid scenes of blood, is where we learn its true character. But I need not dwell on this point, but shall proceed to

give you the views of Lord Palmerston in regard to this association:

The advocates of Orangeism, on the 18th Feb. 1858, waited on Lord Palmerston, for the purpose of presenting a memorial from that body. A report of the same, "The deputation of conservative members of Parliament and gentlemen representing the Orange associations of the North of Ireland, consisting of the Earl of Enniskillen, the Earl of Belmore, Lord Claude Hamilton, M. P., Mr Richardson, M. P., Mr Millen, M. P., Mr Davison, M. P., Mr Archdall, M. P., Mr Cairns, M. P., Mr Whiteside, M. P., &c., appeared in the London papers of the 19th February.

Lord Palmerston in reply said: "I am clearly of opinion that it would be far better for us to look to the future than to the past; and what, let me ask, is the object, and what are the prospective advantages of this Orange association? Is it an organization which belongs to the age in which we live. * *

I have no intention to say anything offensive to the Orange association; but I must be allowed to say, that the very foundation on which it rests, casts a reflection on the institutions of the Empire; and coupled as it is with old recollections of periods when the action of the Government, and the authority of the state were less efficient than they are now to protect life and property. * * * * I do think that the protection of individuals should be left to the law of the land, and that the formation of private associations for the purpose of supplying defects in the law, is not a system suitable to the spirit of the times in which we live."

This is the opinion of a true specimen of a loyal-hearted Englishman—of one, who, I am not going too far to say, is the first Commoner in the world. I will also read to you the opinion of Lord John Russell, who, though not so high an authority as Lord Palmerston on such a question, yet his views are entitled to consideration. Lord John Russell in a speech in the House of Commons, on the subject of the "Belfast riots in Ireland," said:—

"It was the interest of every Government that such societies should not exist; though they might have been justified in the first instance, though they might have been called into life by some emergency in which, under the expectation of rebellion, loyal men united to defend the Crown at a period of danger—when that necessity had passed over, it was most inadvisable that they should be any longer continued in a state of activity."

I am not aware, Sir, that we are in expectation of a rebellion here, or that there is much danger of the Americans, in the midst of their present strife, coming to this Island to agitate separation from the mother country. And under the pretence that there is danger of this kind at hand, or that the Protestant succession to the Throne is in danger, are we Roman Catholics away in the back woods of P. E. Island to be proscribed? I hope every hon member will hesitate before he records a vote that will tend to disgrace the Colony. Let whatever may result from this application, were it conceded, I will never join a Ribbon society. I believe the day has gone by for such institutions, and that this is a time when all denominations of Christians should live on friendly terms. Am I, Sir, to be proscribed, because it was my fortune or misfortune to be born in the Church of Rome? Out upon such exclusiveness! I will oppose the petition going any further.

Hon Mr THORNTON—There is no necessity for so many allusions to old matters in this debate. The only reason I have for opposing the prayer of the petition, is because it will stir up religious strife. From the documents read by the hon Colonial Secretary, it appears that the Orange association claims to be tolerant, but their oath forbids them marrying a Roman Catholic. This, I suppose is a very harmless prohibition, but it does not show much of their charity. They claim also to support the principles and practice of the Christian religion; but from what we can

learn of their institution, there is no Christianity in it.—This agitation at the present time is quite unnecessary.—The country is now quiet, and it ought to be allowed to remain so. I thought this religious agitation was over when the Bible question was set at rest. If we grant an Act of Incorporation to this association, the matter will not stop here, but we will probably have to grant one to another similar institution, of an opposite character.

Hon Mr WHELAN—Mr Speaker, I was disposed to reserve any remarks which I intended to make on this subject, until the Bill was brought in and had reached its second reading—which stage, I presume it will reach, as the Colonial Secretary would not likely introduce this matter, were he not confident of carrying it through; but as others are expressing their opinions at this stage of the proceedings, I will also give some of my views on the Orange Institution, to which I have very strong objections. And while I say that I have a strong aversion to the institution, do not misunderstand me, Sir, as I have no feelings of animosity against any individual who may be connected with it. I believe there are persons members of this association for whom I entertain a very high respect, and with whom I agree on almost every subject save this. I may compliment the hon Colonial Secretary, who has become the champion of Protestantism, on his happy stroke of policy in introducing this subject on St. Patrick's the anniversary of the natal day of Ireland's patron Saint. This Saint is distinguished for one particular thing, namely, exterminating the vermin from Ireland. It is, therefore, rather singular that on this day, an application should be brought forward in this House for legalising the "nasty vermin of Orangeism"—as great a moral vermin as ever infested God's earth. There are falsehoods in the petition before the House, which cannot be passed over.—One or other of two alternatives is set forth, either that Roman Catholics here are of no religious persuasion, or that they are not loyal subjects of Her Majesty the Queen of England. Take either alternative and it is a libel against nearly one half of the population of this Colony, and a falsehood so gross, that I shall not occupy time in exposing it. Another object of this Institution is to maintain the connection between the Colonies and the Mother Country. I am not aware, Sir, that there is any danger of this connection being severed—none at least so great as to warrant us in legalizing an association here, of the character of the Orange Institution. Another object of the society is to uphold the supremacy of the laws. The majesty of the law never stood in need of their aid. The Government of Great Britain requires no assistance from any such organization to maintain its authority in any of Her Majesty's wide spread dominions. This Institution also claims to support the Christian religion. Are not the Roman Catholics Christians? Is the religion professed by two-thirds of the Christian world to be ignored, when an institution hostile to Roman Catholicism, claims it as a pre-eminent right to uphold the Christian religion?—Again we are told that Orangemen are bound to promote charity. Is it charitable that a person should place himself under the obligation of an oath never to marry a Roman Catholic? Supposing his better judgment should teach him that his religion is wrong, and he should become a Roman Catholic, where then would be his charity? Is it charity to support an institution which has been attended with so many breaches of the peace? Is it promoting the glory of God to recognize an association, whose career is marked by riot, ruffianism and crime? The petition says, tranquility has existed in the Colony since the organization of Orange Lodges. This infers, that formerly there was not peace in the Colony, and that to Orangemen we are indebted for our tranquility. I believe there have been Orangemen in the Island for a number of years, though they were afraid to acknowledge themselves. In 1852, a proclamation was issued against the formation of Orange Lodges, by Sir Alexander Bannerman, and nothing was heard of them for a time. The hon member for Queen's County, has stated that they sprung up through opposition to them in this House; but if opposition was the cause of

their increase, why did we not hear of their advancement immediately after the Governor's proclamation in 1852, which was opposition from a higher source than any offered in this House? I must say that I believe the reason of the increase of Orange Lodges, is the encouragement which they have received from the head of the Government in the Colony.

Hon COL. SECRETARY—To whom does the hon member allude, by the expression, "head of the Government in the Colony?"

Hon Mr WHELAN—My language is not very unintelligible; the "head of the Government" is not the hon Col. Secretary. I say Orangeism owes its increase in this Colony, to the encouragement given it in high places. I cannot say I am sorry that it has progressed so far as to want an act of incorporation. The other Colonies have no such Act on their statute Books. The British Government has set the decided mark of its disapprobation upon the Orange Institution, and all similar secret societies. Is it then for a moment to be supposed, that if the Bill prayed for be passed, and go home to the Duke of Newcastle—the Colonial Minister, who accompanied His Royal Highness the Prince of Wales in his visit to these Colonies, and discountenanced the proceedings of the Orangemen in Canada—will not give it a rebuff, such a rebuff as will be gratifying to my friends and myself? This application is only to give opportunity to favor and encourage religious strife for a certain purpose. Where Roman Catholics are nearly one half of the population, it is very unbecoming, to say the least, for any Government, or any individual connected with it—who should be patterns of morality—to uphold an institution of the kind. They should feel it to be their duty to conciliate the Roman Catholics of this Island; but let them go on. I feel assured they will meet with such a rebuff from the authorities at Home, as will check them in their career.

Mr BRECKEN—I have listened very patiently to the debate, Mr. Speaker, and regret that so much ill feeling has arisen on this subject. I have not uttered or written a word to hurt the feelings of any of my Roman Catholic fellow-subjects, and I deprecate as much as any man that it should be necessary to bring up such subjects here. I have never crossed the threshold of an Orange Lodge, and know nothing of the principles of that body, except what has been read from the book of Constitution laid on the table. It may be that there is no need of this association; it may be that it is calculated to cause religious strife. But, Sir, there has been religious strife in the Colony for the last few years, and I believe it was not the seeking of Protestants; and, perhaps, if hon. members opposite had been a little more temperate in their language, in regard to Orangemen, on a former occasion, this matter would never have come before the Legislature. From what I know of the Orange Institution, I believe it is nothing more or less than a Protestant association, and I am unable to see on what grounds we can refuse it an Act of Incorporation, simply to enable it to manage its property. We cannot urge as an objection that it will arouse religious animosities, for is it not a fact that feelings of this kind have been rife for several years? Why is it that we now see on the side of Liberalism, in this House, those who were all along on the side of Conservatism? Why was it that at the Election four years ago, after the Government had been eight years under the guidance of the present leader of the Opposition, we had this religious strife first so general? It was, I suppose, the result of his administration. We find this strife continued, and all Roman Catholics banded on one side at the last Election. I have never offered an insult to any Roman Catholic, nor given them any cause of offence, but I must say that though I had been the Grand Master of the Orange Lodge himself, I could not have met with more determined opposition than I received in running my election. There is no doubt that the Roman Catholic Church is a splendid institution, as she all works to a common centre. She is an example to all Protestant Churches in this respect. It is just possible,

that the hon. leader of the Opposition thought of the unity of this Church, and how important it would be for the interest of Liberalism to gain her influence. This may have been what originated the religious strife in this community. Now, Sir, let us look at the position in which we are placed. I, Sir, look upon the Orange Institution as one got up to oppose another; and do not consider we have any right to interfere in the matter. I am doubtful whether an Act of Incorporation will tend to advance the Orange association in this country; however, as this application is signed by respectable men, and as we have heard nothing advanced to prove that Orangemen here have been guilty of any breach of the peace, I am prepared to give it my support.

Mr SINCLAIR—Mr. Speaker, I shall most certainly oppose such an Act being placed on our Statute Book, believing it calculated still further to disturb that harmony and good feeling which, until the last few years, has always existed in the Colony. I believe, with that eminent statesman, Lord Palmerston, that Orangeism is an institution of a by-gone age, when rebellion was the order of the day, and when life and liberty were not so sacredly guarded by the laws of the land as in our time. Therefore, I consider that when the occasion which called such an organization into existence, has long since passed away, so also should the organization be allowed to die out. In this enlightened age, and in this peaceful little Colony, I regret to see this institution again revived, and more especially to see this attempt made to legalize it. The petition states, and hon. members have asserted, that it is an Institution for noble and laudable purposes—a peace society, guided by those Christian graces, charity and good-will to all men. But, Sir, these assertions are inconsistent with facts. Does not its very constitution breathe forth enmity and hatred to a certain class of their fellow-men? and does it not infer that Roman Catholics are neither Christians nor loyal subjects? Has not every Orangeman to take a solemn oath that he will never become a Roman Catholic, that he will never marry one, and that he will not allow his children to be instructed by teachers belonging to that Church? If this is charity, all I can say is that it is a different kind from what the Bible teaches. And, Sir, when we look at the history of this peace society, do we not find that in its train have invariably followed disturbance, brutality and bloodshed. The hon. member for Charlottetown has stated that this association has been organized in this Island for the purpose of counteracting a Popish organization, and referred to the Catholics at the late elections voting against him and his party. But, Sir, we must recollect that a large portion of the Catholics have always been on the Liberal side in politics; and I believe their combination at the late elections was not with the slightest intention of infringing upon the rights of Protestants, but solely on account of certain slanders and abusive writings emanating from a high official in the Government, and published by another Government officer, both of whom receive high salaries, towards the payment of which Roman Catholics have to contribute. These writings were most offensive to the Roman Catholic body, and they therefore were determined to oppose, and if in their power, to overthrow, a Government which would keep officials to ridicule and insult their religion. Sir, the Roman Catholic population of the Colony have never sought to interfere with the privileges of Protestants; on the contrary, they in the most liberal manner have refrained from asserting, to the full extent, their own rights; and even when the Liberals were in power, and we had a Catholic Governor, they never claimed their fair share of the public offices. In the selection of their representatives, also, they have invariably made no distinction between Catholics and Protestants. The material in this House will bear out my statement. I am of opinion, therefore, that they have given no cause to induce Protestants to band together against them. I am afraid, Sir, that such combinations, legalized by the Legislature, instead of promoting peace and harmony in this Island, will only tend to arouse the

worst passions, and be productive of serious consequences to the Colony.

Mr DUNCAN—A great deal has been said on this subject; but what the hon. members of the Opposition have advanced goes to strengthen my opinion that we should not reject the prayer of the petition. The hon. member who last spoke, said Roman Catholics have not asked their rights,—they have not returned Roman Catholics members to represent them. Well, Sir, this is a matter of their own choice. If they have selected Mr. Sinclair, or any other Protestant, it is because they felt that he would serve their interests better than one of their own religion. It is all probably on account of policy. We have never had a more peaceable election than the last, and I believe it was a good deal owing to the number of Orangemen in the country. (Laughter.) I am sorry that there is religious contention in the Colony, but I cannot help it, for it has been brought on by the Roman Catholics themselves. What support had the Government party received from them? I believe I myself received one vote. (Laughter.) A very few others, I understand, voted for Government candidates, and I hope they will have their reward.

Hon COL. SECRETARY—Mr. Speaker, I have not heard from the opponents of this Bill anything which, in my opinion, demands a serious reply. I shall, nevertheless, notice, briefly, remarks made by several hon. members. First, Sir, the speech of the hon. member from Cascumpeo, Mr. Howlan. This hon. gentleman has said and read a great deal, in all of which, however, I have failed to discover any argument. The opinion of no less a personage than a former Chancellor of Ireland has been adduced as “undoubted proof” that the Orange organization is in this Island “illegal.” The statement of the hon. member himself, or that of his colleague, Mr. Conroy, to the same effect, would, in my opinion, be quite as “undoubted proof” as which has been ascribed to Mr. Napier. According to the showing of the hon. member himself, Mr. Napier’s opinion is no proof whatever. This opinion “is grounded upon the Statute Laws of England” asserts the hon. member with an air of triumph. Granted, Sir, but the Statute Laws of England,” upon which it is grounded, are not in force in this Island, consequently all that is “grounded upon them” must be worthless. In fact, Sir, Mr. Napier’s opinion is rather adverse to the hon. member’s view of the matter before the House. The ex-Chancellor says “before these laws (the Statutes upon which he grounds his opinion adverse to Orange Societies) were passed, the Orange organization had some semblance of justice.” Now, according to Mr. Napier, in this Island where those laws have no more effect than though they had never been enacted, the Orange association has, at least, “some semblance of justice.” As to the opinion of Earl Russell, to the effect that it is the interest of every Government that such Societies should not exist, I have only to say that that may be his Lordship’s opinion. The opinion of the majority of the people of this Island is, that it is for their interest that, in this Colony, such societies should exist. The hon. member; from St. Peter’s, Mr. Whelan, has informed the House that Orangemen is an institution, “the career of which is marked by cruelty, bloodshed and crime.” Sir, there is an organization the history of which is traced in blood—an organization which is, indeed, justly chargeable with “cruelty, bloodshed and crime.” I refer not to the Orange organization, but to that monstrous system of iniquity, the Papacy. The career of Orangemen is marked by no such atrocity as the massacre of St. Bartholomew’s day in Paris—no “Grand Master” ever danced and sung, on hearing of the massacre of thousands of innocent men, women and children, as did the ruffian Pontiff Gregory, on hearing of the, to him, joyful intelligence, of one of the most diabolical outrages against humanity ever perpetrated. Orangemen never devised and attempted to carry into execution so fiendish a design as the Gunpowder Plot. The Orange organization, “an infamous institution;” Orangemen “moral vermin;” Orangemen “disloyal;” Orangemen “dangerous;” because they constitute “a secret society.” Sir, the “Popish

confessional” is more worthy of being denounced as an “infamous institution” than is the “Orange organization.” As a secret society it is truly dangerous. The obligation of an Orangeman binds him to make known all conspiracies against his Sovereign of which he may be aware; the very opposite is the case as regards the confessional. Should a Popish Priest learn in confession that an attempt was to be made to assassinate our Gracious Queen, or to destroy our great empire, what think you, Mr. Speaker, is the course which he would pursue? Would he give information to the proper authorities in order that such attempt might be frustrated? He would not; but even if questioned on the matter, he would deny all knowledge of anything of the kind; he would go further: he would swear solemnly that he was in utter ignorance on the subject. In order, Sir, that the Roman Catholic members of this House may be assured that I am fully justified in making this astounding statement, I will quote from the book of sure guidance for Ecclesiastics, the following:

“The violation of the sacramental seal is a sin of sacrilege against the virtue of religion; also a sin of unfaithfulness against a neighbor, because a secret committed to another, is obligatory from fidelity. This treachery is a mortal sin, no matter how small the affair itself may be. No circumstances can justify the disclosure of anything learned at the confessional, *although the life or salvation of a man or the ruin of the state should depend upon it*, nor can the Pope give any dispensation in this: so that this secret of the seal is therefore more binding than the obligation of an oath, vow, natural secret, &c., and this from the positive will of God.”

“What, therefore, must a Confessor reply who is asked concerning the truth which he has learned through sacramental confession alone?

“He must reply that he does not know it, and, if necessary, he must confirm the same with an oath.

“Objection.—In no case is it lawful to lie; but this Confessor would lie, because he knows the truth, therefore, &c.

“Answer.—I deny the minor, because such a Confessor is interrogated as a man, and answers as a man; but now he does not know this truth as a man, although he may know it as a God.—Dens. Theo. Mor. et Dog., Dubini, Coyne Bibliopol., R. Col., Maynooth, 1832, Tom. vi, p. 219.

Which, Sir, is the “disloyal,” the “dangerous,” the “infamous institution”—that which obliges its members to use these best exertions to put down all traitorous conspiracies against the Sovereign and the common wealth, or that which does the very opposite? The theology of Rome here plainly teaches her Ecclesiastics, Bishops and Priests not only to lie, but to commit foul perjury and blasphemy. Sir, I have been denounced by the whole priestly fraternity of this Island, and accused of misrepresenting them and their religion. If I have done so, why do they not prove it? At public meetings, on the hustings, in the newspapers, and on the floor of this House I have declared that I have neither written nor spoken anything against Papists or their religion which I am not prepared to make good from their own standard works. It has been said, Sir, that the ignorant Papist cannot argue, and that the cunning Papist will not argue, and so I have found it. I have given chapter and page for all that I have advanced. Is any member of this House, is any Popish Bishop or Priest prepared to deny the authority of the books from which I have quoted, or the fidelity of my quotations? I presume, Sir, no refutation will be attempted. It is said that this Bill will not receive Her Majesty’s Royal allowance. Sir, if the Bill be disallowed the fault will not be mine. I feel it quite unnecessary that I should, on the present occasion, say anything further on this subject.

Hon. Mr. Kelly moved, in amendment to the Hon. Col. Secretary’s motion, that the petition be referred to a special Committee to report thereon this day three months; and after a few remarks from Hon. Mr. Coles, the House divided on the motion of amendment:

For it—Messrs. Kelly, Coles, Thornton, Hensley, Beaton, Warburton, Whelan, Sutherland, Sinclair, Walker, Howlan, Conroy—12.

Against it—Col. Secretary, McAulay, Davies, Longworth, Laird, Pope, Gray, Kaye, Green, Duncan, Howat, McLanahan, Montgomery, Brecken, Haslam—15.

The main motion was then put and carried on the same division as above, reversing the order.

Hon. Col. Secretary, Mr. Brecken, and Mr. Haslam, were appointed a Committee in accordance with the motion, after which the House adjourned.

WEDNESDAY, March 18.

The standing orders were suspended, on motion, and the following petitions were presented.

Hon Mr Davies, from Mary Kelly, widow, of Grapaud, praying for a continuance of assistance. Also from Patk. D. Rogers, an old soldier of the 98th regiment, whose feet had been frozen in the woods, praying for assistance.

Hon Mr Beaton, from the inhabitants of East Point, for the establishment of a new Post Office.

Mr Montgomery, from the inhabitants of Kerrytown, for the opening up of a new road.

Hon Mr Pope, from inhabitants of Lot 17, for the opening up of new roads.

Mr Howlan, from the inhabitants of Lot 3, for opening up a new central line of road.

Mr Montgomery, from Angus McKay, of Mill River, for a grant.

Mr Brecken, from Mary Crutchell for assistance.

Mr Ramsay, from the inhabitants of Lot 12 for the establishment of a new Post Office on the Western road.

The petitions were duly referred to the various Committees.

Hon Mr Longworth brought up the report of the Committee of Private Bills, which, having been read a second time, was ordered to be referred to a Committee of the whole House in the afternoon sitting.

Mr Sinclair presented a petition from Mary McNeill for relief.

Hon Mr Kelly, from W. C. Bourke, applying for an additional subsidy towards a new Steamboat.

Mr Howlan, from the inhabitants of Lots 67 and 30, for opening up a new line of road.

Mr. Green, from the Postmaster at St. Eleanor's, for an increase of salary.

Hon Col. Gray, from Mrs. Moir, for assistance.

These were all duly referred.

Hon Mr Kelly complained that a petition which he presented, during the last session of the late House, from the inhabitants of Lots 36 and 37, and which had been duly referred to, and recommended by the Committee, had not been complied with. The petition was for new roads; but Mr. Alexander Hayden, through whose property the proposed line of road would run, had declined to comply with the recommendation of the Committee, saying, that if carried out it would be a loss to him of £500. The hon. member moved that the whole of the documents, in reference to the affair, be referred to a Committee.

Hon Mr Longworth said that Mr. Hayden's case was a very strong one in opposition to the petition. The petitioners wanted the use of a private road already made by Mr. Hayden, but the Government itself had no power to take possession of it.

Messrs. Kelly, Hensley and Thornton were nominated a Committee of inquiry upon the subject.

Hon Mr Longworth presented a petition from the inhabitants of Lots 31 and 65, for aid to support the ferry across the Elliot River.

The Hon. Col. Secretary introduced the Bill for incor-

porating the Grand Orange Lodge. It was read a first time.

Mr HASLAM moved for a Committee to inquire into the receipts and expenditure of the Worrell Estate. The hon. leader of the Opposition had been understood to say that the purchase would be self-sustaining one; at the same time the fact was staring them in the face that the Colony had to meet liabilities to the extent of £18,000 upon that purchase.

Mr HOWLAN was willing that the question of the Worrell Estate, which had been for so many years the great bugbear of the House and of the Colony, should be thoroughly enquired into, and that true light should be thrown upon the matter.

Hon Mr DAVIES, as chairman of the Committee on public accounts, was quite prepared to defend their figures that the Selkirk Estate purchase was a self-sustaining one.

Hon Mr COLES was not at all unfavourable to the appointment of the proposed Committee, but he trusted that the inquiry would be a most searching one, and that a thorough account, with day and date, for each item should be supplied. A great deal had been said about the purchase of the Worrell Estate. Now, if they referred to the report of the Committee on Public Accounts, they would find that last year the matter stood thus:

Land sold on the Worrell Estate and Lot 11.	
Value sold, as per Commissioners' accounts,	£28,629 6 3
Land unsold, 31,000 acres, at 5s per acre, as per report of Public Account Committee, and unanimously agreed to by the last House,	7,750 0 0
	£36,379 6 3
	CR.
By amount paid for the Estate,	23,500 0 0

Leaving a balance to meet the working expenses of £12,879 6 3

It was true that a first experiment might not be a successful one, but the purchase of the Worrell Estate had initiated the system, which had resulted in the purchase of the Selkirk Estate and those that the House had agreed to purchase this session from Sir Graham Montgomery. Last year he applied for, but could not obtain, certain information in connection with the Worrell Estate. Let the Committee, moved for by the hon. member, be appointed to extend its inquiries over the purchase of Lots 11 and 54, and the Selkirk Estates.

Hon Col GRAY was quite favorable to the appointment of the proposed Committee, because he believed that through its means the matter might and could be clearly explained to all parties. It was an undisputed fact that they would shortly be called upon to pay the sum of £18,000 on account of the Worrell Estate, while the only available assets to meet this demand would scarcely reach to £400. Instead of a balance of £12,000 or £13,000 in favour of the Estate, he could assure the hon. leader of the Opposition that he would find himself "upon the wrong side of the fence." He (Col. Gray) was of opinion that, in justice to all parties, a separate account should be kept of the receipts and disbursements of each estate purchased by the Government; and all should be submitted for inspection when required.

Mr DUNCAN—it seemed to him that the hon. leader of the Opposition, in asking for accounts and information, with respect to the Worrell Estate, knew that he was asking for something that could not be obtained.

Hon D. DAVIES asserted that under the late Government every information, with respect to the Worrell Estate, that could be supplied had been supplied.

Hon Mr COLES believed that the Commissioner of Public Lands could supply the House with all the information necessary.

Mr MONTGOMERY thought that a fair and full account, such as might be arrived at by the proposed Committee, would save the country time and expense. For the last four years the question of the Worrell Estate purchase had been always on the board, and it was time that the question should be settled.

Hon Mr POPE believed that the proposed Committee would have no trouble in obtaining the accounts, and when obtained and published, they would show how erroneous were the statements of the hon. the leader of the Opposition, with respect to this purchase.

Hon Mr WARBURTON moved, in amendment, that the inquiry should extend to the whole of the Government purchases.

Mr HOWLAN, in seconding the amendment, urged that a full and searching inquiry was necessary, in order to shew the practical working of the self-sustaining principle. The report of the Committee would be information for every member of that House.

Hon Col GRAY trusted that the mover of the resolution would not object to the proposed amendment if full inquiry into the whole subject could not but result otherwise than for the benefit of the Colony.

The amendment was acceded to, and the following gentlemen were appointed a Committee for the purpose of carrying out the amended resolution:—Messrs. Haslam, Green, Brecken and Sinclair, and Hon Mr Warburton.

The House then adjourned.

AFTERNOON SITTING.

Hon Mr Longworth reported from the Private Bill Committee, on the Orange Lodge Incorporation Bill, recommending that it be exempt from fees. The second reading of the Bill was made the order of the day for to-morrow.

Hon Mr Laird presented a petition of Isaac Oxenham and others, praying for the establishment of a Post Office at New Wiltshire, Lot 31.

Hon Mr McAulay presented a petition of divers inhabitants of Cardigan River head, praying for the establishment of a Post Office at or near Alley's Mills, Head of Cardigan.

Several ordinary road petitions were also presented.

Hon Mr Davies presented a petition of S. W. Mitchell, late Keeper of the Lunatic Asylum, praying payment of a claim on his part, against the Government, for improvements in and about the Asylum, during the last 15 years. Mr. Davies moved that the petition do lie on the table; and Hon Mr Pope moved, in amendment, that the hon. member have leave to withdraw the petition,—which last motion was carried.

The debate was resumed on the amendment which was proposed in the forenoon, to the question "That a Committee be appointed to examine and report on the receipts and expenditure on the Worrell Estate and Lot Eleven," and which amendment was, that after the words "Lot Eleven," the following be added, "the Selkirk Estate and Lot Fifty-four."

After a few remarks from one or two hon. members the amendment was carried unanimously.

The Hon Col Secretary introduced a Bill relating to Steam Navigation in this Island.

Hon Mr Pope, a member of Her Majesty's Executive Council, presented to the House the classified Public Accounts, which were referred to the Special Committee on Accounts.

The Bill to Incorporate the Marine Insurance Company, was read a second time and taken up in Committee.

Progress was reported, and the House adjourned.

THURSDAY, March 19.

The Speaker having taken the chair and the usual formalities having been completed:

The House resolved itself into a Committee of the whole to consider the amendments made by the Legislative Council to the Act authorizing the House of Assembly, to commit prisoners in contempt, to the Common Jail of Queen's County.

Mr McLennan in the Chair.

Several verbal amendments were agreed to, and the hon Col Secretary was ordered by the hon Speaker to re-convey the Bill to the Council.

The House then resumed, and upon motion, the order limiting the period for the reception of private petitions was suspended for the day.—The following were presented:

By the hon Mr Kelly, from the inhabitants of Grand Tracadie and Mill Cove, for a grant to repair the Corran Ban Bridge.

By hon Mr Kelly, from several inhabitants of Lot 37, praying for aid to repair the Road from St. Peter's Road, to Mount Stewart Bridge.

By hon Mr Thornton, from James Matthewson and others, asking for a grant to open up a new road in Lot 55.

By hon Mr Thornton, from the inhabitants of the South side of Brudenell River, for the sum of ten pounds, to enable them to put into repair the roads leading from Montague Bridge to the Union Road.

By hon Mr Thornton, from the inhabitants of Grand River, and Lots 54 and 55, requesting a grant to enable the erection of a wharf upon the South side of Grand River, opposite the McLeod ferry.

The foregoing were all tabled.

The hon Mr Kelly presented from James Ross and others, a petition, praying for the establishment of a Small Debt Court, at Mount Stewart Bridge.

Hon Mr Davies opposed the prayer of the petition, for he believed that the increase of Small Debt Courts, only increased litigation among the people of the Colony.

Some discussion took place, but ultimately, upon the motion of the hon Mr Laird, that the hon mover be allowed to withdraw the petition, it was carried by 13 to 8, that the mover have leave to withdraw the petition, which was accordingly done.

THE ORANGE INCORPORATION BILL.

SECOND READING.

On the motion that the House do now proceed to the second order of the day, the hon Col Secretary spoke to the following effect:—

Mr Speaker, previously to moving the second reading of the "Bill to incorporate the Grand Orange Lodge of Prince Edward Island, and the subordinate Lodges in connection therewith," I would again bring under the notice of the House the fact, that the Bill in question is prayed for by a very large, influential, and respectable body of Electors; and endeavor to prove that the Orange organization is not, in this Island, an illegal association—that its existence among us has not been a means of disturbing the peace of the Colony, but on the contrary, that the increase of Orangemen has had the very opposite effect—has conduced to the preservation of peace and good order—and further, that circumstanced as the Protestants of this Island now are, it is their duty to unite for the purpose of doing all in their power to prevent Romish ascendancy.—Why, Sir, I ask, should the Orange association be characterized as an illegal society? Is there anything in the Constitution of that association now upon the table, to justify such a charge? Are not the principles therein set forth consistent with the declarations contained in the Bill of Rights! Orangemen seek to maintain, in the British Empire, Protestant ascendancy. They know that the struggle of 1688 was between Protestantism and Popery. That the constitution then established, was the consequence of the victory achieved. They believe that the Bill of Rights and the Protestant succession, will exist, only so long as the papists of the Empire remain the weaker party—so long as they shall be unable to reconquer the "Rebels" against the authority of "Our Lord God the Pope." We honor the memory of our brave forefathers, whose devotion to the cause of Protestantism in the old world, accomplished the glorious Revolution, and shall it be said that it is illegal for us, to associate on this

side the Atlantic, for the purpose of maintaining and transmitting to our children, the inestimable blessings which that Revolution conferred upon our fathers and upon us! The existence of Orange associations in this Island, has not been the cause of any breach of the peace. There are now some twenty Lodges in the Colony. The Belfast riot in 1847, led to the formation of these associations. It is well known, Sir, that that riot, at which an unoffending old man was slain by the popish party, was caused in consequence of the papists endeavoring to force upon a Protestant District two Roman Catholic Representatives. Is there any member of this House who will attempt to prove, that at any time, Orangemen caused disturbances in our community? I believe, Sir, no honorable member will attempt to do so. Of late we have had peace and order maintained at our Elections. That such has been the case is, in my opinion, attributable to the existence of a large and powerful organization, the members of which, were known to possess, both the ability and the inclination, to oppose popish rowdiness. The conduct of the Orangemen of Canada on the occasion of the visit of His Royal Highness the Prince of Wales, has been triumphantly adduced as evidence of the disloyalty of Orangemen! I, Sir, am free to admit that, in my opinion, which is formed upon the newspaper accounts, the Orangemen of Kingston did not, on that occasion, display good taste. To assert that they then, or at any previous time, acted disloyally, is simply absurd. I have always understood that the Orangemen of Canada contributed materially to the suppression of the Rebellion in that Province in 1836 and 1837. Again, Sir, there is the story of the Duke of Cumberland attempting to seize the throne—in this story, which has been referred to in this House, there is as much truth as is contained in the narrative of the adventures of Jack and the bean-cook—or the history of Jack the Giant killer. It is enquired, what necessity is there in this Island for Orange organizations? I shall endeavor, Sir, to show, why, it is considered, that there is a necessity for them. In this Colony seven seventeenths of the population are Romanists—we have universal suffrage—the Government necessarily devolves upon that party which can return a majority to the Assembly. The Romanists are united—they obey implicitly an Ecclesiastic, who, arrogantly assuming a territorial title, contrary to the commands of our Sovereign—styles himself "Bishop of Charlottetown," and who, has declared to the effect, that he will never rest, until he shall have overthrown the Protestant Government of the Colony. This dignitary, although not remarkable for learning or intellectual capacity, is endorsed with no small amount of energy. This Priest, Sir, used his "utmost exertions" at the late election, and "his people" returned to this House the twelve members who compose the Opposition. I, Sir, who polled a larger number of votes than any member of this House—my colleague the leader of the Government alone excepted—did not receive one from any Romanist. And, Sir, there is not a member on this side of the House who is at all indebted to papists for his return. This, Sir, evidences the perfect union which exists among the Romanists. It has been alleged, that this union is a political one; I believe it to be a religious one. I see opposite me, Sir, the honorable member for Tignish, Mr Conroy—a gentleman whose political views up to 1858, were in accordance with those of gentlemen on this side of the House. Mr Conroy at the Election which followed the session of 1858—the session in which the Bible was by resolution, excluded from the schools—stood upon the hustings at St. Eleanor's, no longer a supporter of the Conservative party, but of their opponents—he then used these words, "as an Irishman and what I am I cannot but support Mr Coles' Government"—by the words "what I am," that gentleman alluded to the fact of his being a Roman Catholic. The union of the Protestants defeated the Romish Bishop at the late election. But Sir, the chances are in favor of the Romish party—Romanists are united—Protestants are divided. If a Protestant Government is to be maintained in the Colony, it can only be done, by a systematic organization of the Protestant

Electorate—by an organization such as the Orange association. Papists have an organization, which was during the last session of the Legislature of this Island, incorporated by an act intitled "An Act to incorporate the Roman Catholic Bishop in Charlottetown in his Diocese," and by means of which, every child of the Holy Father can in one week, be directed as to the course he is required to pursue; and it should not be forgotten, that the members of this organization are taught to believe that it directs with an authority, which at the peril of their souls salvation they dare not disregard or disobey. The overthrow of the Protestant Government of this Island would lead to the permanent establishment of popish authority, to the setting up of a Government wholly under the direction and control of a Romish Priest, a vassal of the Bishop of Rome. It is true that so long as Great Britain is a Protestant kingdom, Protestants in this Island would not be debarred the privileges of worshipping God as they might see fit, but they would be subject to many indignities. All the judicial and public offices, and the educational establishments of the Colony might be filled by Papists, and popish mummeries be daily practised in our streets; and should such a state of things ever come to pass in the Colony, what redress would Protestants have? Not the slightest. I contend, Sir, that in none of the British North American Colonies—save and except Lower Canada—can Protestants with justice, be required to submit to the Government of papists; the people of Great Britain are protected by the Bill of Rights, from any such indignity. Is not the Colony, Sir, so far an integral portion of the British Empire, as to entitle its inhabitants to claim the benefit of the fundamental principles upon which the Constitution of that Empire is based? James the second attempted to fill the public offices with papists, and to place the governing power in their hands—the Protestants determined that they would not submit to popish rule—they invited William of Orange to come over and assist them to maintain the Protestant religion and liberties of England; the invitation was accepted. James "skedaddled," and the throne was declared vacant. The Protestants of this Island are now in danger of being subjected to popish rule. Shall they not associate for the purpose of resisting such rule? It will doubtless be asserted by gentlemen of the Opposition that all that Roman Catholics demand is equality with Protestants. Sir, the Church of Rome knows no such thing as equality. When gentlemen on the other side of the House exclaim against, what they are pleased to call the intolerance of Orangemen, are they ignorant of the fact that the Romish Church boasts of her intolerance? Are they ignorant, Sir, that that Church holds the dogma of exclusive salvation—that she teaches that all who are not within her pale must necessarily be damned! That Heretics are justly punished with death for their heresy? If they are ignorant of these things, Sir, I shall endeavor to enlighten them. I prefer, Sir, to accept the Decrees of General Councils of the Church—the Bulls of Popes—and the works of learned Doctors approved by the Church, as the exponents of what Popery teaches, in preference to the declarations of any Roman Catholic gentleman whom I see opposite me. The first work, Sir, from which I shall quote is one published in Capel Street, Dublin, by Richard Coyne. The first edition of this work was issued from the same press, I believe in 1806. On the 14th September, 1808, at a meeting of the Roman Catholic Prelates assembled in Dublin, it was "unanimously agreed that Dens complete body of Theology was the best book on the subject that could be republished, as containing the most secure guidance for such Ecclesiastics as may by reason of the peculiar circumstances of the Country be deprived of the opportunity of referring to public Libraries, or consulting those who may be placed in authority over them." The edition which I hold in my hand is the second, it was published in 1832, after the passing of the Emancipation Bill. It is dedicated to the late Archbishop Murray, in the following words—or rather in words of which they are a translation:—

"This second edition of the Theology of Peter Dens, undertaken with the approbation of the most Reverend Lord

and Father in God, Lord Daniel Murray, Archbishop of Dublin and Primate of Ireland, is, as a pledge of gratitude for the many and great favors so often conferred, given, inscribed and dedicated to his Lordship, with all due reverence and respect by his Lordship's most humble and most obedient servant Richard Coyne, May 1st, 1852."

"This Book, Sir, I should suppose will be admitted, even by the honorable member for Fignish, Mr Conroy, to contain nothing but what is correct. It is a Book not intended for the laity, but rather for the "guidance of Ecclesiastics." It is in use at Maynooth, and I presume also at St. Dunstan's. In this Book, at page 83, of vol. 2, is found a definition of a "Heretic." "Heresy" says the erudite Peter Dens, "is a Greek word, which signifies choice, because a heretic chooses by his own judgement to believe what he wishes." It follows, that all who exercise the freedom of judgement are "Heretics"—all the Protestant subjects of our Empire are Heretics, and Her Most Gracious Majesty our Queen is a Heretic of the first magnitude. I shall now, Sir, read a few extracts, translated into English, which will give honorable members some idea of the manner in which the Church of Rome, would treat all Protestants did she but possess the power to enforce those "damnable Doctrines" for which she claims infallibility. I beg to state, Sir, that should any member question the accuracy of the translations which I shall now read, I shall, if desired, be prepared to furnish him with the text:

"Notorious heretics are infamous of course, and are deprived of Ecclesiastical burial."

"Their temporal goods are of course confiscated."

"They are deservedly visited with other penalties, even corporal, as exile, imprisonment, &c."

"Are heretics rightly punished with death? St. Thomas answers Yes. It is confirmed by this, that God under the old law ordered the false prophets to be slain, and Deut. xvii, 12, decreed that he that will be proud and refuse to obey the Priest, shall die." The same is proved by the condemnation of the 14 article of John Huss, in the Council of Constance."—*Dens Dog. Theologia, R. Coyne, Dublin, Bibliopol R. C. Coll. Maynooth, 1852, Tom. 2, fol. 82.*

"Baptised infidels, such as heretics and apostates usually are, also baptised schismatics, may be compelled even by corporal punishments, to return to the Catholic faith and the unity of the Church."—*Dens Vol. 2, page 90.*

"They (Heretics) are no more absolved from the laws of the Church, than subjects, rebelling against their lawful Prince, are absolved from the laws of the Prince."—*Dens Vol. 2, page 285.*

"Are the rights of infidels to be tolerated?—The rights of infidels, [other than Jews] namely, pagans and heretics in themselves (considered) are not to be tolerated; because they are so bad, that no truth or advantage for the good of the Church can be thence derived. *Except however, unless greater evils would follow, or greater benefits be hindered.*"

Objection. The apostle says, Romans xiv, 5, "Let every man abound in his own sense. Therefore, liberty of religion is to be left to every one." "I deny the inference, &c. Heresy is not to be tried or proved, but extirpated."—*Dens Vol. 2, page 85.*

These, Sir, are not doctrines which, although taught in a remote, barbarous and ignorant age, have long since been laid aside as obsolete; they are the doctrines and principles which at this day are carefully instilled, by the Church of Rome, into the minds of her priesthood in Ireland, and doubtless also in this Island, to fit them for educating the laity. These are the doctrines which the Church of Rome taught when she first lighted the fires of Smithfield; the doctrines which she will again act upon in England, should she ever again possess the power to do so. In Spain, Sir, the best specimen of a Roman Catholic country, at this day, a country where the Church rules supreme, how are Protestants treated? The dungeons and galleys of that priest-ridden land can alone answer the question—there, Sir, at this moment are men immured in prisons, and chained to the ear, doomed to long years of imprisonment and slavery—for what offence, Sir? For reading the Bible, for distributing the word of God among the people!!! This again, Sir, is a proof of

popish tolerance—of popish liberty of conscience! The Bible is dreaded by the Church of Rome. Her priests know that it teaches those principles of freedom and human equality, which, if allowed full sway, would soon overthrow their priestly authority, and they do all they can to suppress it. The Bible makes heretics, says Dens; it causes men to think for themselves; it makes them proud and conceited, and weakens their respect for the priesthood. These are the words of the erudite Doctor:—

"Now through the example of the heretics the lust of dissenting from the pastors has arisen; and it is manifest from experience that by promiscuous reading of the sacred scriptures, men are made more proud, more discontented, and universally more conceited. [*Inquietiores, et unipserse magis scilicos.*]—*Dens Vol. 2, page 195.*"

This is quite consistent with the Decree of the sacred Ecumenic Council, which declares that every one guilty of reading a Bible, without written authority from an Ecclesiastic, shall not receive absolution of his sins.

"As it is manifest by experience, if Holy Bibles in the vulgar tongue, are every where indiscriminately permitted, more injury than advantage would accrue, on account of the temerity of people, let it abide in this point, by the judgement of the Bishop or Inquisitor, that with the advice of the Priest, or Confessor, the reading of Bibles in the vulgar tongue, translated by Catholic authors, may be conceded to those, who they know can derive no injury, but an increase of faith and piety from such reading, which permission they must have in writing. But whosoever shall presume without such permission, to have, or read them, cannot obtain absolution of his sins, unless the Bibles be first returned to the ordinary. But ordinances may neither purchase, nor read them, except by permission obtained from their prelates."—*Council Trent, 4th rule of the Index.*

While Roman Catholic laymen are crying out against intolerance, preaching up the blessings of a free Government—of civil and religious liberty, and boasting of their loyalty to the Queen of England, the Emisseries of the Pope in the British Empire are educating a Priesthood in the revolting doctrines displayed in the above extracts. Are the Roman Catholic members of this House prepared to assert that the doctrines of their Church are not in accordance with these extracts? If they are not, does it become them to accuse Orangeism of intolerance? "Heretics are rightly punished with death," says blessed Thomas. The same is proved by infallible authority—by the condemnation of the 14 act of John Huss, in the Council of Constance. This certainly is also consistent. The Council of Constance, a general Council, at which the Holy Ghost presided!!! declared that death was the proper punishment for heresy; for exercising freedom of judgement. In the year 1415, the Church, guided by its Divine teachings, burned John Huss, for holding and teaching doctrines, now held and taught by all Protestants; and as the Church never erred, never can err, never changed, never can change, it follows that death must in all time to come be the proper punishment for those who will not obey the Priest. I may be told, Sir, that the Protestants of Geneva, one hundred and forty years later, burned Servetus for his religious opinions. It is true, Sir, that Protestants did burn Servetus; but mark the difference between Protestantism and Popery. Mention to a Protestant the name of Servetus, and his cheek will crimson with shame; he will tell you that all Protestants deplore the cruelty exhibited towards him. Protestants attempt to excuse those, at whose instance Servetus was martyred, on the ground that they lived in an age of intolerance, and partook of the spirit of that age. Servetus was condemned to the stake by fallible men, whose unenlightened minds, and erring judgements, were their only guides. Huss was condemned by a General Council, which could not err—which was directed by the unerring mind of God!!! No Papist regrets the execution of Huss; on the contrary, his having been condemned to the stake by the Council of Constance, is adduced as an authority for putting to death all heretics. It is most intolerant, says the opponents of Orangeism, that a Protestant, should not be at liberty to marry a Catholic. Hear the Church on this subject:

"The marriage of a Protestant with a Catholic, with express or tacit contract, or under the condition that all or any of the children, for instance, the males, be educated in the sect of their heretical father, is always and every where unlawful, most iniquitous and grievously sinful against the natural obligation of parents, and against the divine and ecclesiastical law, for every parent is bound piously to take care that their

offspring be educated in the true faith, and acquire the necessary means for salvation; therefore, she (the Catholic mother) is bound by no obligation to permit the education of her offspring in a DAMNABLE SECT, (in secta damnabile.)" *Dens's Vol. vii, page 146.*

Here, Sir, is a genuine specimen of Rome's toleration. Here is an example of the manner in which Popish Ecclesiastics, in the British dominions are taught to regard Protestants—"a damnable sect"—the professors of the national religion, with our Queen at their head, stigmatized as a "damnable sect."—Priests at St. Dunstan's College, taught that the Protestants of the Empire, with Queen Victoria at their head, constitute "a damnable sect"!!!

"The Church of Rome is the most intolerant of all Christian sects, it is her holy and inflexible incompatibility which renders her severe, unconciliatory and odious to all sects separated from her. They desire only to be tolerated by her, but her holy severity forbids such indulgence."

"The exercise of the power of the sword, in matters of religion and conscience is a point not to be called in question; there is no illusion more dangerous than to make toleration a character of the true Church."

The Church which teaches these doctrines claims universal sovereignty. The head of this church is styled the "Vicar of Christ." He requires all the world to do him homage. Christ has given him, says the Bull, *unam sanctum*, two swords—the one spiritual—the other temporal. Sir, I fear these swords have of late years become sadly blunted; the poor old man who wields them would, in my opinion, soon come to grief were it not for the more efficient bayonets of the French soldiery. Is it not well known to Protestants, and indeed to all the world, that his infallibility Pius V. formally excommunicated and damned Queen Elizabeth; and that Gregory XIII, performed the same kind of office towards the great Protestant Queen, with the addition of absolving her Irish subjects from their allegiance, and urging them to take up arms in rebellion against her. Sir, I would invite the attention of the Roman Catholic members of this House, who charges Orangemen with intolerance—to the following decrees of the Lateran Council, it is well worth their serious attention:

"Let secular powers be addressed and solicited, and if need be compelled, by ecclesiastical censures, to take an oath to use their utmost endeavors to exterminate all heretics out of their territories; and that for the future all persons, without exception, at their first promotion or accession to any spiritual or temporal jurisdiction, shall be obliged to swear to this cause; and if any temporal Lord shall purge his Country from Heretical pravity, after he has been advertised and admonished by the Church so to do, he shall be excommunicated by the metropolitan and his suffragans; and in case he contemns the discipline of the Church, and refuses to make satisfaction within a year, his contumacy is to be certified to the Pope, who upon such information shall declare his vassals or subjects absolved from their allegiance, invite the Catholics to seize the country, and enjoy it, after the expulsion of the heretics."

It is unnecessary to question the authenticity of this infamous production—a reference to *Dens's, Vol. 8, page 82*—will set the question of authority at rest, much better than all that has been written in reference to the "Mazarine" copy.

"The Bishop is bound, even in places where the office of the Holy Inquisition is in force, sedulously to take care that he may purge the diocese intrusted to him from heretics, and if he shall find any, he ought to punish them with canonical punishment."—*Dens Vol. 8, page 82.*

Roman Catholics will start at having ascribed to them such principles. I, Sir, am free to admit that Romanists are not, in general, what the *damnable* teachings of their Church would make them. Sir, human nature, degraded as it is, revolts at the teachings of the monstrous system of cruelty, superstition and tyranny, usually known as the Papacy, and in this age and country the model papist is scarcely to be found. Yet, Sir, I contend that we are justified in estimating papists according to the principles of their Church. What dependence can be placed upon the oath of any papist, Prelate, Priest or layman, in any matter affecting the Church, in the face of the following:

"That the Church has the power of absolving from vows and oaths is proved from the general concession of Christ, Matt. xvi, 19. Whatsoever thou shalt loose upon earth shall be loosed in heaven. Besides the perpetual practice of the Church sustained it. Yet this is not properly called a dispensation, but

the matter is changed, inasmuch as God renounces his right, through the superiors of the Church, and thus the obligation ceases of its accord."—*Dens Vol 2, page 846.*

The Council of Lateran decreed "that they are not to be called oaths, but rather perjuries, which are contrary to ecclesiastical utility and the institutes of the Holy Fathers."

Orangemen do not wish to interfere with the privileges of Papists, all they desire is to maintain their own; they see the danger there is of Romish ascendancy in this Colony; they see that Papists are becoming emboldened; they have witnessed in their highways the idolatrous procession of the host; a procession most insulting to Protestants, and one which, in no other Colony than Canada, should be tolerated. Sir, I find no fault with Papists for considering as a God, and adoring that which I believe to be but a piece of bread, provided they confine their worship to their chapels or to private property. But it is a daring piece of presumption, for any papist Priest to parade such an idol in the highways of the Colony, seeing, that the infallible council of Trent has pronounced accursed all who refuse to worship their wheaten God. They know the craft and cunning of their opponents, and they are determined to unite in time. The policy of Ministers in England has been to pander to the popish party in the House of Commons; the consequence of such pandering has fallen, not so much upon the inhabitants of Britain as upon the Protestant inhabitants of the Colonies, in each of which Rome is at this time endeavoring to create an *imperium in imperio*. We have self Government, Sir, and I trust we shall use it in such a manner as to save this Colony from the degradation of being governed by Priests, educated in the principles laid down in the Theology of the crude Peter Dens, and approved by the Romish Hierarchy of Ireland. The Bill, will, I feel assured, pass the Legislature of this Island; and should it be rejected by the Colonial Minister, as predicted by our opponents—of which I entertain no fears—Orangemen will not be less powerful and efficient than they will be should it receive the Royal allowance. I, Sir, move that the House do now go into the order of the day—the second reading of the "Bill to incorporate the Grand Orange Lodge of Prince Edward Island, and the subordinate Lodges in connection therewith."

Hon Mr COLES: the Hon Col. Secretary seems to have so thoroughly studied the tenets and principles of the church of Rome that it is a great pity he has not joined it. He (Mr C) had always found Protestant Ministers equal to any emergency, without the assistance of Orange Lodges, and the laws of the Island might be maintained here, as elsewhere, without the assistance of such a body. It was offering an insult to a great body of the community if they passed this Bill. Why, at the last Orange party, he had been credibly informed that many parties turned back and took a longer road, sooner than pass on the road over which floated an Orange flag. As far as he was concerned, he would oppose the second reading of the Bill. He had never read *Dens*, and he believed the quotations from that work were brought up, like old ghost stories, for the simple purpose of frightening the people, and destroying the peace and prosperity of the Island. He was, he believed, although a Liberal, as good a Protestant as any in that House, and he believed that the only reason the Roman Catholics were all ranged on the Opposition side of the House, was on account of the abuse that had been heaped upon their religion by the Colonial Secretary. It would be much better for the interest of the Colony to bury all past differences, rather than perpetuate them by the passage of a bill like this; for the legal organization of such Societies could not but be productive of evil. The Hon Col. Secretary went too far both in his writing and speaking upon the subject; the Holy Scriptures themselves, might in some particulars, be criticised as severely as even *Dens* had been by him. The British Government had never refused to accept Catholic aid to fight its battles, in defence of its laws and religion. Catholics had never been second in the fight; and it was folly now to recall facts of days gone by, or rake up the ashes of Huss or Wickliffe, for the purpose of spreading and perpetuating religious animosity. As to the Orangemen saving Canada, to the British Crown, nothing could be more absurd than such a statement. It was a well known fact that Orangemen upon the Island would not, and did not hesitate to seduce Catholic girls, and afterwards refused to marry them. As to the disturbance alluded to as taking place at Belfast, it was known that there was no organization of Catholics upon the occasion, but that the disturbance had been caused by the conduct of two Magistrates. In conclusion he opposed the second reading of the Bill, as he feared it would only add to the religious animosity already existing, and consequently prove prejudicial to the best interests of the Colony.

The House then adjourned.

AFTERNOON SITTING.

THURSDAY, March 19.

Debate resumed on the motion to go into the order of the day on the second reading of the Orange Incorporation Bill.

Hon Mr COLES made some additional remarks in reply to the Hon Col Secretary, and concluded by moving, in amendment to the motion before the House, that the House go into the order of the day this day three months.

Hon Mr KELLY rose to second the motion. He did not feel that he would be much affected by the measure before the House, though he was a Roman Catholic, but as the Hon Col Secretary had read some extracts from his pocket book, he (Mr K.) wished to give some extracts also. The first extracts he would read were from "Hansard's Parliamentary Debates," from the speech of Lord Morpeth (now the Right Hon. the Earl of Carlisle) respecting disturbances in Armagh, the county of Ireland in which the first Orange Lodge was established:—

"First meeting of the Magistrates of the County Armagh, Oct. 19th, 1795.—Whereas the peace of this country has been and continues to be disturbed by mobs of riotous and disorderly persons who assemble in considerable bodies, attack the houses of well disposed inhabitants, and rob them of arms, money, and other matters of property.

"Second meeting, Oct. 26, 1795.—As we find that bodies of armed men still continue to parade through different parts of this country, both by day and night, committing great outrages and disturbing the peaceable inhabitants. Resolutions signed and subscriptions entered into by Gosford, William, Armagh, the Primate, Charlemont, Capel Molyneux, Bart., W. Brownlow, Bart., H. Hamilton, Dean of Armagh, &c., &c., &c.

The next extract he should read was from the Earl of Gosford's address, as Chairman of the Quarter Sessions of the County of Armagh, on the 21st Dec., 1795:

Lord Gosford said—"Gentlemen it is no secret that a persecution, accompanied with all the circumstances of ferocious cruelty which have in all ages distinguished the dreadful calamity, is now raging in this county, neither age nor sex, nor even acknowledged innocence, as to any guilt in the late disturbances, is sufficient to excite mercy much less to afford protection. The only crime which the wretched objects of this ruthless persecution are charged with is a crime indeed of easy proof. It is simply a profession of the Roman Catholic faith—or an intimate connexion with a person professing that faith. A lawless banditti have constituted themselves judges of this new species of delinquency, and the sentence they have pronounced is equally concise and terrible, 'is nothing less than a confiscation of all property and an immediate banishment. It would be extremely painful and surely unnecessary to detail the horrors that attend the execution of so wide and tremendous a proscription—a proscription that exceeds in the comparative number of those it consigns to ruin and misery every example that ancient or modern history can supply—for when have we heard, or in what history of human cruelties have we read of more than half the inhabitants of a populous country deprived at one blow of the means as well as the fruits of their industry, and driven in the midst of an inclement season to seek a shelter for themselves and their helpless families where chance may guide them."

Such was the noble Earl of Gosford's opinion of the state of the country and of the Orangemen of that day. He (Mr. K.) should also quote an extract on the same subject from a speech of Mr. Grattan wherein that distinguished Statesman said:—

"Of these outrages he had received the most dreadful accounts, that their object was the extermination of all the Catholics of that county. It was a persecution conceived in the bitterness of bigotry, carried on with the most ferocious barbarity by a banditti, who being of the reli-

gion of the state, had committed with the greatest audacity and confidence the most horrid murders, and had proceeded from robbery and massacre to extermination: that they had repealed, by their own authority, all the laws lately passed in favour of the Catholics, and had established, in the place of those laws, the inquisition of a mob resembling Lord George Gordon's fanatics, equaling them in outrage, and surpassing them far in perseverance and success: that these modes of outrage were as various as they were atrocious. They sometimes forced by terror the masters of families to dismiss their Catholic servants, they sometimes forced landlords by terror to dismiss their Catholic tenantry, and they seized as deserters numbers of Catholic weavers, and sent them to the county gaol, transmitted them to Dublin, where they remained in close prison until some Lawyers, from compassion, pleaded their cause and procured their enlargement, nothing appearing against them of any kind whatsoever. Those insurgents, who called themselves Orange boys or Protestant boys, that is a banditti of murderers, committing massacre in the name of God and exercising despotic power in the name of liberty."

But lest any one should distrust the authority of Mr. Grattan, and the pregnant and fervid language in which he embodied his sentiments, in the same debate he was followed on the same side by the Knight of Kerry, who said:—

"He could not reconcile it to himself to remain silent at the statement made by the right hon. gentleman (Mr. Grattan) of the outrages which had occurred in the county of Armagh. He was sorry to say he must subscribe to it in its fullest extent. He lamented that in that picture which the right hon. gentleman had drawn, he could trace no exaggeration. It was, he feared, the melancholy truth that numbers of the unoffending and peaceable inhabitants of that county had been expelled from their habitations and their property by the violence of a bigoted sect that then existed in that county, a furious and unrelenting persecution of a particular denomination of His Majesty's subjects. It is lamentably the fact that in the county of Armagh multitudes of families are driven from their homes the victims of a dreadful persecution, while the Magistracy rest in a kind of lethargy, supinely indifferent to this outrageous violation of justice. He deplored that the Magistracy should be so blind to the danger which they were suffering to grow. He trembled at the pernicious effects of mixing any religious prejudices with the distractions which already agitated the Kingdom. There was no man ignorant but must be aware of the poisonous animosity which religion adds to any contest in which it shall mingle, nor can any man in the utmost scope of speculation calculate the horrors to which that conduct may give birth, which would infuse into the agitation of the country a spirit of bigoted religious animosity."

This gentleman was followed by Sir William Smith, Baron of the Court of Exchequer in Ireland, who said:—

"He was persuaded that Government would never prefer one treason to another, or use less severity towards the bigotry and excess of Peep-of-day boys, or Orangemen, than towards other equally abominable outrages. He had heard it insinuated, on both sides of the House that the Defenderism might call for the extraordinary interposition of the Legislature, yet the opposite class of insurgents might be left to the vigilance of the Armagh Magistrates and to the ordinary efficacy of the Law as already established. To such a doctrine he must express entire dissent. He viewed both species of offence with equal abhorrence, and thought the Legislature ought to meet them with equal indignation. The scene next shifted (says the right hon. gentleman) to the special assizes of the county of Armagh, at which more than 100 persons were tried for capital offences, when Mr. Attorney General Wolfe was sent down to prosecute on the part of the Crown, who there said: That by order of the Government who were determined to exert their power to the

atmost in order to restore and preserve the peace of the country he was come down to prosecute, and he would have it understood that, in the exercise of this his indispensable duty, he would steadily pursue his instructions which were to prosecute all men charged with crimes of whatever religious profession they might be, of whatever description, whether in high or low life, he would bring them to the bar of public justice. What has recently been the situation of Armagh? Man against man, societies formed for the illegal purpose of opposing each other by open force and hostility—the honest and peaceable inhabitants could find neither safety nor repose. In the field and in the House he found himself in danger, he could not retire to his bed without apprehension of violation to his house or injury to his person. Was there a father of a family secure in his children? He did not know the moment that his son was destined to the halberd or the assassin's dagger—there was neither security for age nor youth, for sex nor for industry. Acts had been committed shocking to human nature, cruelties that would disgrace savages had been perpetrated in the County of Armagh—however, when the law was satisfied, it would then become a natural object, a duty incumbent on every man who loved his country, to insulate on the minds of all parties forgiveness and oblivion."

The next extract he would allude to was the formula used at the initiation of each member as described in the evidence of the Rev. Mr. O'Sullivan, in his evidence before the House of Commons:—

"The applicant shall be introduced between two sponsors, namely, the brethren who proposed and seconded his admission, carrying the Bible in his hands, with the book of rules and regulations laid thereon. Two brethren shall precede him, on his entering the room, a chaplain if present, or in his absence, a brother appointed by the Master, shall read the whole or a part of what follows:—O Lord God of our fathers! art thou not God of Heaven, and rulest not thou over all the kingdoms of the Heavens, and in thy hand is there not power and might so that none are able to withstand thee! who is like unto thee the Lord among the Gods? who is like thee glorious in holiness, fearful in praises, doing wonders? Thou in thy mercy hast led forth thy people which thou hast redeemed. Thou hast guided them in thy strength into thy holy habitation. Lord, thou wilt ordain peace for us, for thou hast wrought all our works in us. O Lord our God, other Lords have had dominion over us, but by thee only will we make mention of thy name; whereupon, glorify ye the Lord in the fires, even the name of the Lord God of Israel in the isles of the sea. During the reading of this, the applicant shall stand at the foot of the table, the brethren all standing also in their places and strictly silent. The Master shall then say—Friend, what dost thou desire in this meeting of true Orangemen! and the Candidate shall answer—of my own free will and accord I desire admission into your loyal institution. Master: Who will vouch for this friend that he is a true protestant and loyal subject? (the sponsors shall bow to the Master and signify the same, each mentioning his own name.) Master: What do you carry in your hand? Candidate: The word of God. Master: Under the assurance of these worthy brothers we will trust that you also carry it in your heart. What is the other book? Candidate: The book of your rules and regulations. Master: Under the like assurance we will further trust that you will study them well, and that you will obey them in all lawful matters. Thereupon we gladly receive you into this order. Orangeman, bring me your friend. The Candidate shall then be brought by his sponsors before the Master, the two brethren standing at each side of the centre of the table; during this, the Chaplain or brother appointed shall say, Many shall be purified and made whole and tried; but the wicked shall do wickedly, and none of the wicked shall understand; but the wise shall understand. Bless-

ed is he that waiteth and cometh to the thousand three hundred and thirty days; but go thou thy way until the end be, for thou shalt rest and stand in thy lot at the end of the days: The Candidate shall then kneel on his right knee, and the Master shall invest him with the decoration of the order and the Orange sash: Then the Chaplain or brother appointed shall say, when thus it shall be in the midst of the land among the people, thou shalt be as the shaking of an olive tree, and as the gleaning grapes when the vintage is done. They shall lift up their voices, they shall sing for the majesty of the Lord, they shall cry aloud from the sea, when the mountain of the house of the Lord shall be established on the top of the mountains, and it shall be exalted above the hills, and the people shall flow unto it, and this shall be for a token upon their hand, and a frontlet between their eyes; for by strength of hand the Lord brought us forth out of Egypt. Thou shalt therefore, keep this ordinance in his season from year to year.—Then the Master shall say: we receive thee, dear brother, into the religious and loyal institution of Orangemen, trusting that thou wilt abide a devoted servant of God, and true believer in his Son Jesus Christ, a faithful subject of our King, and supporter of our Constitution.—Keep thee firm in the Protestant Church, holding steadily her doctrines, and observing her ordinances; make thyself the friend of all pious and peaceable men, avoiding strife and seeking benevolence, slow to take offence and offending none, therefore, so far as in thee lieth turning the injustice of our adversaries into their own reproof and confusion.—In the name of the brotherhood, I bid thee welcome, and pray that thou mayest long continue among them a worthy Orangeman. The Master shall then communicate, or cause to be communicated unto the new member the signs and pass words of the brotherhood, and the Chaplain or brother appointed shall say: Glory to God in the highest, and on earth, peace good-will towards men: after which, the brother shall make obeisance to the Master, and all present shall take their seats, the certificate of the new brother being first duly signed and registered."

Was not this a profanation of the Holy Scriptures?—What were the details of these Orange Lodges? They might truly be said to be written in blood. Orangemen arrogated to themselves the assumption that they exclusively were Protestants, and they censured and condemned all who did not follow the course which they marked out. The hon. Col. Secretary had referred to persecution by Roman Catholics, but he (Mr K.) could show by certain letters of the Bishop of Lundoff, that that Protestant Prelate, in alluding to the persecuting times of Queen Mary, had said that many Protestants then fled to Ireland, and were received by the Irish Catholics with characteristic hospitality. He (Mr K.) therefore thought that a great deal which had been advanced with regard to the Roman Catholics might have been spared. He would second the motion of the hon. leader of the Opposition.

Hon. Col. GRAY—This subject had been discussed on a former occasion, and to-day it was all being gone over *de novo*. He had before him a book—Coke upon Lyttleton—and if he read it through he supposed he would meet with a great deal just as relevant to the subject as what had been read. (Laughter). He, however, was not going to inflict the reading of the book upon hon. members, as he wanted no other light on the subject than a common sense view of the matter. The thing was plain; when a large body of Her Majesty's subjects desired legislation to enable them to manage certain property, their request was entitled to consideration by this House. Such organizations, however, as the one in question generally led to processions, and when men were congregated and excited, they sometimes thought that there should be no person in the world except themselves. For his part he did not care how many processions there were in the country, as long as he had his own share of the road. But others thought differently; therefore he would like to be informed by the hon.

introducer of the measure; if he intended to submit to the House the bye-laws of the society, in order that hon members might know whether it purposed having processions or not.

Hon Col. SECRETARY said he knew of nothing in the bye-laws of the association requiring processions, but if the hon leader of the Government was afraid of processions, he might introduce a bill to prevent them, like the Act in force in Ireland.

Hon Col. GRAY thought it would be well to introduce such a measure, and hoped that if he did so, he would have the support of hon members. He would be in a better position to judge whether he should vote for the motion before the House, had he an opportunity of examining the bye-laws of the Orange Institution. He trusted that time would not be unnecessarily taken up with this question.

Hon Mr WARBURTON quite agreed with the hon leader of the Government, that too much time was taken up on this matter; but it was altogether caused by the remarks of the hon Col. Secretary. That hon member had referred to the danger of Roman Catholics obtaining ascendancy in this Colony. The fact that so many districts possessing a majority of Roman Catholics had returned Protestant members, showed that there was no danger on this ground—that they did not seek ascendancy. The hon Colonial Secretary also argued that the Orange Institution would aid in maintaining the connection between the Colonies and the Mother Country. In answer to this, he would only say that the other year, when a war was threatened between Great Britain and the United States, the Roman Catholics of Canada did all in their power to support Britain by assisting in the transport of troops. This proved that they did not wish to rid themselves of the rule of England. It had also been asserted that the Roman Catholics now formed a third party in the British Parliament. He did not see why this statement should be made; it was only a short time since they were allowed to sit in Parliament, and it could not be expected that they would hold very firmly to either party. He would not detain the House further, and would only add that he was heartily sorry this measure had been introduced here, as he felt certain that it would cause disturbance in the Colony.

Mr CONROY rose to express his disapprobation of the Bill before the House. He thought the words employed by the hon. Col. Secretary were a direct insult to the 35,000 Roman Catholics of the Colony. He (Mr. C.) believed that all he could say would not prevent the Bill from passing; but he felt confident that it would never become the law of the land—that such a measure would never be sanctioned under the British constitution. He did not wish his Protestant friends to think less of him on account of what he might have said on this question, because he made quite a distinction between a Protestant and a person called an Orangeman. He looked upon an Orangeman as his greatest and sworn enemy, and very much regretted that there were men in both branches of the Legislature who belonged to the Institution. It was unnecessary for him to reply to the statements put forth by the hon. Colonial Secretary. He would simply say that he never expected it would fall to his lot to sit in the Legislature of Prince Edward Island and listen to gross, and he might say, blasphemous insults against his religion.

Hon Mr BEATON said about one-third of his constituents were Protestants, that he lived on most intimate terms with some of them, and considered them his best friends; therefore he would be sorry to say anything to hurt their feelings. He would endeavour to avoid doing so while he expressed his opinions on this subject. It had been stated that Orange Lodges were established here to resist the encroachments of Roman Catholics. He wished to know whether Roman Catholics were more closely banded together than many Protestant sects. Were not the Macdonaldites, for example, banded together? and would they not support each other if one of them was to offer as a candidate? Roman Catholics were not all on one side, until some of the

recent elections. Their present unanimity was caused by the writings in the newspapers of an official of the Government, one who had directed all his bitter attacks against Roman Catholics. It was his bitter opposition to Roman Catholics which had enabled him to obtain a seat in this House. He jumped Jim Crow against the Catholics, at the expense of the Colony, to the tune of £350 a year. He (Mr. B.) was sorry that this measure had been introduced here, particularly when there was not the slightest occasion for it. He regretted the religious strife existing in the Colony. If Protestants considered their privileges in danger they ought to have associated together in some other organization than that holding the hateful name of Orangeism. He, however, believed that this matter was forced upon the majority by outside pressure—an influence which had shown itself in displacing Mr. Henry Palmer from office in the other end of the building, merely because he did not vote at the last election. Mr. Palmer was a gentleman of very courteous demeanour, and he had been treated very unkindly, as it was well understood when he (Mr. B.) was in the other branch of the Legislature that the Usher was not to vote at elections.

Mr BRECKEN agreed with the hon. member who had just set down in one thing, namely, in deprecating the religious animosity rife in the Colony, as he believed it would be productive of no good. The present discussion, he regretted to say, was more religious than political. He had heard more theology to-day than on any other day of his life. Unfortunately in this Island we had Roman Catholics pitted against Protestants, and Protestants against Roman Catholics. This dissension he wished to see done away with; but it ought to be given up by Roman Catholics as well as by Protestants. While Roman Catholics remained banded together he had no desire to see his friends weakened; he was too much of a Protestant for that. He, however, wished to see the olive branch of peace held out by both parties. If religious dissension was at an end in this Island, he would like to see the Bill in question put under the table. He concluded by stating that he admired the moderation evinced by the hon. leader of the Opposition in his speech this morning, but if his memory served him right, that hon. gentleman had expressed himself differently on a previous occasion.

Hon Mr HENSLEY said he considered it was most injudicious to press forward this measure. It had been stated that Roman Catholics were banded together to keep certain parties, who were now hon. members, out of this House. This could not be said of all Protestant members, for he himself was returned by a constituency, the majority of whom were Roman Catholics; and they had returned him, though they knew his views in regard to the endowment of St. Dunstan's College, and that he was a Protestant, and a member of the Bible Society. They had means of knowing this, as reports respecting him had been industriously circulated amongst them. All that he said in reply to them was, that he was a Protestant, and that he could not be expected to abandon his principles to obtain a seat in the Legislature. This Bill was to incorporate quite a different institution from other secret societies referred to, which were for a benevolent object. This association was a combination against another class of the community, and he believed an Act to incorporate it was calculated to do injury. There was nothing which he disliked so much as religious dissension. He held his own views, but admitted that others might entertain opposite opinions, and do so conscientiously. Evil consequences, he feared, would result from the discussion of to-day.

Mr. HOWLAN offered a few remarks, but before he had fully entered into the subject he was interrupted by a motion of adjournment, which was unanimously carried.

FRIDAY, March 20.

Hon Mr Speaker in the Chair.

It was resolved that the tenth rule of the House be suspended.

Hon Col GRAY proposed the following resolution:—
 "That it is considered by this House to be inexpedient longer to continue keeping up a signal post, and the establishment annexed to it, in this City." This might seem to be a small saving, but it was one among the small savings that would help their revenue. The signal was a benefit principally, if not only, to the merchants and traders of Charlottetown, and they should tax themselves for its expense.

Mr HOWAT seconded the motion. Their expenditure was now far exceeding their income, and this was a step, however small, in the right direction.

Hon Mr DAVIES was of opinion that the use of the signal staff, and the prompt information it conveyed of the arrival of vessels, was a benefit to the whole Island, and that the City of Charlottetown should not be called upon to bear the whole expense.

Hon Mr COLES thought it was high time for the Government to commence a career of retrenchment, for, during the last four years, the debt of the Colony had been increased to £89,000, a fact that should be gravely considered. There were many other items upon which a reduction could be made more efficient and less necessary than the one now proposed.

Mr. BRECKEN—The public revenue, he believed, was public property. The expense of the flagstaff, considering the early information it conveyed to the inhabitants of the Island, of the approach of vessels, was a mere trifle. It was a public accommodation, and he should, therefore, move that the hon. the leader of the Government have leave to withdraw his motion.

Upon a division, after a short and unimportant discussion, the motion was withdrawn, there being a majority of five in favour of its withdrawal.

The order of the House, limiting the time for the presentation of private petitions, was suspended, upon the motion of the Hon. Mr. Thornton.

The following petitions were then presented:

Hon Mr Thornton, from the inhabitants of Lot 56, for the establishment of a Post Office at Farnington. Referred to the special Committee appointed to enquire and report upon all matters connected with petitions respecting the postal department.

Also, from Henry Mooney and others, for a grant to repair the north end of Baldwin's road.

Also, from inhabitants of Lots 38, 39 and 41, for a grant to enable them to improve Peake's road.

These petitions were tabled.

THE ORANGE INCORPORATION BILL.

ADJOURNED DEBATE UPON THE SECOND READING.

Mr HOWLAN resumed the debate by referring to the fact that as Roman Catholics were restricted from various offices, under the Crown and Constitution, there could be no fear of "Papal aggression," and as those who were styled the "Foreign Powers" close at home, had their hands full, there was little need of apprehension here. The hon. the Colonial Secretary stated that the Orange Society had for its first object—the practice of the Christian religion, the support of law and order, constitutional liberty, the suppression of rebellion, and the preservation of national tranquility. This sounded all very fine; but he would read to the house extracts proving the contrary. In "Plawden's Historical Disquisition on Orange Societies in Ireland," published in the year 1810, the following order might be found (at page 54) that this was to be the oath taken by an Orangeman:

"I, A. B., do swear that I will exterminate the Catholics of Ireland as far as lies in my power."

The *Banner of Ulster*, an Irish Protestant newspaper, had also published, in reference to the trial of some Orange rioters, that

"There never had been peace in Ireland since Orangemen had raised its hydra-head; there never can be peace in Ireland till Orangemen is constituted a felony by law; and some thousands of the banditti forced to leave their country for their country's good."

The *Belfast Northern Whig*, another Protestant newspaper, also stated:

"Why, there has not been an assize hardly in Ulster since the Association was re-constructed at which Orangemen have not been arraigned for appearing armed in illegal processions."

There was not, nor there could not be any doubt that the leading statesmen of England had set themselves against the organization of this Society. Both Lord Palmerston, the present premier of England, and Earl Russell, Her Majesty's Secretary for Foreign Affairs, had expressed opinions adverse to the organization of the Society which it was proposed by this Bill to incorporate. The hon. the Colonial Secretary's religion, the prime mover in this Bill, had been very much questioned, and his continued and oft repeated statements that Catholics were not allowed to read the Bible, were untrue; notwithstanding his quotation from the proceedings of the Council of Trent. And when the hon. Colonial Secretary talked of the power, and influence, and organization of the Roman Catholic Church against Protestants, he (Mr. H.) was prepared to deny it. There was no organization against Protestants, as might be seen from the fact that many Protestant honourable members of that House were returned from almost exclusively Catholic districts. To talk of Catholic organization was but folly. He would, however, present to the House the following extract, to prove where the organization was likely to be:

"In June, 1835, Assistant Grand Secretary, William Swan, Esq., of the Grand Orange Lodge of Ireland, in his examination before the select Committee on Orange Lodges, gave the following answer to the question:

"Is there power in any functionary of the Orange body to call that enormous body of 200,000 men together, to assemble them in one place from all parts of the country?"
 "The Grand Secretary of the Grand Orange Lodge of Ireland replied 'I think a Grand Master might order it.'"

The fact was, the Orange Society was neither the handmaid of law or religion. The hon. the Colonial Secretary had told them that he had never said or written a word insulting to Roman Catholics, but he was prepared to stand by and prove all that he had ever written on the matter. Now it was well known that he had grossly insulted Roman Catholic ladies; and, although the fact had been denied and quibbled over, the following short note might throw some light upon the matter:—

THURSDAY, March 19, 1863.

"Friend Howlan.—In reply to your note of this date, I beg to state that W. H. Pope did say, in Mr. McGill's shop, in the presence of Mr. Wm. McGill and myself,—

"That a Catholic woman going to confess to a Priest was the same as taking a mare to a station.

"Yours truly,

"P. GAUL."

"George W. Howlan, Esq., &c., &c.

Now, such language as this was not only disgraceful, but immediately calculated to disturb the peace of the Colony. Why, it was only so recently as the year 1856, the hon. the Colonial Secretary wrote a letter to Robert Hutchinson, Esq., the then Mayor of the City of Charlottetown. The letter bears date August 15th, 1856. [An extract from which was published in a speech of Mr. H.'s in the *Islander* of 1st May.] He (Mr. H.) told the hon. the Colonial Secretary that if he would come to Cascumpes he would be pleased to show him plenty of Bibles in the neighborhood. He was sorry he should have so far forgotten himself as to have so grossly insulted Catholic ladies, he had given the hon. gentleman credit for more pluck.

[Some slight personal altercation occurred here of not the slightest public interest.]

Mr HOWLAN again complained that the religion of Catholics had been insulted in all that they held most dear, by one who had vainly endeavoured to gain, by intrigue, their political support.

The Hon. COL. SECRETARY denied that he had done so.

Mr HOWLAN—There could be no doubt in any reasonable mind but that the hon. the Colonial Secretary had compromised his independence; and that question, after all that had been published upon the subject of the hon. Colonial Secretary's visits to his Lordship the Bishop, upon the subject of the endowment of St. Dunstan's College, might fairly be left to the judgment of the people of the Colony. If this bill were passed, he could not but feel that his religion had been assailed; their time had been wasted by long and weary discussions on this Act of Incorporation when it might have been much more profitably employed for the benefit of the country. In fact, if they did not accelerate their progress, they might find themselves sitting there in June. Their time could have been much better employed than in attacking the religious opinions of their fellow-colonists. He would yield to no man in defence of his own; and, on the other hand, he would not willingly or knowingly give offence to that of his neighbors. He, therefore, most strenuously opposed the second reading of the Bill.

The Hon. COL. SECRETARY—Mr. Speaker, the hon. member from Cascumpec, Mr. Howlan, not satisfied with the explicit declaration made by me, during a former period of this debate, to the effect that I had not on any occasion, by word or deed, misrepresented the religion of the Romish Church, has adduced, in contradiction, a note addressed to him by a Mr. Gaul, in which the writer states that in his presence, and in the presence of another person, I spoke of Catholic women going to confession, and expressed my opinion thereon by the use of a very coarse metaphor. [The metaphor here alluded to was repeated.] Sir, it occasionally happens that in private intercourse one expresses one's opinions with greater freedom than one would before a public audience, and employs illustrations which one would not like to hear repeated, much less be called upon to defend in such an assembly as that over which you preside. However, I am quite prepared to justify all that I have said or written in reference to Roman Catholics or their religion. In reply to the statement contained in Mr. Gaul's note to his friend the hon. member from Cascumpec, I beg to state that I did not use the expressions therein alleged to have been used by me, nor did I give utterance to any words of a similar import; and, further, that I did not in the presence of Mr. Gaul, at any time, use any expressions which can by any amount of torturing be construed into an insult to "a Catholic woman going to confession." The metaphor mentioned in Mr. Gaul's note was indeed used by me, but in a sense widely different from that in which it is now sought to apply to it. In the sense in which I used it, Sir, I would again use it, and strong as it is it would come far short of adequately illustrating the horribly foul and disgusting matters which may legitimately (!) form subjects of conversation between Priests and every woman who enters the confessional. The illustration used by me in reference to the matters referred to is not original. It was suggested by the "erudite Peter Dens" in that Book which contains "the most sure guidance" for Romish Priests—which has been approved by the popish hierarchy of Ireland—and which is used by Priests at Maynooth, and also, I presume at St. Dunstan's. It is also found in the works of Ligorio—one of the Saints to whom the Roman Catholic members of this House address their prayers. Ligorio, Sir, was an Italian, who lived contemporary with the great and good John Wesley. He is the author of a work intended especially for the guidance of young Priests in the duties of the Confessional, which is entitled "*Homo Apostolicus instructus in sua vocatione ad audiendum confessiones.*" This work, Sir, although it contains more filth than is to be found in all the works

of all the lecherous old Popish Priests who preceded him, even the infamous Thomas Sanchez not excepted, was, after being carefully "weighed" by the Sacred College, declared to contain "nothing worthy of censure." Ligorio was canonized by His Holiness Pius VII, in 1816. In the works, Sir, of the "erudite" Dens, and of the "venerable servant of God" Ligorio, is to be found the metaphor which I used; there also are to be found the matters in illustration of which I applied it. Sir, were the galleries of this House to be cleared, and were hon. members capable of enduring the infliction, I might, from the pages of the works which I have mentioned, works, Sir, which, I presume, every pious Romanist is taught to regard with greater veneration than the Holy Bible, read passages which would induce every unprejudiced mind to agree with me that the Popish confessional, if conducted according to the models of Dens and Ligorio, is, what I have no hesitation in designating it, "the vilest institution ever devised by Devils or Priests." I cannot, however, venture to translate into English the utterly inconceivably foul, odious, infamous and diabolical matters which Popish Priests, may, and if Confessors follow the guidance of Dens and Ligorio, which they do, whisper into the ears of women in the Confessional. Sir, I wish it to be distinctly understood that I do not presume to say that the subjects to which I allude are in this country discussed in the Confessional. I only wish to convey the idea that they may be. [The hon. Col. Secretary here referred to several passages in Dens and Ligorio.] The following extracts have been supplied. The first extract illustrates the manner in which young girls are questioned in the Confessional:

"It sometimes happens that young men or girls, attired in a somewhat vain manner, and addicted to pleasure and voluptuousness, confess nothing of the temptations of licentiousness by which, however, persons of this kind are wont to be assailed. *These the Confessor will interrogate prudently, and by a round about method, beginning with general things thus:*

"CONF.—An aliquando non accedunt tibi cogitationes inhonestæ?
 "CONF.—An in eis delectationem aliquam habuisti?
 "PŒN.—Ita.
 "CONF.—Circa quod objectum, et circa quod opus erat delectatio?
 "PŒN.—Circa copulam, &c. &c.
 "CONF.—An aliquando ibidem miscentur sermones sive verba impudica?
 "PŒN.—Sic est, de concubitu et partibus pudendis.
 "CONF.—An subsecuta quedam desideria, commotiones carnales, aut libertates actionum, oscula? &c.—*Dens Theol. Mor. et Dog., Dublini, R. Coigne, Bibliop., R. C. Coll. Maynooth, 1833. Tom. vi. fol. 347-350.*"

The following extract will give some idea of how Priests conduct themselves towards young women "engaged to be married," "sweethearts," and lovers":

"Prudentes Confessarii solent et statuunt regulariter inquirere ab omnibus sponsa, utrum occasione futuri matrimonii occurrerint cogitationes quedam inhonestæ! utrum permiserint oscula, et alia majores libertates ad invicem ex eo, quod forte putaverint jam sibi placuisse?—*Dens, Tom. vi. fol. 240.*"

The next extract shows how married women are to be dealt with:

"An aliquando interrogandi sunt conjugati in confessione, circa negationem debiti?
 "R. affirmative, præsertim mulieres, quia ex ignorantia, vel præ pudore peccatum istud quandoque reticent; verum non ex abrupto, sed prudenter est interrogatio instituenda, v. g. an cum marito rixatæ sint, quæ hujus modi rixarum causa; num propter talem occasionem maritis debitum negarint; quod si se deliquisse fateantur, caste interrogari debent, inquit Brunman, an nil actum fuerit continentiæ conjugali contrarium, v. g. pollutio, &c.—*Dens, Tom. vii. fol. 119.*"

The passages to which I have referred, and they are purely unassailed when compared with other passages contained in the works of Dens and Ligorio, prove most conclusively that in the Confessional women may be subjected to "demonical outrage." Where is the man who would not prefer that his wife or his daughter should be deprived of life rather than be placed in a Popish Confessional, and there systematically tortured, according to the directions of Dens and Ligorio? I had rather see my children drowned in the Hillsborough than subjected to such polluting influences. Am I to be accused of "insulting Catholic women," because I have, in self-defence, thought proper to expose the secret teachings of Popish Priests—because I have told the Catholic laity that when their wives and daughters go to Confession they place themselves in a position to have their feelings most horribly outraged? Every animal gives expression to its rage in the cry or howl peculiar to its species. Popish Priests, Sir, have now their peculiar howl, as they had in the days of Erasmus, and they are now, as then, wont to attack, with that malevolence peculiar to their order, all who offend them. I have been treated to no small share of Ecclesiastical vituperation in the organ of the Romish Church in this Island—a paper which, as a matter of course, is under the control of that Popish Ecclesiastic, who, in violation of the Laws of the Realm, arrogantly styles himself, by virtue, it is alleged, of a mandate from St. Peter, Bishop of Charlottetown. This fraternity, with Bishop Mointyre at their head, have been prodigal of abuse. But what have they done to disprove anything that I have advanced? Nothing. Have they ventured to deny the authority of the Theology of Dens or of St. Ligorio, or to show that I have quoted those authors unfairly? They have not attempted to do either. I have been taunted with having changed my opinions in reference to Orange associations, and told that I once held liberal views towards those who differ from me in their religious belief. A letter, several years ago written by me to the Hon. Mr. Hutchinson, has been read with much satisfaction to the gentlemen opposite. Sir, I am not ashamed to admit that I have changed my opinion on the subject of Orange associations; when I wrote the letter referred to, I knew nothing of Orangemen, and but little of Popery, I am now older and wiser. Toleration is one thing—disloyalty another. I, Sir, then held, and still hold that no man has a right to condemn his neighbor for worshipping God according to the dictates of his own conscience. Again, I have been accused of having offered the Romish Bishop, in Charlottetown, a grant to his College in return for political support. This is untrue. The whole subject connected with my communications with the Roman Bishop has been grossly misrepresented, as well by the Bishop as by one, at least, of his Priests, and by the Popish press. All I ever promised the Bishop, was to use my exertions to procure for his College a share of the School grant, provided such College should be conducted as is the Prince of Wales College—that is, should not be conducted as a sectarian institution. I did all I could in performance of my promise, unsuccessfully, as is well known. It was on the occasion of my communicating to the Bishop that the grant could not be obtained, that the successor of Peter forgot his dignity so far as to walk the room in a most excited state of mind, and to declare that he would use his best exertions to overthrow the Government. That which I advocated in 1861, I would not again advocate, for I have found by experience that the only safe rule to follow with Popists, Prefates or Priests, is to hold no communication with them on any matter affecting the interests of their Church, for, be assured, they will not hesitate to misrepresent and malign one so often as it appears to them that their interests would be promoted by doing so. In conclusion, Mr. Speaker, British Ministers may pander to Papists in Great Britain. I shall resist Popish ascendancy in this Colony, although I should stand alone.

Hon Mr COLES was very doubtful where the evils of a bill like this, if carried through, would end. The proposed

Act of Incorporation, while giving rise to great heart-burnings and trouble in the community, would not remove a single one of the alleged grievances against Catholicism. The prayer book of the Church of England itself might be perverted, he believed, if it were read in the manner that the Hon Colonial Secretary had used in respect to the books from which he had, during the session, favoured the House with so many quotations. It was worse than useless to rake up old grievances; they did no good, but when they compared the notorious massacre at Glencoe with that of Scullabogue, the Glencoe massacre, ordered by William of Orange himself, would be found to have been one of the worst recorded in history. No reasonable argument had been adduced to show why such a Society should be Incorporated. It was urged that the Roman Catholic Bishop of Charlottetown had endeavoured to obtain "an Act of Incorporation," and that the only question upon the matter was the simple difference between "of" and "in." That was said to be an error of the Queen's Printer, who, it seemed to him, was either always making mistakes or being blamed for those of somebody else. He could not, nor would not, believe that the Priests of any religion were so bad as the hon. the Col. Secretary represented the Priests of the Roman Catholic Church to be. It had been stated in the House that the Roman Catholic Bishop was Editor of one of the newspapers published in the City.

Hon COL. SECRETARY—I said Censor, not Editor.

Hon Mr COLES—At all events it was well known that the Parsons exercised too much power and influence over the newspapers published in the Island; they should mind their own business and, not willingly give offence to others. The duty of every Minister, no matter to what creed or religion he belonged, was to preach the true doctrine of the faith, according to his own opinions; at the same time taking special care not to attack the religious-faith of his neighbors, but to allow them the same liberty that he claimed for himself; and if the principle were not adopted, and practically carried out, they could not expect peace or harmony in the Colony. Several objections had been raised, and questions asked by hon. members on the Government side of the House, relative to a question that might be put in the Confessional as to the "purity of the flock." He (Hon Mr C.) believed that if the questions were put, as he believed they were put, nobody but the culprit could take offence. Why, it was too well known here, in this City of Charlottetown, that Orangemen when the opportunity offered—and he believed that in many cases the opportunity had been deliberately planned—had never hesitated to defile Catholic girls; and it would certainly be well that the Orangemen should obey the Scriptural injunction:—"Thou hypocrite, first cast out the beam of thine own eye, and then shall thou see clearly to cast out the mote that is in thy brother's eye." There had been no sufficient reasons adduced for the passing of this bill, which, not only from its framing but from the principles it laid down, could not be but most obnoxious to every Roman Catholic. The Orangemen, the body which this Bill sought to incorporate, it was well known, were a violent political faction. Now the Catholics, although they had been often charged with the crime of being Liberals, had no wish to interfere with either the political or religious opinions of others. It was a well known fact that Orangemen were peaceable only when it suited their own purposes. Not long since, a clergyman had been grossly insulted at Brackley Point by Orangemen; and the incorporation of this secret Society, with the rules and regulations, from which extracts had been read by the hon. the Col. Secretary, would be an insult to every Catholic in the Island. It was generally reported that when the present members for the City were brought forward, one for re-election, the other for election, that the Orangemen had put certain questions to them.

Hon Mr DAVIES—Some questions had been put, but an answer had been declined, both by his colleague and himself.

Hon Mr COLES knew that the question had been put to the hon. members, and was satisfied with the explanation. If this Bill passed, they would have party processions, party banners, and a strong increase of party feeling. In fact, it was high time that the hon. the leader of the Government should take some prompt steps in the matter.

[Hon Mr Coles here read a letter from the *Examiner*, relative to the Orange association.]

Hon COL. SECRETARY—Those were bye-laws, not interrogatories.

Hon Mr COLES—Neither Catholics nor Protestants should tie themselves to the tail of any party, but use their best efforts for the common good of the Colony. This could not be brought about by attacking Catholics, as the hon. the Colonial Secretary had done. In England, no Protestant constituency had ever returned a Roman Catholic member as its representative; while the Catholics in this Island had acted in a different manner, as might be noticed in one instance, at least, (although there were others) the return of the hon. member for East Point, who, although a good Protestant, and who did not support the grant to St. Dunstan's College, had been returned by what was termed a Roman Catholic district. The Roman Catholics in the Island had, in fact, thrown out the olive branch, but it was not accepted, and the question arose as to what should be done. Was it safe or politic to keep this political religious question continually before the public? With regard to the matter of prayers, and the allusions that had been made with respect to absent members at the opening of the House, or members leaving the House, he (Mr. C.) was of opinion that no member could feel himself bound to hear the prayers of a political agitator, who had obtained his situation through the influences brought to bear upon the Government by the Society it was now, by this Bill, proposed to incorporate. He (Mr. C.) himself would be no slave even to his own Minister, if he felt that the Minister was going wrong, or requested him to act in a manner inconsistent with his duty, as a member of the House; no matter what the question might be, he would oppose it. The present discussion had been a long and wearisome one; it could not be productive of even the slightest amount of good to the Colony; and the less religious strife was started and encouraged amongst them, the better it would be for the whole Island.

Hon Mr POPE was sorry that so much ill-feeling had been aroused upon this question. He, for one, would be among the last to say anything against the creed of any religious denomination. He had no fear of Catholic ascendancy; as far as he was concerned he had but little to thank the Catholics for; they had always been in opposition to him, but he had always been successful in the encounter. The Society which it was proposed by this Bill to incorporate, was essentially a Protestant one, one that should be supported and encouraged, and one that had been long established. The Roman Catholic Bishop had said that he would unite the members of his Church to turn out the present Government. The Bishop did his best, aided by the press he had at command, to carry out his threat, and he had been most signally defeated. Now, if combination was allowed to exist upon one side, it should surely be permitted on the other. He, therefore, felt it his duty to support the second reading of the Bill now before the House. He was not an Orangeman himself, but he believed that that body had done more than anything else to preserve the peace of the Colony during the late elections. It was a great pity to see parties in so small a Colony so much divided; but he felt bound to say that the gauntlet had been thrown down from the other side, and that Bill now before them was, instead of being an offensive measure, to all intents and purposes one of a defensive character.

Hon Mr DAVIES would cheerfully support the motion for the second reading of the Bill. No matter in what Country—take Spain for instance—where Roman Catholicism was predominant, Protestants were treated worse

than dogs. Yet, in England and her Colonies, and where Catholicism had been allowed, they exercised full rights and privileges. There was nothing, however, in this bill that could infringe upon the religious rite of any Catholic.

Mr DUNCAN was of opinion that the passing and adoption of this Bill would not take away the rights or liberties of any inhabitant of the Island. Under the British flag, every subject was entitled to and enjoyed the freest liberty; but when organizations were arranged upon the one side for political or religious purposes, it surely could not be complained that the opposite side should follow the example and organize too.

Mr HOWLAN denied, in the most emphatic terms, that, so far as he was concerned, there was any political organization.

Mr DUNCAN was willing to accept the hon. member's statement. Every member of this community had a right to his own opinion; and the maxim to carry out should be, to let each other alone, throughout the whole length and breadth of the Island. With regard to the Bill now before the House, he might remark, that if Acts of Incorporation were granted to other secret societies, such as the Free Masons and Sons of Temperance, there could be no fair reason for the House to refuse this Bill being carried through.

Mr HASLAM, although not an Orangeman himself, had learned his first moral precepts from an Orangeman; and the sum and substance of what he has been taught, was "to do his duty to his God and to his neighbour." There was nothing blood-thirsty about Orangemen, for they were taught to do their duty to their Roman Catholic neighbours; and, in passing this Bill, no harm could be done to the Colony; he, therefore, should cordially and cheerfully support the second reading.

Hon Mr THORNTON supported the amendment for the three months reading. The hon. the Col. Secretary had, during the course of this debate, ridiculed the religion which he (Mr. T.) professed; but the hon. the Col. Secretary was one of the last men that should presume to attack any man's religion. In fact it was generally found that those who knew least of religion, or had little religion about them, were the loudest talkers, and the first to attack any and everybody. So far as he (Mr. T.) was concerned, he was willing to allow the fullest liberty in these matters, but he could not act consistently with his own convictions if he did not vote against the further progress of the Bill now before the House.

Hon Mr LONGWORTH was of opinion that too much religious feeling had been introduced into the question now before the House. The whole debate had been too strongly tinged with this feeling. He believed that there was nothing at all detrimental in the Bill, now before them, to either Protestants or Catholics, nor that any thing that could be possibly construed as contrary to right and justice. It proposed the invasion of no man's rights, civil or religious; but it simply asked that the Orange Lodges might be allowed, under the shelter of the law, to protect their own interests. There was nothing in the application inconsistent with the constitutional law of Great Britain, their Mother Country, and he should, therefore, support the second reading.

The question was then put that the Bill be read a second time this day three months. Upon a division the following members voted:—

For the three months adjournment—Hons. Messrs. Coles, Kelly, Thornton, Beaton, Warburton, Hensley, Messrs. Sutherland, Sinclair, Howlan, and Conroy—10.

For the second reading—Hons. Messrs. Gray, McAulay, Col. Secretary, Davies, Laird, Pope, Longworth, Kaye, Messrs. Green, Duncan, Haslam, Howat, Montgomery and Brecken—14.

The House then divided upon the main question, when Mr. McLennan's vote was added to that of the majority, making fifteen for the second reading and ten against it.

The Bill was then read a second time, and referred to a Committee of the whole House. Mr. McLennan in the chair.

A few minutes were occupied in reading the earlier clauses of the proposed Act, when the Chairman reported progress, asking leave to sit again.

The hon. the Speaker then adjourned the House, upon motion, for an hour.

AFTERNOON SITTING.

FRIDAY, March 20, 1863.

The Hon J. H. Gray, a member of Her Majesty's Executive Council, brought up from the bar, and delivered to Mr. Speaker, a message from His Excellency the Lieut. Governor, transmitting copies of 18 Despatches, the principal of which were:—

No. 109. 14th June, 1862.—Secretary of State to Lieut. Governor, remitting charge of £600 sterling, for certain Military Stores.

No. 113. 6th July, 1862.—Secretary of State to Lieut. Governor, respecting Union of British North American Colonies.

No. 122. 28th August, 1862.—Secretary of State to Lieutenant Governor, respecting Barracks in Charlottetown.

January 27, 1853.—Governor of Newfoundland to Lieut. Governor, respecting the establishment of a money order system through the Post Office Department with the United Kingdom, and with the other British North American Colonies.

Separate, 17th December, 1862.—Secretary of State to Lieut. Governor, authorizing discontinuance of Royal Warrants in appointments to offices held under Responsible Governments.

The several messages of his Excellency transmitting Despatches to the House, were made the order of the day for the House in Committee, on Tuesday next.

The Hon Col. Gray also presented to the House various papers which had been laid before the Executive Council, and referred to the House; said papers being chiefly letters from Road Commissioners.

Mr Sinclair presented a petition, of Bennet McLellan, praying for a grant of £25 to compensate him for loss sustained on his contract for rebuilding the Bridge at Indian River.

Three other road petitions were presented.

The House then resumed Committee on the Orange Bill, and the Chairman reported it agreed to without any amendment. A motion being made that the report of the Committee be now resumed.

Hon Mr Coles moved in amendment that it be received this day three months. The House divided—

Yeas—Messrs. Coles, Kelly, Thornton, Beaton, Warburton, Hensley, Sutherland, Sinclair, Howlan, Conroy—10.

Nays—Col. Secretary, Gray, Kaye, Laird, Pope, Longworth, Davies, McAulay, Duncan, Howat, Haslam, Green, McLennan, Brecken, Montgomery—15.

The question was then put on the main motion and carried on the same division, reversing the order of the Yeas and Nays.

Hon Mr Pope presented a petition of Horatio N. Hope and others, praying for the establishment of a Grammar School in Prince County, and a grant in aid of erecting a suitable building for that purpose.

Also a petition of the Trustees of the Lunatic Asylum praying a grant of a further sum of money, sufficient to complete additional accommodation required for that Institution.

Hon Mr McAulay presented a petition of W. B. Aitken and others, styling themselves "members of the Georgetown Ferry Company," praying for payment of the sum of £50, voted by the House of Assembly in the Session of 1862, towards the support of a Steamboat on Montague, and adjacent rivers.

Several ordinary road petitions were then presented, and the House then adjourned.

SATURDAY, March 21.

The House resolved itself into Committee of the whole, to take into further consideration the Bill relating to Steam Navigation in the Island.

The House in Committee. Mr. John Yeo in the Chair.

A slight discussion ensued, and after several verbal alterations in the original draft of the bill, and the filling up of certain blanks that had been left:—

The Hon the Speaker resumed the chair, and the Chairman of the Committee having reported progress, it was ordered that the bill should be engrossed, and that the title of the Act should be "An Act relating to Steam Navigation in this Island."

Hon Mr Coles called the attention of the Hon the Speaker to the fact that a copy of the Warrant Book had not yet been presented to the House.

The House again resolved itself into a Committee of the whole, upon the further consideration of the Bill for the incorporation of the "Marius Insurance Company of Prince Edward Island."

Hon Mr Warburton in the chair.

The Bill was read through, clause by clause, and agreed to. Progress was reported, and the Bill ordered to be engrossed.

The Hon John Longworth laid before the House the copy of the Warrant Book for the past year. It was referred, upon motion to the special committee upon Public Accounts.

The House again went into Committee upon the next order of the day on the petition from the Council of the City of Charlottetown, praying for the passing of an Act to guarantee a loan sufficient to enable the Council to erect a new Market House.

Mr John Yeo in the Chair.

After the petition had been read, the Chairman reported progress and House adjourned.

AFTERNOON SITTING.

The Bill to incorporate King Hiram Lodge, No 1123, of Free and Accepted Masons of St Eleanor's, in Prince Edward Island, was reported from the Committee on Private Bills, read a second time, committed, and reported agreed to.

Mr Green presented a petition from Daniel J. Gillies, Miscouche, Lot 17, praying remuneration for services in receiving and delivering letters and papers left at his house by mail carrier, and also that a Post Office be established in said settlement.

Hon Col Gray, from the Committee appointed to join a committee of the Legislative Council, to prepare an Address to Her Majesty the Queen, praying that Her Majesty will be graciously pleased to give her Royal Assent to the Act passed by the Legislature of this Island in the Session of 1862, for confirming the Award of the Royal Commissioners; unless cause to the contrary can be shown before a judicial tribunal, by the proprietors to be affected by the said Award, presented to the House the draft of an Address as prepared by the Joint Committee, which Address being again read at the Clerks table was agreed to by the House.

A Committee was appointed to join a Committee of the Council to prepare an Address to his Excellency, desiring him to transmit the aforesaid Address to Her Majesty the Queen. The House then adjourned.

MONDAY, March 23.

The Hon Mr McAulay moved that the order limiting the time for the presentation of private petitions be suspended in order to enable him to present a petition.

Mr Howat suggested that if there was to be a suspension of the standing orders, it should be at least for the whole day.

This was agreed to and the following petitions were presented:—

Hon Mr McAulay—From William Norton and others, praying for a grant sufficient to build a draw or space Bridge at the head of Grand River, in order that vessels might be enabled to pass through.

Hon Mr Coles opposed the petition, and thought that the parties should do the work themselves.

Hon Mr McAulay in reply would inform the hon the leader of Opposition, that the carrying out of the proposed plan, would be a great public benefit, and therefore it was only reasonable to ask that a fair share of the expense should be borne by the public.

Mr John Yeo—From inhabitants of Lot 12, and other neighboring inhabitants for a grant to aid them in building a bridge on the road leading from Conway's Cove to Barlow's Road; and also for the opening of a new road from Barlow's road to the new settlement, at the entrance of Conway's Cove.

The foregoing petitions were tabled.

Mr Howat presented a petition from James Wood, the Trustees of the Minor School and others in the back settlement of Tryon, praying for an allowance to Henry Lecky, an unlicensed teacher, on account of services performed during the past year. The petition was referred to the special committee upon Schools and Education.

Upon the motion of the Hon Mr Warburton, a Committee was appointed to inquire into and report upon the management of the Prince of Wales College; and to ascertain the number of scholars in attendance, distinguishing the town from the country scholars. The motion was agreed to, and Messrs. Warburton, Haslam and Green were appointed as the Committee.

Hon Mr. McAulay moved that there should be a call of the House on Thursday next, for the purpose of taking into consideration the petitions now lying on the table.

Agreed to, and the House adjourned.

AFTERNOON SITTING.

MONDAY, March 23.

Hon Mr Coles complained of the printing of the Journals of the Session being so far behind.

Hon Col Gray admitted the justice of the complaint.

The Clerk was ordered to write to the Contractor on the subject, and then the House adjourned.

TUESDAY, March 24.

It was resolved that there be a call of the House on Thursday for the purpose of taking into consideration the several petitions before the House, and upon which orders had already been made.

It was then moved by Mr. F. Brecken, "That the House do now resolve itself into a Committee of the whole, to take into further consideration the memorial of the City Council, of Charlottetown, praying for the passing of an Act to guarantee a loan sufficient to build a new Market House."

Agreed to.

The House accordingly resolved itself into Committee. Mr. John Yeo in the chair.

The petition and the documents connected therewith having been read by the Clerk:

Mr BRECKEN, in supporting the prayer of the petition, was of opinion that the Corporation and inhabitants of the City of Charlottetown required a new and more commodious Market House, not more for the benefit of the City than for the whole Colony, the inhabitants of which periodically visited it for the purpose of disposing of their produce. All that the Corporation asked, was a guarantee from the Government to enable them to obtain a loan; and the present dilapidated structure, which was a disgrace to the City, might be replaced by a new, much more ornamental and useful building. He, as one of the representatives of the City of Charlottetown, was not asking for a grant of money, but simply for an indemnity.

Hon Dr KAYE briefly seconded the resolution.

Hon Mr DAVIES thought that no one could doubt or deny the desirability of having a better Market House than the present one, both for the convenience of the inhabitants and the comfort of the country people, who came to sell their produce. The present Market was certainly a dis-

grace to the Colony, and the sooner an improvement could be made the better it would be for the whole community. The security offered by the Corporation was ample; and he believed that the proposed investment, if fairly carried out, would be beneficial to all parties.

Hon COL. SECRETARY—How did the City authorities propose to meet the liabilities that the passage of this Act, if carried, would entail upon them.

Mr BRECKEN—The City authorities were fully prepared to meet the liability.

Hon COL. SECRETARY—If the City Council would make proper arrangements to meet the interest of the proposed loan he could have no objection to it.

Hon Mr McAULAY, while admiring the talents of the hon. members for Charlottetown, and giving them full credit for doing their duty to their constituents, could not support the application.

Hon Col GRAY was of opinion that more information was necessary; and that before the Government should be called upon for a pledge on account of such a loan, it was the duty of the City authorities to shew that efficient means had been provided for its repayment, either by a sinking fund or otherwise; and if this were done, there could be no objection on the part of the Government to guarantee the required loan.

Hon Mr HENSLEY was also of opinion that the duty of devising the scheme devolved upon the Civic authorities. If this were done to the satisfaction of the House he could see no objection to the required guarantee. It was evident, however, in the present state of the question, that before any action could be taken more information was necessary.

Mr. BRECKEN thought it would be premature for the City Council to pass a bye-law upon such subject. He was not prepared on that occasion to go into any lengthened details; but it must be obvious to all that the means of repaying the loan must be derived from the Market tolls, and, perhaps, by a slight increase of taxation. The time to take objection to this matter was when the Bill was brought in; but if the public money was freely spent upon public works in different and distant parts of the Island, surely there could be no legitimate objection to this guarantee for a loan towards building a new Market in the City; a Market made convenient for all parties, and built as much for the accommodation of their country friends as it was for the convenience of the Citizens of Charlottetown.

Hon Mr COLES was of opinion that this was one of the matters that should have been initiated by the Government. The Market was more a benefit and shelter for the country people than for those of Charlottetown; and it was hardly fair that the City should, in incurring the expense of building a new Market, be called upon to share the whole responsibility, or bear the whole burden. The City expenditure, according to the last published accounts, amounted to over £2,200; and a great portion of that amount was expended, not for the accommodation of the inhabitants of Charlottetown, but for the benefit of their country friends who used the Market and paid no tolls. In case of the erection of a new Market, he should strongly object to its being built upon the site of the present one, for there were many other more advantageous places in the City, more convenient for all parties, and better situated for drainage, and every other useful purpose. He did not believe, however, that the subject was fairly or legitimately before them at the present time. If a new Market was required—(and no honorable member present, who had the slightest acquaintance with the subject, would deny the fact that their present Market was a disgrace to them)—it was but fair that public accommodation should be paid for out of the public purse; and that the inhabitants of Charlottetown should be requested to incur the entire responsibility, was out of the question. Referring again to the last published accounts of the City Council, it would be found that the revenue from the stalls in the Market, amounted to £30 15s 9d, while the salary of the Clerk was £31 2s; a small bill for the reparation of the stalls was thrown in, making the

expenditure, according to the published report, £34 13s, to collect £30 15s 9d. In the Surveyor's department too, under the heading of "Streets and Squares," it would be found that £23 3s 10d had been paid for repairs, labour, and material, at a cost to the Citizens of £15. Now, this should not be. If the City wanted assistance, proper arrangements should have been previously made with regard to the important question of repayment. He believed, however, that it would be much better that the question should be postponed—the present Government having liabilities enough to meet without engaging in others.

Hon Col GRAY, some four years ago, had the honour of presenting a petition to the House, offering a subscription towards the establishment and erection of a new Market House; the amount guaranteed was £1,500; but, he believed, that if £2,000, or even £4,000, had been required for the purpose, it would have been easily raised. His proposition was, however, defeated by a trifling majority.

Mr. DUNCAN was of opinion that the Market House was a shop for the country producers: and the City Council should pause very seriously before they added a debt of £5,000, or £6,000, to their present liabilities. The cost should come out of the general revenue, for the Market tolls, he believed, would raise scarcely more than £100 a year, and where was the provision for the sinking fund to repair the debt, if incurred by the City Council.

Hon Mr McAULAY denied that the Market in Charlottetown, and the accommodation afforded by the Market House, were more for the benefit of the country people than for the Citizens of Charlottetown themselves.

Hon Mr LONGWORTH was of opinion that in this matter they had a hard and very difficult nut to crack. There was no doubt but that their present Market was a standing disgrace to the City, and it was yearly getting worse. The question of the site for a Market House was not the question at the present time before them; the City Council applied to that House for an endorsement in the matter. He was of opinion that although it was but fair on the one side that the City revenue should contribute largely to the construction of the proposed new Market, yet, on the other hand, the general revenue of the Colony should bear its fair proportion in carrying out and completing what would be a general benefit. The question, however, was not yet fairly before them; and it was a grave question, considering the present debt of the City, as to whether the Council should in any way increase that debt. For his own part he was of opinion that it would be beneficial to the City to suspend its Act of Incorporation, appoint a stipendiary Magistrate, and reduce the present staff of officials, in order that the City revenues might be hoarded up until their finances were brought into a more sound and healthy condition. If the proposed building were erected, the House might, perhaps, grant a sum, but at the present time he objected, and was unwilling to pledge any portion of the revenue of the Colony for such a purpose.

Hon Mr COLES agreed with the hon. and learned member who had last spoken, that it would be advisable to suspend the City Charter. Their expenditure was on the most extravagant scale, and yet the roads in the neighborhood of Charlottetown were worse than those in any other part of the Island. Why even after money had been subscribed for planting trees along the sidewalks of the City, and the work had been carried out, the City Council neglected them, and the consequence was that the trees had been destroyed.

The Speaker then resumed the Chair, and the order for engrossing the Bill relative to Steam Navigation in the Island was discharged, in order that the Bill might be re-committed with a view of making some alteration in the last clause.

The House again resolved itself into Committee. Mr. Montgomery in the Chair.

The proposed amendment was agreed to, "that nothing in this Act contained shall apply to Steamers registered in

any Foreign Countries, unless such vessels shall be engaged in the conveyance of mails or passengers to or from this Island to any other country or colony, nor to Steamers the property of Her Most Gracious Majesty the Queen."

The Chairman reported progress, and the report of the Committee was adopted. The Bill was ordered to be engrossed under the title of "An Act relating to Steam Navigation in Prince Edward Island."

The House then adjourned.

AFTERNOON SITTING.

The Bill relating to Steam Navigation in this Island was read a third time and passed.

Hon J. C. Pope, a Member of Her Majesty's Executive Council, presented to the House Accounts and Returns of the Commissioner of Public Lands for the year ending January 31, 1863.

Hon Mr Kelly moved to suspend the rule in regard to the time of receiving private petitions in order that he might present a petition from a primary teacher.

Hon Mr Pope objected, and the Speaker said he could not put a motion to suspend a standing rule of the House if one member expressed himself as opposed to it.

The House then went into the order of the day, viz.: the House in Committee on the different Messages of His Excellency, transmitting Despatches. Mr. Haslam in the chair.

Upon Despatch No. 113 being read,

The Hon the SPEAKER said that he was afraid the Colony was not fully alive to the importance of the question involved in the Despatch now before them. It was matter for grave consideration whether it would be better for Prince Edward Island to be annexed to the proposed Confederation of the Lower Provinces, or to remain as at present. He believed that joining the proposed Confederation would be of no advantage to the Colony, and a fair illustration might be found in the case of Cape Breton.

Mr. DUNCAN was of opinion that if the Colony was annexed to the other Colonies that their taxes would be increased to a large extent, while they would have forfeited the right of self-government.

Hon Mr WARBURTON said that the Union of Ireland to England was a case in point, shewing that it was not well to annex a small country to a larger one; and he was of opinion, notwithstanding all their Despatches, that it would be for the interests of the Island to remain as they were.

Mr. CONROY had been for years of opinion that annexation would not benefit the Colony, but recent circumstances had led him to change his opinion. An evil genius had been at work amongst them stirring up religious strife, and setting neighbour against neighbour to such an extent that he believed the lesser evil would be an arrangement by which Prince Edward Island might be annexed to one of the adjoining Colonies.

Mr BRECKEN could not but consider the question now before the House in a morbid state. Annexation would cure none of the evils the Colony was labouring under, and he believed that it was not for Prince Edward Island to take the initiative in the matter. The only advantage he could see, supposing the annexation scheme to be carried out, would be perhaps an equalization of the tariff throughout the Provinces; while, on the other hand, the disadvantages would, he believed, be very great; they probably would be taxed on account of railroads already constructed, or in course of completion; and they might also expect an *ad valorem* duty of two-and-a-half per cent fixed upon all goods imported into the Island. The natural position of the Colony gave the Colonists the full benefit at the present time, for if they were expected to bear a share of the public burdens, more information and explanation should be given. At all events it would be much better if one of the three larger Colonies, took the question in hand and not leave Prince Edward Island to take the lead. The Land Question

itself was scarcely of greater importance to the Colony than this one; and he trusted before any step was taken by the House in the matter that it should be thoroughly ventilated.

Hon Mr LONGWORTH thought the whole question was a mere Nova Scotian feeler, but neither Canada, New Brunswick, or Nova Scotia had committed themselves with regard to this proposition. He understood that it was a favourite scheme of Mr Howe to knit the Colonies together, upon the two points of defence and finance. He (Mr L.) knowing that Prince Edward Island was self dependent, should not sacrifice her dearest interests, as he feared she would do if this proposition should be successfully carried out. Cape Breton were like themselves at one time; now it was a mere appendage to Nova Scotia, forming only three or four counties attached to that Colony.

Hon Mr WARBURTON—Yes, in the same way and with the same results as the joining Ireland to England.

Hon Mr LONGWORTH—The plan of this great scheme had been altogether undefined by any agent, or even any honorable member who had spoken upon the subject, and he believed that no thorough plan had been devised; but even should it be devised and sent in at a future session, he trusted the House would not sanction it, nor the people approve of it; if they did so they would lose their identity as a Colony, no matter however small. Annexation to the other Colonies, in British North America, cannot recompense Prince Edward Island for the loss of independence. He moved a resolution to that effect.

Hon Mr LAIRD seconded the resolution.

Hon Col GRAY agreed with part of the resolution, but he feared that, in grasping suppositious difficulties, they might be deceiving themselves. In the proposed union, Canada, part of New Brunswick, Nova Scotia, and Prince Edward Island might amicably join in a Federal Union. Take Rhode Island for instance, one of the smallest, if not the smallest, in the Federation of the Northern States, she had done her duty during the present war, having cheerfully and more readily supplied the demands made upon her by the Government, than larger States in proportion supplied. Now, taking Rhode Island, taking Guernsey and Jersey, and even the Isle of Man, what did they find? There were none harmed. And if Prince Edward Island agreed to join the other Provinces, she would internally become a part of a great nation, instead of being isolated as at present. The suggestion His Grace the Duke of Newcastle had made in the Despatch, was merely an initiatory one, and he believed that the question should be thoroughly understood by every member of the House, and it would, perhaps, be as well, therefore, to let the matter lie over for that purpose. He, for one, felt strongly upon the question of the Union, provided it could be arranged and carried out in a proper form. Looking at what was going on in America at the present time, and what the painful results were likely to be, and knowing that a great railway was in course of construction, which would be the great commercial highway to China, Japan, Vancouver's Island, and all the shores and Islands of the Pacific passing through English territory, he believed, he was warranted in saying, such a state of things, if the Colonies all heartily joined together, that the inhabitants of the countries through which the railroad was proposed to be carried, would add very much to bring about a desirable result.

Hon Mr LONGWORTH heartily agreed to withdraw his resolution for the present; but it must not be implied, in doing so, that he wished the Island to be joined to any other Colony, or to give up one single right of their local Legislature.

Hon the SPEAKER differed very much from the sentiments expressed by the hon. the leader of the Government. Prince Edward Island, he thought, should have an opinion of its own, and a fair opportunity of expressing such an opinion. Rhode Island had been alluded to; and here the question arose with regard to their union to Canada, New Brunswick, and Nova Scotia,—was it to be a Federal or

Legislative one? Could they, as Rhode Island did, manage their own affairs, have their own Legislature, and raise their own taxes, he feared not; and, until he saw his way clear before him, he would not sell his birth-right for a mess of pottage. Some stress had been laid in reference to the Isles of Man, Jersey and Guernsey, but each of those Islands were held under Norman federal rights, and possessed, even to this day, peculiar privileges. They were not annexed, nor federated, or confederated, but retained their own rights; and this should be an example to Prince Edward Island.

Hon Col GRAY said that he must have been misunderstood; he never, for a single moment, insinuated that either Jersey, Guernsey or the Isle of Man were in a better position than that now occupied by Prince Edward Island. Neither of them were clear, he believed, of a certain liability, in the respect of either debts or taxes; but the real question alluded to in the Despatch before them was not annexation, but union. At the present time they were combatting shadows; and it might be the most prudent course for the Colony not to take the initiative step on so important a question, until the pulse of the neighboring Colonies had been felt.

Hon Mr COLES was of opinion that it would have been much better if this important subject had been initiated by their own Government, instead of writing for an opinion to urge them on, from elsewhere. The question was of great importance to the Colony. It naturally arose to the minds of all parties (or should have arisen to their minds) the question, was the proposed combination to be of a Legislative or a Federal character? He, for one, thought that it would be much better for all parties, and that the prosperity of the whole Colonies would be advanced, if Prince Edward Island were admitted into a union like that of the United States. Besides, it should be remembered that the Colonies were not fairly represented—in fact, he might say, with some degree of truth, that they were not represented at all in the Imperial Parliament, or at the office of the Home Government. An offer had been made by the other Colonies, which should be accepted by the inhabitants of Prince Edward Island. The Island, however, was not, after all that had been said about it, quite a "sleepy hollow," for it had initiated the practicability of carrying out the principle of many important measures—the least of which was the Bill for the election of a Legislative Council. If the resolution or suggestion contained in the Despatch were agreed to, they would, no doubt, have to send delegates from here to meet a delegation from the other Colonies; and, notwithstanding the expense that might be incurred, he believed, that it would be for the benefit of the Island. For, by joining this proposed union, Prince Edward Island, he believed, would be put above the baneful influence of the Cunards and other large proprietors. The Cunards had no influence in other Colonies, and a consultation of delegates could be of no disadvantage to Prince Edward Island. Their delegates need not bind themselves, nor allow themselves to be swamped; but upon what was termed the "log-rolling principle," might make their own terms.

Hon COL. SECRETARY believed that Prince Edward Island would follow in the wake of the other Colonies, but it was not for them to take the initiative. There could be no doubt but that, sooner or later, a great empire, under the protection of the British flag, would be formed at the northern extremity of this great continent, stretching from sea to sea; but, under present circumstances, he believed, that it would be far better, before any action was taken, that the propositions from the other Colonies, respecting the proposed federation or annexation, should be more fully developed, and that propositions, upon the subject should be waited for from the other Colonies.

Hon Mr McAULAY said a great deal of money had been raised in railway speculations by the other Colonies—they were invited to join,—and if Prince Edward Island joined with them, there could be no doubt that the proposed confederation would inevitably be swamped with the weight

of other debts, belonging to the proposed confederation. Upon this question, he was far above all party or political feeling, and he hoped that the suggestion, or resolution, might be withdrawn.

Hon Mr HENSLEY could not wonder that doubts might have been expressed upon the question, as to whether the Despatch from Nova Scotia, was a genuine one. It could not be understood from that document whether the proposed union of the Colonies was to be of a Federal or Legislative character. He, for one, was not prepared to give up the management and control of their local affairs. A federal union might be advantageous, but at present there was nothing tangible before them.

Hon Mr DAVIES thought that the Colony was never as well off as it was at present. If Prince Edward Island had joined the other Colonies, in the proposed union or federation, he had no doubt but that little less bitterness would have been shown towards them than had been exhibited lately. So long as the British Government afforded protection to them, he believed that there was no danger.

Hon Mr THORNTON believed that a Legislative Union was out of the question, and that a Federal Union would be of no use whatever. If Prince Edward Island joined the proposed federation it would be annihilated, so far as its political rights were concerned; and he, for one, would not consent to the passing of an act likely to bring about such a result.

Hon Mr COLES again urged that speedier communication with the other Provinces would do no harm; it might lead to further results than the improvement of their Steam boat and Postal accommodation, which was well known to be very deficient at the present time. He would, therefore, move the following:

“That it is the opinion of this Committee that any suggestions offered by the Governments of the other Provinces, to take into consideration any measure for a union of sentiment, upon any question affecting the general interests of the Provinces, the Government of this Island ought to send a delegate, or delegates, to meet the delegates from the other Provinces, and to determine any plan to be submitted for the consideration of the different Legislatures.”

[A slight desultory conversation here occurred.]

Mr HOWAT could see no necessity for a delegate, or delegates. They had got the Despatch, and he thought it hardly necessary to send a delegate to Nova Scotia for the purpose of obtaining an understanding of it. It was well known that the scheme of a Legislative Union was one of the favorite schemes and ideas of Mr. Howe; but he, for one, objected—although their present condition might not be all that could be required—to be tacked on to Nova Scotia; their position would be much worse than at present—in fact, they would be like the country members, who came to attend to the business of the country in town.

Hon Mr COLES was quite prepared to withdraw his resolution.

Hon Mr LONGWORTH was not at all wedded to his resolution, and should be pleased to be allowed to withdraw it.

Hon Mr KELLY expressed himself strongly opposed to a union of any kind between the Colonies, and thought it better that no delusive hopes should be held out on the subject.

The Speaker resumed the chair.

The Chairman reported progress, and the House adjourned.

WEDNESDAY, March 25.

Hon Mr Hensley presented a petition from Messrs. Crawford, and others, for the Incorporation of a Presbyterian Church at Bay Fortune.

Hon the Speaker ruled that the presentation of the petition was out of order. It was one of the standing rules of the House that all private petitions should be presented within fourteen days of the opening of the House.

Hon Mr Hensley bowed to the decision of the Speaker, and withdrew the petition.

Hon Col. Secretary presented a petition from the New York Telegraph Company, praying for an Act of Incorporation.

Hon J. C. Pope said that the Company had never done what they had promised to do for the Island. A new cable should have been laid down as agreed upon. He objected to the reception and the prayer of the petition.

The Hon the Speaker, after examining the petition, found that it had only been signed by an agent, and not by the petitioner or petitioners themselves; it could not, therefore, be received.

Hon Col Gray thought this a matter of some importance. The Company, making the application, could have no claim upon the Government in any shape or form; for, during the whole time that they were subsidized at the rate of £300 a year, they were not courteous enough to send a telegram to the Government.

[Some slight and uninteresting discussion here ensued, which resulted that, in obedience to the Speaker's dictum, the petition was withdrawn.]

The House then resumed the order of the day upon the despatches from His Grace the Duke of Newcastle.

Mr. Haslam in the Chair.

A Despatch offering to cede to the Government of Charlottetown the site of the present barracks, upon the proviso that if at any time the Home Government should send out troops to the Colony, the inhabitants would find suitable shelter and accommodation for them, was then read.

Hon Col GRAY said that the land was of the most valuable character, from its peculiar and advantageous position. A similar offer, or a similar question, had been raised years ago, but it would be scarcely worth the while of the House to wade through a long list of old Despatches which almost invariably contradicted each other. He believed that the spirit and offer of this Despatch was *bona fide*; that the Home Government were willing to cede all their right and title to the grounds in question, upon the condition that the Colony should undertake to provide for the accommodation of troops sent to the Island in case of war. The land, he believed, might be sold for from £6,000 to £7,000. It was one of the best frontages that could be found, extending round from Mr. Purdie's to the wharf of his late hon. colleague, Mr. Douse, and a finer position for wharves or warehouses could not be obtained in the whole neighborhood. The proceeds of the sale would form a good fund from which to defray a portion of the expense of their Volunteer force, and thus enable them to reduce the annual grant on that account.

Hon Mr COLES thought it advisable to accept the offer of the Imperial Government. It would make an admirable situation for a new Market House, and by proper arrangements might be made to produce a large revenue.

Hon J. C. POPE trusted that the hon. the leader of the Government would bring in a bill to facilitate the acceptance of the Imperial Government, and provide for the sale of the property. He was of opinion that, with proper arrangements, the interest upon the purchase money would be quite sufficient to keep their Island Volunteers in a proper state of efficiency without an annual grant.

Hon Mr COLES, if the property was sold, was of opinion that the full benefit of the sale should be reaped by the City. Personally, he had no concern in the site of a new market, all he wished was to see the present unsightly building removed from the square.

Hon Mr DAVIES was of opinion that it would be barely an act of justice to the City of Charlottetown that a portion of the land about to be accepted by the local Government be ceded for City purposes. He believed, he might say that if the Government would grant a portion of this land to the City, they would hear of no more applications for aid in erecting a new Market House.

Mr CONROY could not but express his opinion that the grant to the Volunteers was productive of much more harm

than good to the community at large; a good Market House would be much more beneficial, not only to the City, but to the whole Island.

Hon Col GRAY trusted that the suggestion contained in the Despatch would be adopted by the House. It was almost a necessity to have a stand of arms in the Colony, as well for the purpose of defence as that of training our young men to their proper use. Not a single penny of the Government allowance had gone into the pockets of the Volunteers—they had borne their own expenses—but it had been expended upon drill-serjeants to instruct them, and the cost of warehousing the arms.

Hon Mr WARBURTON—If the property is disposed of some reservation ought to be made, with respect to the accommodation of any troops that might hereafter be sent to the Colonies.

Hon Mr McAULAY could not but express his opinion that if the Imperial Government gave up their rights in this property, it should not be for the benefit of Charlotte-town alone.

Hon Col GRAY—The money should be paid into the public chest for military purposes.

Hon Mr HENSLEY said it appeared clear from the Despatch now before them, that the Duke of Newcastle was willing to give up the property to the Island Government upon certain conditions—the principal of which was the provision for the accommodation of troops, supposing they should be sent to the Island. The land in question was worth, he believed, from £7,000 to £8,000; and a Market House might be erected on a portion of it, which would still further enhance its value, and that of the surrounding neighbourhood. He thought an act should be introduced, and then they could go into details.

Hon Mr LONGWORTH was of opinion that an Act should be passed accepting the offer, so as to enable the Government to give a legal title to the purchaser or purchasers. The Volunteer movement was an honour to the age, and he was sure that the Volunteers of Prince Edward Island would not fail to follow in the footsteps of the Volunteers of the Mother Country, or those of the neighboring Colonies, in defence of their hearths and homes. He believed that the land in question would not be a good site for a Market; it was situate at too extreme a point, while the City was extending in another direction. He was of opinion that a portion of the proceeds of the sale might be appropriated towards the erection of a new Market House, but that the bulk should be paid into the Treasury as a fund for the sustentation of the Volunteer force. This would be a proper and legitimate mode of appropriation, for it would give a stability to the Force, and place it above the influences and whims of members of that House.

Mr CONROY had no objection to their playing soldiers so long as it did not cost the country anything.

Hon Mr COLES having carefully read the despatch, was of opinion that it was only the buildings offered by the Home Government, and not the land. It was the only place where the Volunteers could drill or practice; and above all, he believed that the battery should be preserved. In case of war, England would be bound to protect the Island, and the only place to defend the harbor, would be from the battery. The present buildings might perhaps be made use of for the purposes of a market, while a portion of the ground might be handed over for the use of the Volunteers.

Hon Mr LONGWORTH believed the only question was, whether it was expedient to dispose of the whole property that had thus been placed at the disposal of the Island Government. He thought it would be as well to retain a small portion round the battery, and enough for the purposes of the Volunteers. The rest would be mere matter of detail.

Mr BRECKEN was of opinion that the offer of the Imperial Government was only an act of justice towards the City. From his reading of the Despatch it was his opinion that the whole of the property was to be ceded; and as the ground was among the most valuable in the City, there should be neither doubt nor

hesitation as to the acceptance of the offer; he trusted, however, that a portion of the funds realized by the sale, would be appropriated towards the erection of a new market in the City, which would be a mutual accommodation for the citizens and their country friends.

Hon Col GRAY believed that it would never, perhaps, require more than 600 men to defend the City. Any attack made upon it, must, almost of necessity, be made by means of privateers; and it was folly to suppose that when they could go higher up the river, where they had equal command of the City, that they would come and voluntarily place themselves under the guns of the City Battery. Whatever sum, however, that should be received for the sale of the property in question he believed, should be devoted to strictly military purposes.

Hon Mr POPE thought they might pass a short Act in order to enable them to discover the full intention and meaning of the despatch now under consideration. He coincided with the remarks and opinions of the hon the leader of the Government upon this matter.

Hon the SPEAKER was of opinion that the terms of the despatch offered the buildings as well as the ground. If the offer was accepted by the House, as he trusted it would be, the proceeds ought, undoubtedly, to be applied, or reserved for military and volunteer purposes. The City had neither right nor claim upon the fund, so raised.

Mr BRECKEN again urged the claims of the City for a portion of the proceeds of the sale of the land, &c. A good market would be desirable both for the citizens and their country friends, he had no objection that the Volunteers should receive the largest share, but thought if £2,000 were to be appropriated for market purposes it would be mutually advantageous to all. He was not tied to any pledge in this matter, but nobody could help observing what an advantageous position a portion of the barrack ground offered for the purposes of a market. The mere question of drainage alone was worth consideration. A Market House erected upon a portion of the land proposed to be ceded, would be always useful; a standing monument of Peace, and far more useful to the whole community than any warlike operations or preparations of any kind.

Hon Mr COLES was of opinion that the money resulting from the sale of the barracks, should be paid into the Public Treasury, and that the interest thereon should be allowed to accumulate. The whole fund realized, ought to be devoted for military purposes, and the question of a new market had nothing to do with the matter. Whatever was realized by the sale should be strictly appropriated for military purposes.

Hon Mr DAVIES said that if the land was sold for military purposes, it could not, of course, be expected that the funds might be appropriated for other objects. He was very sorry to see so little sympathy in the House with regard to the market accommodation for the City; notwithstanding which, however, he thought it would be best to secure the land for military purposes, rather than let the opportunity for securing the land slip through their fingers.

Mr DUNCAN—inquired if the ground upon which the battery stood, and the battery itself, was to be reserved.

Hon Col GRAY repeated his opinion that there was not the slightest necessity for a battery there. It was in one of the worst positions, in a strategic point of view, that could be conceived.

Hon Mr HENSLEY, while paying a high compliment to the Volunteer Force of the Island, could not but object to a permanent appropriation of the funds raised by the sale of the Barrack Site, for their sole use and benefit.

Hon Mr McAULAY—The very best way would be to pay the money into the Treasury Chest.

Mr MONTGOMERY would not like to pledge himself in any way; but he was willing for a grant towards a new market house in Charlottetown.

Mr SINCLAIR was of opinion that the proceeds of the sale of the property should be paid into the Treasury without any restriction; and that the usual grant to the Volunteers (which force he thought would soon be numbered among the things of the past) should be annually brought before the House.

The Chairman then reported progress, to the hon the Speaker, asking leave to sit again. This was granted, and the House adjourned for an hour.

AFTERNOON SITTING.

WEDNESDAY, March 25.

The House resumed Committee on the several messages of His Excellency the Lieut. Governor, transmitting Despatches.

The Despatch of His Grace the Duke of Newcastle on the subject of extending the Post Office money order system to this Island, having been read:—

Hon Mr DAVIES said that he thought this system would be a great advantage to the Colony. Some better security than at present required to be afforded to those transmitting money by Mail. Registering the letters was of very little use, because when the Mails were robbed registered letters, being marked, were generally taken and the others left, consequently those who did not register were the best off.

Hon Mr COLES also expressed himself in favor of the system, and thought that the report of the Postmaster General ought to be before the Committee.

After several other hon. members had spoken on the subject, the following resolution, proposed by Hon Mr Longworth, was agreed to:—

"This House having had under consideration a Despatch from His Grace the Duke of Newcastle, dated the 30th day of August, 1862, addressed to His Excellency the Lieutenant Governor, upon the subject of extending the Money Order Post Office system to this Island, and certain correspondence which has passed between the Government of this Colony and the other North American Colonies, upon the same subject: **RESOLVED**, That it is the opinion of this House that the establishment of the Post Office Money Order system, between this Colony, Great Britain and Ireland, and the other British North American Colonies, would prove advantageous to the interests of this Island, and this House approve of the principles and guards set forth in the Minutes of Council of the Canadian Government, and assented to by the Government of this Colony, for the regulation of the system."

After two or three other Despatches were read, the Committee arose and reported progress.

Hon COL SECRETARY moved that the Bill to Incorporate the Grand Orange Lodge of Prince Edward Island, and the Subordinate Lodges in connection therewith, be now read a third time.

Mr CONROY moved, in amendment, that it be read this day three months. He did not wish this Bill to pass, even at its present stage, without giving it his feeble opposition. This he did that he might be able to give a proper account of himself to his constituents on his return. He thought the Bill calculated to do a great deal of mischief. He was not going to hunt up long, musty documents to prove what evil Orangemen had done; but he would read one extract in reference to their doings in his own county of Wexford. It was the charge of Lord Chief Baron Fletcher to the Grand Jury of the County of Wexford, at the Summer Assizes of 1813, in reference to agrarian disturbances and their causes. Speaking of the Orangemen as one of the disturbing elements the Judge said:—

"In the next place the county has seen a Magistracy ever active in some instances and quite supine in others—this circumstance has materially affected the administration of the Laws in Ireland. In this respect I have found that these Societies, called Orange Societies, have produced most mischievous effects, and particularly in the North of Ireland. They poison the very fountains of Justice, and even some Magistrates, under their influence, have sometimes violated their duty and their oaths. I do not hesitate to say, that all associations of every description in this country, whether Orangemen or Ribbonmen—whether distinguished by the colour of Orange or Green—all combinations of persons bound to each other by the obligation of an oath in a league for a common purpose, endangering the peace of the country,

are, and I pronounce them to be, contrary to Law. And should it ever come before me to decide upon the question, I shall not hesitate to send up Bills of indictment to a Grand Jury against the individual members of such an association when ever I can get the charge properly sustained. Of this I am certain, that so long as those associations are permitted to act in the lawless manner they do, there will be no tranquility in this country, and particularly in the North of Ireland. There, those disturbers of the public peace, who assume the name of Orangemen, frequent the fairs and markets with arms in their hands under the pretence of self defence, or of protecting the public peace, but with a lurking view of inviting attacks from the Ribbonmen, confident that, armed as they are, they must overcome defenseless opponents and put them down. Murders have been repeatedly perpetrated upon such occasions, and the legal prosecutions have ensued. Yet, such have been the baneful consequences of those factious associations under their influence, Petty Juries have, on some occasions, declined to do their duty."

His object in reading this document was to show that in some instances, petty juries, in Ireland, had refused to do their duty. No law should be passed, or association recognized, that might tend to undermine the confidence of any denomination in the administration of justice. He believed that, at present, there was confidence throughout the Colony in those who occupied the Judge's bench, but if this Bill passed, there was no saying how long confidence might continue. If one of those respectable gentlemen who presided at our Supreme Court, were to be taken out of the world, who would probably fill his place but the nominee of Orangemen? This consideration alone was sufficient to make all Roman Catholics oppose the Bill.

Hon Mr Coles seconded Mr. Conroy's motion, and after a few remarks from one or two other hon. members the House divided.

For Mr. Conroy's amendment—Messrs. Conroy, Walker, Sinclair, Coles, Warburton, Kelly—6.

Against it—Hon. Col. Secretary, Gray, Kaye, Laird, Pope, Longworth, McAulay, Montgomery, Brecken, Howat, Duncan, Haslam, Green,—13.

The question was then put on the main motion, which was carried 13 to 8—division the same as above, except that Messrs. Hensley and Sutherland, coming in, voted against it.

The question was then put on the motion that the Bill do pass, which was carried 15 to 8. Messrs. Davies and McLennan voting among the yeas, in addition to these in the previous division.

Hon Col Gray, a member of Her Majesty's Executive Council, presented a return of the pupils attending Prince of Wales College for the term commencing January 1863.

The House then adjourned.

THURSDAY, March 26.

In accordance with a previous resolution, there was a call of the House this morning to enable hon. members to present petitions.

Several members were absent. Hon Col Gray, during the delay caused by such absence, introduced a proposition that had been received by telegram from Mr. Baultanhouse, with regard to the Mail service, and said it would be for the House to give a decision upon a matter of such importance to the interest of the Colony.

The Hons. E. Whelan, J. C. Pope and J. Longworth, were reported absent without leave. At a subsequent period Messrs. Pope and Longworth appeared at the Bar, in custody of the Sergeant-at-Arms.

The Hon Mr. Beaton was absent upon leave.

The Hon Mr Whelan did not put in an appearance, owing, we believe, to domestic affliction.

The apologies of Messrs. Pope and Longworth were duly received, and they gracefully retired from the hands of their custodian to their usual seats.

Hon Mr Thornton thought that notice of the call of the House should have been entered upon the Order Book.

Hon Col. Gray agreed that such notice should have been given.

The Hon Col. Gray then presented a Despatch from His Excellency the Lieutenant Governor to the Secretary of State, transmitting duplicate copies of the Blue Book for the year 1861.

Hon Col. Gray presented a petition from Patrick McCarron applying for aid, on the ground of blindness and destitution.

Both papers were tabled.

The Hon the Col. Secretary presented the returns of the expenditure of the Road Commissioners, for Roads, Bridges, Wharves, &c., for the past year, in the following Districts: Prince County, No. 5; Queen's County, Nos. 4 and 6; King's County, No 11.

These were all received and tabled.

Mr. McLennan presented a petition from the inhabitants of St. Eleanor's and vicinity, praying that an Act might be passed for the prevention of cattle being permitted to stray at large through the streets of St. Eleanor's.

It was ordered, after a light discussion, that Messrs McLennan, John Yeo and Green, be appointed a special Committee to examine into the allegations of the petition, and report thereupon to the House.

Hon Col. Gray then presented to the House copies of a correspondence between the Provincial Secretaries of New Brunswick, Nova Scotia and Prince Edward Island, respecting Steam communication between the three Colonies.

The papers were received.

It was then resolved that they be referred to a Committee of the whole House; and the House accordingly resolved itself into Committee.

Mr. Sinclair in the chair.

The correspondence—which has already been published—having been again read,

Hon Col. GRAY was of opinion that it would be useless to call for fresh tenders, and that the offer of Mr. Boultenhouse was the best that the Government could accept. Steam communication, ready and accessible from the Island to the adjoining continent, was an absolute necessity, unless they wished to ostracise themselves and return to primeval habits. Nothing would be better or more desirable for the Island than that it should keep up a steady Steam communication with the continent.

Hon Mr COLES was in favour of the reception of the tender of Mr. Boultenhouse, although it was not strictly in accordance with the terms of the advertisement, he believed it to be the best of the three now before the house. He believed that Mr. Boultenhouse would continue to give satisfaction, as he had already done; and, with proper securities from Mr. Boultenhouse, that one good boat would be better adapted for the work than two bad ones.

Hon COL. SECRETARY—The real question was, whether one or two boats should be employed. He thought it impossible that one boat could do the required work.

Hon Mr WARBURTON was of opinion that Mr. Boultenhouse knew his own business better than anybody else, and he, for one, would be willing to abide by his offer.

Hon Mr COLES again urged the acceptance of the terms offered by Mr. Boultenhouse.

Hon COL. SECRETARY said that the machinery of the *Westmorland* was always out of order, simply because it had too much work to perform, and it was useless to disguise the fact that one boat was not sufficient for the Mail purposes of the Island. He would suggest that the matter should be left in the hands of the Government, in order to enable them to correspond with the neighboring Provinces and make the best terms they could with respect to a grant.

Hon Mr COLES thought it was too bad for the Colonial Secretary to have spoken in the way he had respecting the *Westmorland*. It was a good wholesome boat, gave general satisfaction, and the tender of its proprietor, if accepted, would save the Colony a considerable sum.

Hon COL. SECRETARY would not willingly speak anything in disparagement of the vessel, but would confine himself to facts—and what were they? Why, last year, when the *Westmorland* arrived here she was in bad repair, her machinery out of order, she had no certificate, and her internal arrangements could only be compared to those of a pig-stye. They should remember the fate of the *Fairy Queen*, and do all in their power to prevent the recurrence of a similar accident.

Hon Mr DAVIES was of opinion that one boat could not do all the work required, and that the contract of Mr. Boultenhouse, if entered into, should be a very stringent one. He thought that the better course would be to leave a certain sum in the hands of the Government to meet all requirements, and to enable them to procure tenders for a single boat. With regard to the *Westmorland*, he could not agree with the honorable leader of the Opposition. She was neither safe nor clean at present, whatever she might have been at first; in fact, she had done too much work without proper repairs, and was scarcely safe at present. If Mr Boultenhouse's tender was accepted, the most ample security should be required. He believed, however, that it was impossible for one boat to do the work required.

Hon Mr COLES—Mr. Boultenhouse had offered to do the required work with one boat, and had offered good security. What more could be desired or wanted.

Hon COL. SECRETARY—The tender of Mr. Boultenhouse was not in accordance with the terms of the contract, which required two boats, whereas only one was offered on the tender now under consideration.

Hon Mr HENSLEY was of opinion that one boat was insufficient to accomplish the required work; but whatever contract was entered into, care should be taken to ensure two trips a week. Under all the circumstances, he thought it would be the best course to leave the matter in the hands of the Government.

Hon Mr LAIRD—If Mr. Boultenhouse gave proper and ample security, his was decidedly the best offer.

Mr HOWLAN was in favour of the acceptance of the tender of Mr. Boultenhouse, and thought that one boat was quite sufficient for the services required to be performed.

Mr. BRECKEN thought that as the advertisement for contracts expressly specified that two boats would be required, it would be only fair that each party should be allowed to renew his tender, upon the ground that the Government were willing to accept of the services of one boat only; otherwise, Mr. Boultenhouse had an unfair advantage over the other parties offering to contract. This was a question of very great importance to the Island, and if they were extravagant at all, it should be upon this point; because, in increasing and accelerating their Steam communication, they were developing the industrial and agricultural resources of the Colony. At all events they required a safe and speedy boat and daily communication. This he would prefer to see in the hands of a local company in the first place, because it would be of more benefit to the Island, and more under the control of the Government. At the present stage of the proceedings, however, he could not but acknowledge that the tender of Mr. Boultenhouse was the most acceptable of the three.

Mr. DUNCAN said that the tender of Mr. Boultenhouse was a very peculiar one, and certainly not in accordance with the terms advertised for; and it was only fair, in his opinion, that if they were to have but one boat that the other parties might be allowed to tender again. Perhaps, however, it would be better to leave the whole question in the hands of the Government.

Hon Mr WARBURTON thought the tender of Mr. Boultenhouse the best. He would like to have three boats on the service, but the Colony could not afford more than one at present.

Progress was reported and the House adjourned.

AFTERNOON SITTING.

THURSDAY, March 26.

Hon Mr Pope, a member of Her Majesty's Executive Council, presented to the House the Estimates of the expenditure for the current year, and in reference to the item for public printing, explained that about £900 of the sum mentioned would be required for the printing of the Revised Statutes.

Hon Mr Davies presented a petition of Henry Hazard, Charles Palmer, and others, praying for an Act to incorporate a Joint Stock Banking Company—petition referred to a special Committee.

STEAM COMMUNICATION.

The House then went into Committee on the further consideration of the several tenders for the conveyance of the Mails between this Island and the Provinces of Nova Scotia and New Brunswick.

Mr BRECKEN moved that the hon member for the third district of Prince County have leave to withdraw his amendment, for the purpose of allowing another resolution to be introduced.

Hon Mr WARBURTON had no objections to withdraw the motion, but he might offer another.

Mr MONTGOMERY strongly objected to the tender of Messrs. Hodgson and Burke being accepted, which was for £3000. He was not altogether in favor of Mr. Boultenhouse's tender, as it only specified one boat, when two were asked for. He thought new tenders ought to be advertised, and he saw no occasion for employing two boats, if, as was stated, one was quite sufficient for the service.

Hon. Mr WARBURTON—It was almost agreed the other day that Mr. Boultenhouse's tender should be accepted. He had not the pleasure of an acquaintance with that gentleman, and could not be supposed to be desirous of advocating his interests, but he (Mr. W.) was anxious that the country should save some £1500. He would be glad if the boat was owned on the Island, still what this House should look to was economy. He did not know whether one boat could do the work or not, but when a person who had experience in the gulf said so, he had no reason to doubt the statement.

Mr. DUNCAN said he had moved, when the subject was before the House on a former day, to defer coming to a decision, in order that the other Provinces might be heard from. From the nature of the telegrams received, in reply to the messages sent, he was of opinion that if any tender was now accepted, no grant would be obtained from either Nova Scotia or New Brunswick.

Hon Mr COLES—The late Government entered into an engagement trusting to the Governments of the other Provinces for assistance. He thought there was no doubt but they would continue their grants. The Government did not seem to have the matter matured; he was, therefore, almost inclined to move that the Speaker take the chair.

Hon Mr POPE, like the hon leader of the Opposition, would have been disposed to rely on the generosity of the Governments of the other Provinces, but from the tone of the telegraphic despatches received, he was not now inclined to trust either one or the other. Nova Scotia had always acted rather shabbily in the matter. Their answer in the present case was to the effect that they did not know what would take place in 1864; and New Brunswick could give no satisfactory answer, until the character of the steamers to be employed was known. He (Mr. P.) was not inclined to enter into a contract at all at present, as we would only be laughed at if we afterwards should expect a grant from either of the other Provinces. As to placing one boat on the route, no matter how good she was, he did not believe she could run three trips per week to the different places. Even the hon leader of the Opposition seemed to doubt if it could be done, and thought that two trips a week was as much as one could accomplish. We had run our boat for sometime to Pictou to please the Government of Nova Scotia, but if they would not give a

grant we should look to our own advantage and run direct to Point Brule. It appeared that negotiations would have to be entered into with other Provinces before we could calculate on anything from them. They ought to give liberal grants, as good steam communication between this Island, Nova Scotia and New Brunswick was for the mutual advantage of the three Provinces. With respect to having only one boat, one thing was certain, that she would have to leave some of the ports irregular, which was a great inconvenience to travellers and those sending freight. He had no hesitation in saying it would pay to arrange that one of the boats should call at Crapaud. The people there had got their harbor despoised, and there was a large extent of country round which required some such means of sending produce to market. As it was at present, small farmers had to sell out to speculators at a loss. He always contended that no money was better spent than that which was applied for facilitating communication. Perhaps the better course for the House to adopt would be to allow the Government a sum sufficient, say £1500 if one boat was employed, and £2000 if it were thought advisable to run two.

Hon Mr COLES thought, as the saying went, that it is was going back to Bagdad. The Government might as well say at once that they were going to place two steamers on the route, for if £2000 were voted, it would at length amount to £3000, as there was no doubt but the other Provinces would make up £1000. He contended that the small steamer advertised for would not be fit for the service intended, and he thought that one boat would be sufficient for some years. As for going to Point Brule, that had always been a favorite scheme of his own, and he was glad to hear that the Government had taken it up.

Hon Mr LAIRD expressed himself as opposed to the employment of two steamers in the present state of the trade of the Colony. They had given a grant for a steamer between Georgetown, Pictou and Cape Breton, and also for one to come to Cascouapee, but the schemes did not succeed. It was no use to think of raising a trade where there was no material.

Hon Mr DAVIES would be sorry to see Mr. Boultenhouse's tender set aside, but he thought it would be better to wait and ascertain whether the Governments of the other Provinces would give anything or not.

Hon Mr HENSLEY said there was a wide difference between the tenders advertised for and Mr. Boultenhouse's tender. He thought it would be better to throw the tenders open again, and it might be the means of saving money to the country. The House should deal even justice to all. It had been stated that we should vote £1500 if one boat was employed, and £2000 if two. For all the difference between those sums, considering the advantage of having two, he would be in favor of the two.

The resolution proposed by Mr. Warburton was then withdrawn on a vote of 17 to 4.

Mr BRECKEN then moved the following resolution:—

Resolved, That the Government of this Island be authorized to enter into any arrangement which they may deem most conducive to the public interests for the maintaining good steam communication, not exceeding the period of ten years, commencing from the 1st May, 1864, between this Island, and New Brunswick and Nova Scotia; the sum of money to be given from the Treasury of this Island not to exceed £1500 per annum, in the event of the service of only one boat being secured; if two boats, not to exceed £2000 currency per annum."

He thought this resolution would meet the case. From the fact of Mr. Boultenhouse only tendering for one boat something like this had to be done. The resolution which he had proposed would relieve the Government of responsibility, and enable them to make arrangements with some assurance.

Mr HOWAT considered that in view of the present state of the country, it would be unwise to employ more than one steamer. It was not for his own interest that he objected to having two boats, but to carry out the wishes of his constituents. He moved to strike out of the resolution proposed by the hon member for Charlottetown all that related to two boats.

Mr MONTGOMERY rose to second the amendment. He had just read over to-day the estimates of the expenditure for the current year, and the same required amounted to so much that he felt bound to support the proposition of the hon member for Tryon.

The question was then put on Mr. Howat's amendment :

Yeas—Messrs. Howat, Haslam, Montgomery, Sutherland, Sinclair, Walker, Howlan, Conroy, Laird, Kelly, Thornton, Coles, Warburton—13.

Nays—Messrs. Pope, Hensley, McAulay, Davies, Col. Secretary, Kaye, Gray, Longworth, Green, Duncan, Yeo, McLennan, Brecken, Ramsay—14.

Hon Mr WARBURTON then moved the following, in amendment to Mr Brecken's resolution :

“Whereas the Government thought proper to lay before the House certain tenders for placing Steamers on the route between Nova Scotia, New Brunswick and Prince Edward Island, namely, one from Mr. Stephenson, for £3000 exclusive of the grants from the other Colonies; one from Messrs. Bourke and others, for £3000 without aid from the other Colonies, for two steamers, to run three times a week; and also a tender from Mr. Boultenhouse to perform the same service with one steamer for £1500,—and whereas the tender of Mr. Boultenhouse is calculated to save the Island a large expenditure of public money :

“Resolved, therefore, that the tender of Mr. Boultenhouse be accepted.”

He thought a more favorable offer would not be received than that of Mr. Boultenhouse. That gentleman had offered to give good security, and it would be unfair to reject his tender. He (Mr. W.) understood that the taxes were to be largely incurred, and he thought it behooved every one to endeavor to curtail the expenditure.

For Mr. Warburton's amendment—Messrs. Warburton, Laird, Kelly, Thornton, Coles, Sutherland, Sinclair, Howlan, Conroy, Walker—10.

Against it—Messrs. Pope, Gray, Col. Secretary, Kaye, Longworth, Davies, McAulay, Hensley, Ramsay, Montgomery, McLennan, Howat, Yeo, Duncan, Green, Haslam, Brecken—17.

The main resolution, proposed by Mr. Brecken, was then put and carried, and reported from Committee.

Hon Mr POPE said before the question was put on the report of the Committee, he would remark that he did not think his colleague's constituents would thank him for the resolution he had proposed to-day. If his amendment was carried and only one boat employed, they would be deprived of the benefits of steam navigation for ten years to come. He (Mr P.) wanted to save money as much as any one, but he maintained that the benefit which would accrue to the country from having two steamers would more than counter-balance the expense. With two boats running, one of them would have time to call at Crapaud.

Mr HOWAT was sorry to differ with his colleague, but they would have to leave the matter with their constituents. It might benefit the people of Crapaud and Tryon if two steamers were to run, but he was bound to look to the interests of his whole constituency, and not only a part.

After a few remarks from several other hon members, the question was again put, first on Mr. Howat's amendment, and then on Mr. Warburton's, both of which were lost on the same division as in Committee, and the main resolution carried.

The House then adjourned.

FRIDAY, March 27.

The House went into Committee of the whole upon the consideration of the question of supply.

Mr. McLellan in the chair.

The Hon J C. Pope brought up the estimates for the road service. It was proposed that the following sums be granted :—

Queen's County (including Charlottetown and Royalty.)	£1300	0	0
Prince County	1100	0	0
King's County	1100	0	0
Special grant for Queen's County	1200	0	0
Do. King's do.	950	0	0
Do. Prince do.	950	0	0
Road Compensation Act	100	0	0
Contingent expenses to be equally divided between the three Counties	300	0	0
	£7000	0	0

Hon Mr WARBURTON was of opinion that in discussing these important matters that there should be a full attendance of members.

Mr SUTHERLAND complained of the state of the Morrell Bridge which was terribly out of repair.

Hon Col GRAY thought that in addition to repairs to the Morrell Bridge it also required a competent supervisor. In fact, a general supervisor of roads and bridges for the whole Island would be one of the most useful officers they could have.

Hon Mr DAVIES would not object to a special grant on account of Morrell Bridge upon the present occasion, but he fully agreed with the hon the leader of the Government that a general supervisor was absolutely necessary if they wished to see their roads kept in proper order and their bridges duly repaired.

Mr DUNCAN thought that the Government should have the power of appointing a general surveyor. He believed that such an appointment would not only be the most economical but, at the same time, one of the best that could be made for the Island.

Mr CONROY agreed that a general supervisor was necessary, the present system being very objectionable.

The resolution was carried upon motion of Mr. Sinclair.

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

The House next went into the order of the day for the reception of Petitions.

The first was from the Committee of the Charlottetown Reading Room, requesting a grant in aid for the promotion of the objects of the Reading Room, and thus to enable them to supply the inhabitants of the Colony with a more expeditious mode of obtaining foreign news than at present existed.

Mr. F. BRECKEN willingly supported the prayer of the petition, as he thought that early and additional information would be of great benefit to the Island. He, therefore, moved that the petition be referred to the Committee of Supply.

Mr HOWAT objected strongly to the idea of such a grant. The members of the Club comprised some of the richest residents in the Colony; and it was not fair that the whole Island should be taxed for their benefit.

Mr HOWLAN said the Reading Room was one of the best institutions in the Colony, having the broadest platform, without reference to either politics or religion. The early reception of news was of importance to all classes, and he should, therefore, support the prayer of the petition.

Mr CONROY also felt bound to support the prayer of the petition, for he believed that the receipt and dissemination of early intelligence could not but be useful and beneficial to the whole community.

Hon Mr DAVIES briefly supported the proposition, believing that if an arrangement could be made for a regular and quick despatch of a summary of news, it would be found as much to the interest of the farmer as the trader.

Mr McLENNAN opposed the granting of the prayer of the petition upon principle. If this were agreed to, other parts of the Island might put in a similar claim, and expect a similar grant.

Hon Mr LAIRD objected to the motion, and believed that no grant was necessary.

Hon Mr HENSLEY thought it would be much more preferable, if any arrangement was to be made, that an arrangement should be made for a Government telegram.

Mr SINCLAIR also opposed the motion upon the same grounds.

Hon Mr COLES, in supporting the motion, thought that this should have been one of the initiatory votes of which they had heard so much recently.

Hon J. C. POPE was of opinion that the House was not then fully prepared with information sufficient to enable them to come to a decision upon the question involved in the prayer of the petition before them, and that a little delay would afford them an opportunity to look fairly upon the merits of the petition.

Hon Col GRAY thought it would not be well to be too hasty in this matter, and he could not, therefore, vote for the motion at present before them.

A division was then taken, when 13 members voted against the referring of the petition to the Committee of Supply; 10 voting in its favor. It was consequently lost.

The petition of Mr. W. C. Bourke was again read, asking for increased aid for the services of the Steamboat between Mount Stewart Bridge and Charlottetown.

Hon Mr KELLY moved the reference of the petition to the Committee of Supply.

Hon Mr DAVIES seconded the motion.

Mr HASLAM opposed the reception of the petition. The roads were open to all, and it was not fair for those who required steam accommodation to call upon the public to pay for it.

On a division, the reception of the petition was refused by a majority of one; twelve voting against, and eleven for it.

The petition from the inhabitants of Wood Islands and its vicinity, praying for a grant in aid to build a wharf, was again read, asking a special grant for that purpose.

Hon Col GRAY, while supporting the application of the petitioners, did not feel bound to press the grant applied for during the present session.

Hon COL. SECRETARY trusted that the House would not come to a decision upon this matter without due and careful consideration. The place in question had a great demand upon the Government, and the making of a wharf there would add materially to the value of the adjacent lands. He, therefore, had much pleasure in moving that the petition be referred to the Committee of Supply.

This being duly seconded,

Hon Mr LAIRD expressed his most decided opposition to the motion, and moved "that the petition be referred to the members of the district to provide for."

Hon Mr DAVIES thought that if a harbour was necessary at Wood Islands, they should have some practical opinion upon the matter. If a harbour was necessary, the sum of £300, the amount applied for, would be only a drop in the bucket; while, in addition, they could not afford even that drop in the present state of their finances.

Mr SINCLAIR, looking at the fact that the sum of £7000 had been granted for the service of Roads and Bridges, thought the House should be very careful with regard to special grants.

Mr McLENNAN could not but oppose the prayer of the petition.

Hon Mr COLES would support the petition going into Committee of Supply, for he thought that if a harbour was made at Wood Island it would be of great practical use to the whole Colony.

Hon Mr HENSLEY would not oppose the reference of the petition to the Committee of Supply; but, when there, he trusted that the whole matter would be thoroughly sifted, and proper information obtained.

Mr HOWLAN thought that some report should have been made to the House upon this matter before the application was sent in. He, for one, did not object to wharves anywhere, for they were always useful.

The Hon the SPEAKER condemned the great waste of time. They had been three hours discussing the reception of three petitions: and, in future, he should deem it his duty to keep hon members strictly to the question before them.

Mr BRECKEN thought that if the proposed plan was feasible it should be carried, but was still of opinion that further information upon the subject was desirable.

Upon a division on the motion, in amendment of the Hon Mr Laird's, 17 votes were recorded in its favour and 9 against it.

A second division upon the original question resulted in the same figures.

The petition of Bennett McLellan, praying for compensation on account of loss sustained by contract for repairs to Indian River Bridge.

Hon J. C. Pope said that upon examination it would be found that the petition had not been signed by the purported petitioner; and he, therefore, moved that no further action should be taken in the matter.

The House divided, when 18 members voted in favour of the motion, and 3, Hon Messrs Warburton and Coles, and Mr Sinclair, against it.

The petition of George Coughlan, of Lot 37, for compensation on account of losses incurred in building a bridge, was referred to the members of the District.

The petition of Mary Kelly, Widow, praying for the continuance of her allowance from the House, on behalf of herself and her widowed children, was referred to the Committee of Supply.

A petition from Patrick D. Rogers, an old soldier, aged 71, praying for aid, was also referred to the Committee of Supply.

Also from Mary Crutchell, widow, for continued assistance, referred to Committee of Supply.

Also from John Crane, and other inhabitants of Lots 57 and 58, for a continuance of aid to Widow Mary Meagher; referred to the Committee of Supply.

The petition of Angus McKay being informal, not having been signed by the petitioner, was withdrawn.

The petition of R. B. Reid and others on behalf of John Graham, who had been for some time paralyzed, was, after a short discussion, upon the motion of Mr. Howlan, referred to the Committee of Supply.

The petition on behalf of the sisters Christie and Flora McLeod, blind, was referred to the Pauper Committee.

The petition of John Moore, aged 71, applying for aid, was rejected upon the ground of informality, he not having signed it himself. The House then adjourned.

SATURDAY, March 28.

The Speaker having taken the chair, Mr. McLennan as Chairman of the Committee of the whole House upon Supply, presented the resolution of the said Committee upon the annual grant for Roads, Wharves and Bridges, as given in the proceedings of Friday the 27th. The question of its adoption was put to the House, and agreed to *non-con*.

Hon Col. Secretary presented several papers and despatches from the Colonial Office, the whole of which were tabled.

The House then proceeded further to consider private petitions.

By the Hon Mr Longworth, from various inhabitants of Lots 31 and 65, praying for assistance to support the Ferry at McEwen's wharf.

Referred to the members for the District.

By the Hon Col Secretary, of the Deaf and Dumb Institution, at Halifax, offering to provide, upon certain terms, accommodations for any of the unfortunate afflicted that might be sent there from this Colony.

The memorial was referred to a select Committee—comprising the Hon Col Secretary, Dr Kaye, and Mr. Brecken. By the Hon Col Gray, from Patrick McCarron, for and on account of old age and the want of friends. Hon Col Gray, in presenting this petition, said that last year, at page 112 of the Journals, the christian name had been wrongly given, instead of James, it should have been Patrick.

Hon Mr Davies supported the prayer of the petition, believing it to be a case well worthy of sympathy and relief.

Referred to the Pauper Committee.

By the Hon Mr Kelly, from James Ross and others, on Lot 37, for the establishment of a Small Debt Court at Mount Stewart Bridge. The hon member proposed that the petition should be referred to a special Committee.

Hon Mr Coles believed that before they sanctioned an increase of Small Debt Courts, it would be their duty to amend the Small Debt act itself.

Hon Col Gray was opposed to the establishment of too many Courts of the kind.

Mr Howat moved, in amendment, "That it is inexpedient to grant the prayer of the petition."

A division was then taken, when the amendment of Mr. Howat was adopted by a majority of nine. Sixteen for and seven against.

Several petitions respecting Roads, Bridges and Wharves, were referred to the members of the respective Districts for consideration; others were referred to the various Committees.

The petition of Mr. H. N. Pope, and other residents, praying for a grant in aid of the Grammar School in Prince County, was referred to the Committee of Supply, after a slight discussion.

Hon J. C. Pope remarked that King's and Queen's County obtained grants, but that Prince County had none.

Hon Mr Coles gave his hearty support to the prayer of the petition. It was absolutely necessary that they should support Grammar Schools in each County of the Island; for the present Normal School, in Charlottetown, was almost, if not quite worthless.

Messrs McLennan and Conroy, and Hon Mr Longworth each briefly supported the prayer of the petition.

Hon J. C. Pope presented to the House a detail of the Public Accounts for the past year, which was referred to Special Committee on Public Accounts.

The House then resolved itself into a Committee of the whole to consider further of a supply. Mr. McLennan in the chair.

It was moved that the sum of £7,105 be voted for the payment of salaries, and allowances by Statute, &c.

The Chairman of the Committee read the various items, many of which were passed unopposed and without remark.

Hon Mr WARBURTON took objection to the amount of expense incurred to the Colony in connection with the Prince of Wales College. He thought that the salary of the Professor should be reduced, for it would be a manifest injustice that, if Country Teachers were to receive reduced salaries, no alteration should be made in the expenses that the Country had to meet in connection with the Prince of Wales College. He objected particularly to an item for rent on account of the Professor.

Hon Col GRAY said that the Professor was engaged for a given term; and he believed that the present arrangements would be found the best that could have been made under the circumstances. In fact, he wondered that, with such small emoluments in view, gentlemen, possessing the testimonials they did, would cross the Atlantic to accept of them.

Mr CONROY objected to the item, for the salary of the Professor was the highest in proportion to that of any other official in the Colony, with the exception of that of the Lieut. Governor. In addition, the general complaint was that the advantages offered by the College were monopolized by the sons of people who could well afford to pay for the education of their children.

Hon Mr McAULAY said it had been stated that the sons of some of the hon. members of that House were sent abroad to be educated; but he believed that they might obtain quite as good an education at home as they were likely to get elsewhere. For his part, he was strongly of opinion that the expenses incurred upon the College was money well laid out.

Hon Mr WARBURTON had no doubt but that the Professor at the Prince of Wales College was fully competent for all the services he had to perform, but that the great question was, could the Island afford such an annual outlay?

Hon Mr LONGWORTH defended the vote. It was always understood that the Professor should live in the College; the rooms, however, had been occupied by Students, that should have been occupied by the Professor.

Hon Mr COLES was of opinion that the agreement with the Professor should be fairly carried out, even if it was too expensive for the Colony. Notwithstanding the increased expenses, there seemed to have been no increase of scholars or students; he believed, there were only fifty-three at the present time, while the old Academy used to send out from 130 to 150 good scholars annually. The charges at the Prince of Wales College were £23 per annum, while at St. Dunstan's, including board, it was only £17 10s. Now, he was of opinion that neither of them should run before they were able to walk. He found that a charge had been made of £63 for wood, an amount which ought to have been charged to the fees.

Hon J. C. POPE—The sum of £132 from that source had been paid into the Treasury last spring.

Hon Mr McAULAY supported the claims of the College and its Professors. It would give the Island both name and fame, for it was well known that young people from all parts of the Island studied there.

Hon Mr LONGWORTH said that the want of funds was the only cause that more efficiency had not been given to the Education Act, but under the proposed new Education Act, if adopted, it would give Grammar Schools in each County, each of which would supply "feeders" for the College, which was at the present time a credit to the Colony, no matter what would be said against it.

Hon Mr COLES—One Professor is enough.

Hon Mr HENSLEY should support the grant. The College had been of considerable expense to the Colony and he, for one, would like to see its usefulness increased and extended. Upon questions affecting education, he would neither exhibit himself as meagre or backward.

A slight desultory conversation here ensued.

Mr HOWAT moved that the sum for rent should be struck out.

Mr CONROY seconded the proposition.

The Hon the SPEAKER opposed the amendment. The Government had done their best, he believed, to provide the materials for a good education in the College; and, he believed, that notwithstanding what had been said upon the subject, there could be no doubt but that the Prince of Wales College was a credit to the Colony.

Mr DUNCAN opposed the amendment, not only from the fact that it would be a breach of faith if carried, but that on the ground of economy it would be the course for them to continue.

Mr HOWAT did not object to the amount proposed; his objection was that it should not come out of the general revenue, but that the expense should be borne by those who received the advantages of the education.

Hon Mr LONGWORTH endorsed the opinions of the hon the Speaker.

Mr HOWLAN believed that the educational interests of the Island had been much better served under the Central Academy than they had been since the establishment of the Prince of Wales College, and should, therefore, support the motion.

Hon Mr COLES thought the motion of the hon. member (Mr Howat) somewhat extraordinary, considering that he had always been a supporter of the Government.

Hon J. C. POPE said he would much prefer seeing members in opposition, fairly and at once, rather than have the estimates and supply carped at by those who were supposed to be upon the Government side of the House.

The SPEAKER resumed the Chair, and the Chairman of the Committee reported progress, asking leave to sit again. Agreed to.

A Message from the Legislative Council was then brought in by the Clerk requesting that the Colonial Secretary might be allowed to attend and give evidence before them upon matters relating to the elections of members for the second district of King's County.

Hon Mr Longworth from the Special Committee appointed to report on every Private Bill, and to whom were referred a Bill to incorporate the Minister and Trustees of the Presbyterian Church of Saint Peter's Bay, and a Bill to incorporate the Minister and Trustees of the Presbyterian Church of Bay Fortune, to examine the same and report thereon—presented to the House the report of the said Committee, which being again read at the Clerk's table was agreed to by the House, and is as follows :

Your Committee appointed to examine and report on Private Bills, having under their consideration two Bills—namely, a Bill to incorporate the Minister and Trustees of the Presbyterian Church of Saint Peter's Bay, and a Bill to incorporate the Minister and Trustees of the Presbyterian Church of Bay Fortune—submit : That the said Bills are of a private nature ; but inasmuch as the fees upon Private Bills, more especially those relating to Church matters, have not heretofore been uniformly exacted by the House, your Committee recommend that the said Bills be exempt from such fees."

The Bills were received and adopted, and ordered to be read a second time during the afternoon sitting.

The House then adjourned.

AFTERNOON SITTING.

FRIDAY, March 27.

The House again took up the consideration of private petitions. A number were disposed of, among which was the petition of the Georgetown Ferry Company.

Hon Mr McAulay supported the prayer of the petition ; it was highly deserving the consideration of this House. The boat purchased by the Company was not very fit for the service, but the whole grant of last Session should not be withheld on that account. He moved that the petition be referred to supply.

Several other hon. members expressed themselves on the subject, and Mr J. Yeo moved the following resolution, in amendment to Mr McAulay's motion :—

"Whereas the sum of Fifty Pounds was granted and placed at the disposal of the Government, during the last Session, in aid of a Steam Ferry Boat between Georgetown, Montague, and adjacent Rivers, provided said Steamboat be placed on the route and continue plying thereon, semi-weekly, during the opening of the navigation, and whereas the Steamer *Ino*, the boat placed on the route, did not perform the required service ; Therefore, resolved, that the petition of W. Aitken, W. Sanderson, and others for the above grant, cannot be entertained."

When the House divided on the motion of amendment, there appeared for it : Messrs J. Yeo, Howat, Sutherland, Sinclair, Walker, Conroy, McLennan, Montgomery, J. C. Pope, Thornton, Warburton, Laird—12.

Against it :—Messrs McAulay, Hensley, Coles, Kelly, Davies, Col. Secretary, Kaye, Gray, Green, Haslam, Duncan, Brecken, Ramsay, Howlan—14.

The main motion was then put and carried.

A petition of Henry Crawford, Minister, and others, members of the Presbyterian Church, Bay Fortune, was presented to the House by the Hon J. Hensley, and the same was received and read, praying for the passing of an Act of Incorporation. A special Committee was appointed to report on the petition by Bill or otherwise.

A memorial of James C. Cochran, Secretary of the Institution for the Deaf and Dumb, at Halifax, N. S., was presented to the House by the Hon Col. Secretary, and the same was received and read, setting forth that they have lately enlarged their accommodation for pupils, and offering to receive Deaf Mutes from this Island, provided the House shall think advisable to make provision for their maintenance. The memorial was laid on the table.

Hon Mr Hensley presented a petition of Fabien Doucett, and others, praying for an Act to Incorporate a Joint Stock Banking Company. A Committee was appointed to report by Bill or otherwise.

The Marine Insurance Company Bill was read a third time and passed.

Hon Mr Hensley, from the special Committee on the petition of the Ministers and members of the Presbyterian Church, St. Peter's Bay, presented a Bill to incorporate the same, which was read a first time.

Several private petitions were then disposed of, and the House adjourned.

AFTERNOON SITTING.

SATURDAY, March 28.

House again in Committee of Supply.

Some desultory debate took place on the grant for the Volunteers.

Mr. CONROY moved that it be disagreed to.

Hon Col GRAY would ask if the hon. member was prepared to give up the arms, worth some thousands of pounds, which the Colony had received solely on account of that movement, and to send a letter to the Queen saying that we would not defend our hearths and our homes. This money was not to pay the officers or men, but to keep the arms. This Colony, without a Volunteer force, was at the mercy of any and every privateer that might come into our harbours. £250 sterling a year, was not much for such an object.

Mr CONROY thought that the people of this country were more in need of Agricultural implements than fire-arms ; he would be willing to exchange the arms for such implements.

Hon COL. SECRETARY thought that the opposition to the grant rose solely from the belief that the Volunteers were all Orangemen. This was quite a mistake. The hon member from Tignish seemed to entertain a different opinion from Bishop Mullock, of Newfoundland, who, as it appears from the *Examiner* of the 11th September, 1860, made the following statement in an address to the Irish Volunteers :—

"I am delighted to see the Sons of Erin, here in this Island, practising the noble art of self-defence. Every free man has the right to bear arms, and I am sure the weapons you carry never will be used but in defence of your faith, your country, and your creed."

Hon Mr WARBURTON would also oppose the grant, notwithstanding what was said by the hon leader of the Government. He did not much fear an attack on this Island as there was nothing to get here.

Mr SINCLAIR considered the vote served a good purpose, but thought a less sum would be sufficient. Much that was in the accounts for last year would not be required again.

Hon the SPEAKER thought he ought to reply, as all the money for the Volunteer service, expended for the last year, had passed through his hands. If the Volunteer movement was to be kept up in the Colony, he believed it could not be done for a less sum than £400 currency. We have now in the Colony some 1000 Volunteers, all more or less drilled. Drill-serjeants, however, were always required, and it was absolutely necessary to bring them from Halifax, as he believed there were only two in the Colony acquainted with the modern drill, and they could not go out into the country. He was only surprised, that with such a small grant here, we had been able to undertake so much. Our Island Volunteers had prayed them-

selves to be superior marksmen to those in the other Provinces. There had been three Provincial contests, and in two out of those three, we had been the conquerors.

Hon Mr COLES said this subject appeared to raise a discussion every year. He had opposed the grant because he thought the country could not afford it. Since then, however, there had been a new Election, and those who advocated the grant had been returned, consequently, he did not consider it his duty now to oppose it, but he might object to any item of expenditure which he thought extravagant. If a military force was to be kept up he supposed a small grant must be given for that object.

Hon Mr HENSLEY said as there was a sum voted before, and this force was increasing, they would at least require as much as formerly. He would have much pleasure in supporting the grant.

Hon Mr LONGWORTH was happy to hear that hon. members were so unanimous. When the young men were coming forward and giving their time in the cause, surely this House might afford to vote a small sum for the expenses of drill. He had hoped that the hon member for Tignish would have waived his objections, particularly as his father had been a military man. He (Mr L.) had some opportunities of ascertaining public sentiment, and he believed that the grant in past years had been a popular vote.

Hon Mr THORNTON had voted for £300 the first year a grant was given, and last year he had voted against it altogether, because he did not see any benefit derived from it. When the country was so much in need of money for roads and bridges he could not support a grant to encourage the Volunteer movement.

After two or three others had briefly expressed their views on the subject, the motion for the usual grant of £400 was carried by a large majority.

Adjourned.

MONDAY, March 30.

After the usual business the Bill to incorporate the Minister and Trustees of the Presbyterian Church of St. Peter's Bay was, according to order, read a second and third time, and afterwards engrossed.

The Bill to incorporate the Minister and Trustees of the Presbyterian Church of Bay Fortune, was, according to order, read a second time, and after some time the Committee reported that they had gone through the Bill without amendment, and asked leave to sit again.

The Bill to alter and amend the Act for the preservation of the Alewives' Fisheries in this Island, was, according to order, read a second time.

The Bill was then committed to Committee of the whole House. Mr. Haslam in the chair.

Hon J. C. POPE explained the nature of the intended Act, which was to preserve the value of the fisheries—for they were of considerable value and much benefit to the Colony—which, unless this Act stepped in, would be entirely lost, owing to the fact of the reckless manner in which the fishery was at present carried on by those parties who had been employed under the present Act.

Hons Messrs Coles and Warburton and Mr Howlan, each briefly urged that, before this Act was allowed to pass, the fisheries should be first preserved.

Hon Mr DAVIES was equally zealous with the two hon gentlemen, and the gentleman who had last spoken. He (Mr D.) would be at all times ready and willing to protect fisheries; but, before he did so, power should be given to the Magistrates for that careful and proper supervision which the exigencies of the case required.

Mr HOWLAN—The Alewives were generally considered only good for bait; and the Magistrates would cost infinitely more than the bait.

Hon COL. SECRETARY—The best money that could be expended was Magisterial, if parties would but do their duty.

Hon J. C. POPE again briefly explained that this Act had no intention to destroy the Fisheries, but, on the contrary, to improve them.

Mr SINCLAIR thought the proposed Act a very useful one; the expenses proposed to be incurred were very small, and not too much to be incurred to prevent the destruction of fish; in fact, he thought it was a small sum well expended.

Mr MONTGOMERY expressed himself as strongly opposed to the provisions of the Act.

Hon COL. SECRETARY was of opinion that the Salmon fishers had been the greatest robbers and plunderers.

Mr CONROY could not support the Bill, because he thought the appointment of Inspectors of Alewives was unnecessary, and in addition would be somewhat expensive; the whole tendency of the measure pointed more to the destruction than to the preservation of fish. The present Inspectors were personal friends of his own, notwithstanding which, he felt bound to say that they had not done their duty.

Hon J. C. POPE was willing to take the statement of the last Speaker, (the hon member for Tignish,) he having a full knowledge upon the matter, and it was upon his statement that the Act now under consideration was founded.

Hon Mr Laird supported, and the Hon. J. Warburton opposed it.

The second reading, however, was carried, after a division.

On motion, the Speaker resumed the chair, and Mr Haslam reported that the Committee had gone through the Bill without making any amendment thereto; and the report was again read at the Clerk's table.

It was ordered that the said Bill be engrossed, and that the title be "An Act to alter and amend the Act for the preservation of the Alewives' Fisheries in this Island."

The Hon Col Gray, a member of Her Majesty's Executive Council, presented to the House the Report of the Superintendent of Public Works on the state of the Bridge on the Morell River.

Laid on the table. This report had been specially applied for.

The Hon J. Longworth, a member of Her Majesty's Executive Council, presented to the House the Report of the Visitor of Schools for the past year, as transmitted by the Board of Education, together with accompanying remarks of the Board.

It was ordered to be laid upon the table.

The Hon Mr Longworth said that the Report was generally favorable, and only deficient in some details of statistics required.

The report was then read by the Clerk.

Hon Mr COLES thought that there was a great deal too much writing in the report, and this he could only account for from the fact of his having been too deeply engaged, during the late election, in helping his political friends, in preference to attendance, in a proper manner, upon the duties of his salaried

office. In fact, his negligence was so notorious that it had passed into a proverb in the newspapers. The School Inspector should, at least, visit once a year the Schools placed under his charge; and if this regulation was properly carried out, "The Education Act" could not have failed in working beneficially. In the new Act he hoped that the supervision would, by and under proper arrangements, be conducted by the District Magistrates. He denied that the Scholars averaged, in each District, more than ten; and the country could not afford to pay £60 a year for so small an average. Mr. Arbuckle would do very well as a Schoolmaster, but he was totally unfit for the office of Inspector of Schools.

Hon Mr THORNTON could not but express his decided opinion that the present School Inspector was anything but the "right man in the right place."

Hon Mr HENSLEY said that fair statistics were wanting last session; and it was, therefore, the bounden duty, upon the part of the Board of Education, to have procured additional information before, this year, trying to amend the Education Act. Mr. Arbuckle's report was not, by any means, the best that could be obtained; every one could see that there was something wanting in it.

Hon Mr. WARBURTON complained of the present School Visitor, who was more expensive and less useful than the same officers were years ago. It would be very much better to have a competent Inspector for each County, and thus secure an efficient supervision of the whole educational establishment of the Island. He might cite many cases, with ample proof, that the present Visitor had not visited many of the Schools at all during the year; take Lot 11 for example.

Hon Mr LONGWORTH remarked that the question would of course come up again, notwithstanding he agreed, generally, that a more explicit report might have been prepared; the report was quite equal to the one they had received during the previous session. With regard to the average attendance, he quite agreed with the hon. the leader of the Opposition; but various causes were in operation to prevent a fair average attendance, or prevent its being kept up. The people themselves did not take sufficient interest in the matter, and looking upon the Education Act as a boon, upon that account took less trouble to keep up the average.

Hon Col GRAY stated that there was a letter from the Board of Education; and when that had been attended to, it would be the proper period to discuss the matter.

Hon J. C. POPE also complained that the report was not satisfactory; and somebody had been remiss in not having furnished a proper one. There must have been a great mistake somewhere, and he would, therefore, move "that the Report be not printed as an index to the Journals."

This resolution was seconded by the Hon A. Laird.

Hon Mr COLES agreed with the Hon Mr Pope; and Mr Arbuckle might well exclaim, "O! save me from my friends!"

Mr BRECKEN would suggest that when the statistical information was furnished by the Inspector of Schools that it should be printed.

Hon Col. GRAY said that, at present, the report was not in accordance with the requirements of the Act.

Mr. BRECKEN—Still, as a public benefit, he believed it would be the better course to adopt the report and have it printed. There could be little doubt, but that as Mr. Arbuckle, their present school inspector, had become a politician, he must have been driven to the necessity of adopting that course. The question now at issue was, have the government have brought forward a measure for the improvement of our educational system; and when hon gentlemen objected to the reception of the report, they should seriously consider hereafter when the important question of education came up, the fact that the government brought in a Bill to amend a previous Act; and, put it to themselves, fairly, did Mr. Arbuckle get his information to assist in that matter from the government, or did the government obtain it for their own purposes from Mr. Arbuckle?

Hon. D. DAVIES felt bound to object to the printing of the report. There was something wanting in it; at the same time, he could but express his opinion that the thorough visitation of all the schools upon the Island, in one year, was too much labor for one inspector.

Hon. Col. GRAY said that last year no report from the School Visitor had been presented until the last day of the session, and the present report was a mere preamble from the Board, not at all in conformity with the requirements of the Act. It should have at once been referred back to the Board of Education. He should oppose its being printed until it was completed, when it could be printed and issued in the regular way.

Hon. J. LONGWORTH would agree to the withdrawal of the order, and letting the document lie upon the table, in order that it might be completed and printed; then, of course, if it was not completed it would not be printed.

Hon. Col. GRAY knew nothing whatever of the School Visitor, except through the Board of Education. He paid no attention to newspaper attacks.

Mr. McLENNAN supported, briefly, the views expressed by Mr. Brecken.

Hon. J. C. POPE urged that the motion, if adopted, would be supporting an inefficient officer. It was the express duty of the School Visitor to visit the schools, and report by a specified time. This duty had not been performed last year, and but very incompletely during the present.

It was ordered that the Report do lie on the table, and that it be not printed as an appendix to the Journals.

Hon. J. C. POPE presented the account of the Lunatic Asylum,—laid on the table.

COMMITTEE OF SUPPLY.

The House then resolved itself into a Committee of the whole to consider further of a Supply. Mr. McLennan in the chair.

Mr. HOWLAN objected to an item of £950 for light houses, and £115 for boats, crews, wages, uniform, &c., at Cascumpec. The returns from Cascumpec, for instance, were only £16 14s., or just about half her share of the annual expenditure. If

the harbor was buoyed and lighted, the revenue produced would be doubled.

Hon. Col. GRAY said the boat was employed to keep the yankee fishermen in *terrorem*; it was well known that war spoileth receipts, and they were not, perhaps, so well able to keep the boat this year as on previous ones, therefore, perhaps it might be as well to dispense with the boat for this year.

Hon. the SPEAKER detailed the circumstances under which the boatmen appeared in uniform. He had explained the same matter on previous occasions to the past House, and as their predecessors had approved of the matter, it would be a pity to alter it now.

Hon. Mr. COLES agreed that something of a uniform was desirable, but it would, at the same time, have been much better to have put the men on board a small vessel, and let them go from port to port on the coast to prevent smuggling, and secure the harbor dues.

Mr. HOWLAN again protested against the light at Cascumpec. A shifting supply light between the bars was what was really wanted, and for this he believed the Americans would readily pay.

Progress reported and the House adjourned.

AFTERNOON SITTING.

House again in Committee of supply.

A grant of £150 for Government House and grounds, was agreed upon.

The item in the estimates for public Printing, namely £2000, was next taken up.

Hon. Mr. WARBURTON said when he was in the government some years ago, complaints were made in regard to the cost of public printing. Those who were in the opposition of that day said the charges were extravagant, and that the printing ought to be let out by tender. These gentlemen were now in power, but it appeared that none of the printing had been done by tender, except some small jobs for a few of the public offices. Last year the public printing cost £1500, and this year it was set down at £2000.

Hon. Mr. POPE replied that the sum voted last year included a considerable amount to the Commissioners for revising the laws. He thought the sum set down was more than would be required, but it was better to have sufficient than to come again and ask for an additional amount. A large sum would yet be required to pay for the reprinting of the laws, which would altogether cost about £1500. The other printing would perhaps cost £1000, which could not be thought high, considering the amount of work that was now to be done.

Hon. Mr. COLES said the cost of printing was not altogether to be judged by the Queen's Printer's account. Last year Mr. Ings' account was about £775, and Mr. Haszard's about £104, making in all nearly £880; while in 1858, the public printing only cost £789. And this increase of cost was under the administration of those men who said that the printing ought to be done by public contract to save expense. He supposed this proposal had been partly carried out, as doubtless Mr. Haszard's account was for work done by contract; but the great bulk of the printing had been done the usual way. He

knew some of the printing could not be let by tender, but the laws of each session might be contracted for, as in this case it was known exactly how much work was to be done. This year the printing of the journals of this House had been brought down lower than ever before; and he had no doubt that if the printing of the laws every year could be given out by tender, a considerable saving to the Colony would be effected.

Hon. Mr. POPE desired the hon. leader of the opposition to look at the account of public printing in the journal for 1859. He would there see that it cost for that year £964. Perhaps it would be better to put in the resolution, for public printing a sum sufficient, and towards reprinting the laws £1000.

Hon. Mr. LONGWORTH said that any person who would take the trouble of comparing the accounts for public printing in the years 1856, 1857 and 1858, with those of the last three years, would see that it cost a larger sum during the three years first mentioned. He had gone over the accounts before the late election, and notwithstanding the increase in the amount of work performed, the party now in power had saved some £600 or £700 in that item alone. It would be found that wherever it was possible to let any of the printing by tender, it had been done. There were certain laws on our statute books which gave a preference to the Queen's Printer, and unless these were repealed several departments of the public printing could not be let by tender. This was especially the case with regard to the printing of the laws of each session.

Hon. Mr. COLES rose to mention an item in the accounts, which he had not before observed. He saw a charge of £57 5s 3d for advertising the Public Lands of this Island in the "North British Advertiser." This was something which should not be overlooked.

The resolution was agreed to as suggested by Hon. Mr. Pope.

A desultory debate then took place on the item in the estimate for the Legislative Library. The prevailing opinions appeared to be that a number of the old books should be sold by auction, and the proceeds expended in purchasing new works.

The committee on supply then arose and progress was reported.

Mr. DAVIES, from the committee on the petition praying for an Act to incorporate a second public Bank in this Island, reported a Bill, which was read a first time.

Hon. Col. GRAY then called attention to a paragraph in the "Examiner" newspaper of that day, and the House sat with closed doors for the remainder of the day.

TUESDAY, March 31.

After the usual formalities, Mr. Yeo from the special committee to whom was referred every petition relating to Schools and Education, to examine the same and report thereon, presented to the House the report of the committee; which report was again read at the Clerk's table.

It was ordered that the said report be committed to a committee of the whole House at the afternoon's sitting.

Hon. Mr. LONGWORTH moved for leave to present a petition of the Grand Division of the Sons of Temperance of P. E. Island, praying the House to amend the Laws for regulating the manufacture and sale of spirituous liquors, by providing that no tavern or store licence be granted or renewed without the consent of a majority of the householders in the School District in which the license may be sought; and also that the applicant be required to intimate his desire to obtain such license to one of the nearest Magistrates, or some other person properly authorized, who shall give notice of a public meeting in the District to consider the expediency of acceding to such application; at or after which meeting, if the applicant procure the signatures of a majority of the householders, should he be alone entitled to receive a license; and further, that such special restrictions be placed on the manufacture of liquors from molasses, or that such other measures may be adopted to remedy the evils complained of as to the House may seem meet.

Hon. Mr. WARBURTON objected to entertaining the petition as it was of a private nature.

Hon. Mr. LONGWORTH contended it was not of a private nature, that it was the petition of a respectable society, respecting a matter which affected the interests of all classes of the community. He moved that it be referred to a special Committee to report thereon by Bill or otherwise.

Mr. CONROY maintained that some amendment was required in the License Law, as at present a tavern keeper could renew his license without consulting the wishes of the people of his district.

Hon. Mr. COLES said the petition appeared to proceed from a body of temperance men who were giving their opinion as to the quality of liquors.

Hon. Mr. Longworth's motion was then put and carried 20 to 3, Messrs. Howat, Walker, and Laird being those who voted against it.

Mr. McLENNAN gave notice of a motion for leave to introduce a Bill to alter and amend the road Act, with a view of making the fifth electoral district of Prince County, viz., Summerside and vicinity, into a separate road district.

Hon. Mr. LONGWORTH introduced a Bill to consolidate and amend the several Laws relating to Education. After he had somewhat fully explained the nature of the Bill, it was read a first time, and ordered to be read a second time to-morrow.

On motion of Hon. J. C. Pope, it was resolved that the House will on Tuesday next resolve into a Committee of the whole House, to consider of ways and means.

The House then resumed the question of "privilege," and resolved itself into a committee of the whole, upon that point in connection with the Hon. E. Whelan, and the "Examiner."

They were thus occupied till the usual hour of adjournment.

AFTERNOON SITTING.

March 31.

The House spent some time in Committee of privileges in reference to a paragraph which appeared in the *Examiner* newspaper. After the doors were opened.

Mr. HASLAM then moved that the said committee do report next session, which motion was carried on the following division:

Yeas—Messrs. Haslam, Howat, Green, Conroy, Sinclair, Ramsay, Montgomery, Walker, Laird, Davies, Kelly, Whelan, Coles, McAulay, Warburton—15.

Nays—Messrs. Longworth, Col. Secretary, Kaye, Pope, Hensley, J. Yeo, Brecken, Duncan, McLennan—9.

The Committee appointed to report next session were Messrs. Longworth, J. C. Pope, and Brecken. Adjourned.

WEDNESDAY, April 8.

Hon. Mr. LONGWORTH moved the fourth order of the day, the second reading of the Bill to alter and amend the Act intituled "An Act to consolidate and amend the Laws relating to Education." In moving the second reading of this Bill, the hon. gentleman said that it was not contemplated to alter the general features of the present system of Education, but it was found that the system, in its practical working, was too vast and extensive for the capabilities of the Colony. It was admitted, on all hands, that the claims of Education were of the highest importance, and especially so to a young Colony; and, he was happy to say, that those claims had been a subject of careful attention and solicitude for several years in our Legislature; but the fund specially appropriated to its support, namely, that derived from Land Tax, was comparatively small, and annually, or in proportion as proprietary lands were purchased by Government, becoming less, while the Educational system, from year to year, became more expansive, and, as a natural consequence, more costly. At present it entails an annual charge of upwards of £16,000 upon the Colony, while the whole Revenue does not generally exceed £42,000; under these circumstances it becomes necessary that some plan should be devised by which the advantages of the system may be preserved, while the cost of its maintenance may be diminished to an extent that will make the whole amount bear some reasonable proportion to the aggregate revenue of the Colony. With this view, it is contemplated by the Bill, without diminishing the allowances or sums which the several classes of School Teachers are entitled to receive under the present Law, that a small proportion of those allowances shall be made up by the parents of the children, the larger proportion of the sums being payable from the Public Treasury. For example, it is proposed that District Teachers, of the first or lowest class, now in receipt of, or entitled to, £15 per annum, shall receive £30 from Government, those of the same class now entitled to £50, to receive £35; Teachers of the second or highest, now entitled to £55, to receive £40, and those of the same class entitled to £60, to receive £45; and Female District Teachers, and Teachers in Charlottetown and Georgetown to receive a like proportion of the sums to which they are at present severally entitled, the residue of their several stipends or allowances to be made up by the contribution of the parents of the children in attendance at the several Schools, power being given to a certain proportion, say two-thirds of the householders in a

District, to assess the remaining one-third or any lesser number of the inhabitants, if necessary, for their quota towards the Teacher's salary, so that the sum to be raised may be fairly contributed by each and all. But as this general plan may not be found applicable to some of the poorer country Districts in the Island, a clause has been inserted in the Bill providing that when the inhabitants of a District are unable to raise the required sum, in aid of the Teacher's salary, and that fact be certified to the Government by the Board of Education, and the services of the licensed Teacher can be procured for the Government allowance, or that sum and an amount in addition less than the proper proportion, in such case the Government allowance shall be granted and the benefit of the Act extended to that District. Another feature of the proposed Bill was the abolition of the distinction hitherto made in favor of the Acadian Schools, it being proposed to put them upon precisely the same footing as the other Schools in the Island receiving Government aid; and, it was presumed, that this arrangement would meet with general concurrence in the House, there being no good or constitutional reason why one class or section of the inhabitants should stand upon a different basis, as regards Legislation, from the main body of the inhabitants, or why the same privileges should not be extended to all classes and nationalities alike. The hon. gentleman then referred to the operation of the Act, and to the vast outlay of money which had been made from year to year under it, and stated that although the benefit resulting from it had been very great, it had not been quite commensurate with the expenditure, and he traced it to two main causes, although apparently slight in themselves. In the first place, the original Act was deficient in one important feature, in reference to the mode of keeping up the number of scholars in the Schools. It provided, correctly enough, that a School should not be established, unless the requisite number of 40 scholars were found in the District between certain ages, but the moment they were found, and the School was once established, that desideratum was lost sight of; and provided a certain average attendance in the Schools was maintained, all was right. Now this was certainly a defect in the system, for the numbers in a District might increase or decrease to a very great extent, and if such were the case, the average attendance would necessarily be influenced by that circumstance. The Law, therefore, should have regulated the average attendance in proportion to the number of scholars in the District; and this circumstance will, to some extent, account for the second defect in our legislation, namely, the alterations that have been made in the Act by repeatedly lowering the standard or average attendance at the schools, thus inflicting an injury upon the great bulk of the schools to meet the case, perhaps, of a few isolated ones in which the actual number of children in the District had, no doubt, diminished far below the original number required by the Statute. To meet this evil it was proposed by the new Bill that the average attendance at the schools should be regulated by the number of children in the District, thus, when there were 40 and under 50 children in a District, there should be an average attendance of 20, when there were 50, and under 60, there should be an average of 25

children in attendance, and so on in that proportion; and, in order to insure this regulation, it was required that in all agreements hereafter to be entered into between Trustees and Teachers, the number of children in the District should be clearly specified; and as copies of these agreements were to be sent in to the Board of Education, the means would be at once afforded of ascertaining the condition of any given School, and whether it was in a healthy or languishing condition. Additional powers and facilities were also proposed by the Act to be given to the Board of Education to enlarge or re-arrange the boundaries of Districts, with the assent of the inhabitants, and also with such assent to convert two ordinary Districts into a Grammar School District, providing that the salaries that would be payable to the two ordinary Teachers should be united to form the salary of a Grammar School Master. And a like power was also proposed to be given to the Board to change any common District into a Grammar School District, in cases where the inhabitants were willing to increase the rate of contribution towards the Master's salary in a fair proportion. This power, it was hoped, would prove of advantage to the inhabitants, especially in some of the older and more flourishing sections of the Island, as enabling them to give a higher and better education to their sons than the ordinary District Schools could be expected to impart, and would thus prepare them to enter College with advantage to themselves. Independent of this machinery, the Bill also contemplated the establishment of three Grammar Schools, one in each capital of the respective counties, viz: one in Charlottetown, one in Georgetown, and one in Summerside, to be placed under the control of the Government, with an annual salary of one hundred pounds provided for each master. It was also proposed to make an alteration in the mode of supervision. It was useless to expect that any one man could efficiently perform this duty; another School Visitor was accordingly to be appointed, and the Island being divided into two sections, with one Visitor to each, it was not too much to expect a regular quarterly report from each, and that a more strict and rigid inspection would be secured. It was hoped that the efforts of the one, in fulfilling his duties, would operate beneficially upon the other, and thus establishing an honorable rivalry between them, the interest of Education would be promoted.

These were the general features of the proposed Bill, the details of which the hon. gentleman stated would be more fully explained in Committee, and he concluded by moving its second reading.

Hon Mr COLES opposed the Bill as the first blow against the system of Free Education. He believed that the people were not willing to give it up, because they were fully aware but for that system the youth of the Island would have been nowhere. The principle was correct; but under the proposed Bill, if the parents did not pay, the children would lose their education.

Hon Mr LONGWORTH was of opinion that if parents were required to contribute something towards the education of their children, it would be an advantage to themselves—it would not only induce them to send their children more regularly to school, but to take a deeper interest in their progress while

Hon Mr COLES quite agreed that Acadian teachers should qualify before the Board the same as others, and no distinction made between them. He was afraid if the Bill now under consideration was correct that many Districts would have to do without a teacher. He felt that he was not to blame in the matter; when the Free Education system was introduced and established he was not bound to provide money to work it for all time; the present difficulty arose from the fact that the late Government had expended money for one purpose that should have been spent upon another. He moved that the Bill be read a second time that day six months.

Hon Mr WARBURTON seconded the amendment, for he believed that the proposed act would not give satisfaction.

Hon Col GRAY said that this was just the old story of the old man and his son, and their patient beast of burthen. Let the Government do what it would, some hon. members opposite resolved to find fault; they declaim against the Government for not imposing increased taxation upon the land, and harp upon the tax on wilderness lands. Let any hon. member take his pencil and make a calculation, and he will find that the increased taxation on the wilderness lands will produce about £250 only; while the whole sum which could be realized by the increased taxation of all the lands in the Colony would only amount to some £1,000. But he (Col Gray) was always opposed to raising a revenue by taxing the lands; he was not an admirer of direct taxation in any shape—indirect taxation was that which pressed most lightly upon the population of any country, and to this mode it was now his wish to have recourse. The members opposite spoke as if it were intended to increase the salaries of the Teachers; no such thing was ever contemplated; on the contrary, they were already underpaid, and he (Col Gray) hoped the Government was not far distant when the people of this Colony would recognize in a more substantial form the heavy debt of gratitude they all owed to this patient, laborious and invaluable body of public servants. At present, the only change contemplated was the manner in which the salaries should be paid, the amount remaining the same. All hon. members admit that the payment of these upon a different revenue for educational purposes seriously embarrassed the country; the first indirect taxation proposed would, he trusted, materially aid in adding to the funds, and extricating them from the humiliating position they were at present placed in.

Hon Mr HENSLEY willingly gave every credit to the Government in this matter, and his opposition to the measure would not be a factions one; but he feared, if adopted, that it would destroy the principle of Free Education. He was strongly of opinion that the teachers should not be dependent upon the parents for the amount of their salaries, and therefore felt bound to support the amendment.

Hon Mr McAULAY said the subject was one of very great importance to the Colony; he remembered the introduction of the Free Education Bill, which he supported through all its stages, but it had brought the Colony greatly in debt, the interest on which alone was a large sum. The introducer and framer of the measure had not counted the cost when he introduced the measure and the return of scholars

was unequal to the expenditure. He should, therefore, support the second reading of the Bill, although, upon principle he was opposed to direct taxation. House then adjourned.

AFTERNOON SITTING.

WEDNESDAY, April 8.

Debate resumed on the motion to go into the order of the day, the second reading of the Education Bill.

Mr SINCLAIR said he was inclined to support the amendment moved by the hon. leader of the Opposition, because he did not feel disposed to go back to the old education scheme without having the views of the people expressed to that effect. He knew that the Government had a difficult task before them, still he thought free education should be sustained. Some argued that if the people paid directly for their education they would value it more, and attend to it better. He was not prepared to say whether this view was correct or not; but, this he believed, that if the people had to supply education themselves, many would be left destitute of its advantages. It had been found necessary for the Government to take some part in providing education, and for several years this Colony had been working under a free system, but now the question had again arisen, whether the state should supply the whole funds for its support, or only a part. The view which he entertained was that this House must either adopt one system or the other—either raise the whole, or leave it entirely in the hands of the people. He thought the former the preferable course, as then education would be within the reach of all, and it could be obtained at a cheaper rate for the whole country than by the self-supporting system. At present there were about 25,000 children in the Island, and they now could get their education for 15s a head per annum, whereas if the people had to supply it the salaries they would have to pay £2 or £3. He had somewhere read that the poor were generally in favor of taxation to keep up such a matter as education, because it became much more easy when laid upon the whole population. Governments however were sometimes inclined to lavish sums on a liberal undertakings, and when they came to what was for the benefit of the poor man, they would turn very economical. He was in favor of giving all such an education, as that, if they had the desire or ability, they might have it within their power to rise in life. A great reason why the right men were frequently not found in the right place, was because those who possessed talent were kept back for the want of education. He would say, then, let us keep up the common Schools, even though we should do away with those in which the higher branches were taught. He would rather do away with the College altogether, if they had not funds to keep it up, than that the common schools should be allowed to suffer. He could not give his vote for going back to the old system, when the voice of the people appeared to be against it. Public meetings had been held, and the opinion expressed at them seemed to be altogether opposed to a retrograde movement,—and the measure proposed was nothing but a return to the old system. Though the amount proposed to be allowed by the Government might be greater than before the introduction of Free Education, still there would be the same trouble in Teachers

getting their pay as when they received only £15 from the Treasury. He must, therefore, support the amendment, though there were details in the Bill of which he highly approved.

Mr DUNCAN said hon. members talked about the Free system of Education, but was the Government of the country to be burdened so that it could pay nothing at all! What was it that the Bill proposed? to give £40 to teachers instead of £55. This was certainly very hard indeed! For the poorer districts a provision was made that they might get a Teacher, and it was only in districts where the people were better off that a certain small amount would have to be raised. If the scheme proposed was not free education, it was the next thing to it. Were hon. members of the Opposition to get their way, they would soon have the Colony so bankrupt that Treasury warrants would not sell at 20 per cent discount.

Mr HOWLAN remarked that it was all very well for those to talk who had no children to educate. He believed that King's and Prince Counties paid more taxes than Queen's County, for educational purposes, and they did not receive so much money. He knew that schools had been opened in thinly settled districts in his part of the country which would have to be closed were the proposed measure to go into operation. Whatever might be the amount of taxation required, he would support the Free Education system. But as to the Prince of Wales College, it certainly was too great an expense to the Colony. It had cost a large sum during the two years it was in existence, and he could not learn that it was any more efficient than the old Academy. The Normal School, likewise, was a considerable burden on the Colony, and for very little purpose, as it was not easy to understand what good a person could gain there during a short term of five months. The School was a mere farce, because it took some four or five years to go through a course of training in other countries. The expense of the Prince of Wales College was nearly half the whole amount expended on education in Prince County. This method of lowering the average number of scholars would work well enough in Queen's County, but it would not suit in Prince County, many parts of which were thinly settled. He understood from some of the Teachers there that they found it difficult enough to keep up the average as it was. The Teachers had been required to pass the Board of Education two or three times, and all with the hope that they should receive sufficient support to enable them to make teaching a profession. It had been stated by an hon. member opposite that we were going to have an additional duty upon molasses; and when told that this would be a burden on many, he said that those who did not wish to pay the tax, need not use them. This was all very well for the hon. member, but though the duty on molasses was raised, he (Mr H.) doubted very much whether the hon. gentleman himself would pay 10s a year additional by this increase of taxation or not. So it was all on the poor man that the burden would come at last. It was all nonsense to fabricate an excuse by saying that distillers were dishonest in making their returns. Though there might be some truth in this, yet surely there were other articles in the Tariff more deserving of increased taxation than molasses. With regard to what had been said respecting the French Acadian Schools, he thought what was proposed in the Bill would benefit to them, as he scarcely knew more than two or three Teachers of that class in his part of the Island who were not licensed.

Mr HASLAM approached this question with a feeling of diffidence. What was called the Free Education Act had been at first objectionable in out of the way places, where the people had the taxes to pay, though they could receive no benefit from it on account of the high average of attendance required. To obviate this objection, in some measure, and remedy other defects, the Act was amended in 1854. But there was still an outcry, and it was again amended in 1861, without, however, giving any better satisfaction than before, except to those teachers who afterwards passed the

Board of Education. The present system was dragging the country into debt, and some remedy was required. If the Education Bill before the House should prove unpopular, it would only meet the fate of those which had gone before it. It had been stated that the measure would make the teachers wholly dependent upon the people. In most places he thought the teachers at present were too independent. When the old system was in force in the district in which he resided, they had some trouble, no doubt, in getting the teacher's salary collected; but still they made it out, and the school was better attended and more interest was taken in it than now. With regard to the poor districts which the hon. member for Tignish said would be injured by the Bill, he thought they would be in a better position than at present. The Bill provided that these were to have the benefit of a school if the Board of Education reported in their favor. In a part of the country which appeared to him to be a wilderness, he had been told that 40 scholars could be got up; and if this place could make up the number, and obtain a school, he thought there were few districts which need be without one. He was of opinion that if the half of the children in a district could not be kept in school the people there should not have one. When he was canvassing the country at the last election, he had been met by the statement that the Liberals could educate more children with £14,000 than the Tories could with £17,000. What truth there was in the statement had its origin in this, that the average attendance required was higher when the Liberals were in power than at present. He believed it was found nearly as easy to keep up the average when it was 30, as now when it was 18. It was a very small sum that would be required over the proposed allowance from the Treasury; and as the Government could not give more without increasing the taxation, he thought the people would find it cheaper to tax themselves for the amount required. If, however, parties went round the country and represented that the Government should pay everything without showing where it was to come from, they might succeed for a time in making the present Bill unpopular, but it would not stand. As to higher schools in Queen's County, if there were some in the country who desired higher education, they ought to have the opportunity to receive it. If Queen's County received so much more money for education than the other two, it showed that it contained a greater population, and consequently paid more of the taxes. As he had heard nothing from the Opposition to cause him to alter his opinion, he would support the Bill going into Committee.

Mr. HOWLAN wished to explain. He was not opposed to the Prince of Wales College; but considered there was too much machinery there for all the material that was to work upon, or to make his statement plain, that one professor, say Dr. Inglis, and a teacher to assist him, were quite sufficient.

Mr. BRECKEN was not very well acquainted with the working of the present system of Education; but he was willing to give the hon. leader of the opposition credit for far all he was entitled to in regard to introducing the measure. No more important question than education could engage the attention of any statesman. With respect to the support which it received, he (Mr. B.) believed there was no country in the world so lavish of its revenue for that object, as this Colony. If we were right in appropriating so large a proportion of our funds for education, all the rest of the world was wrong. Last year with a Revenue of about £40,000, we expended some £17,000 on education. And he believed that though the Bill before the House was passed, yet this branch of the public service would still cost about £13,000, which would even then be a larger proportion for education than any other country could shew. Something had been said respecting Prince of Wales College, and about Queen's County receiving more from the public funds than the other two. It was necessary to have some higher institution in the Colony than the common school, and certainly the capital was the fittest place to have it situated. The College was as much an advantage to the country as the city; and to

encourage students to attend from the country districts of the three Counties, they were only charged half the fees which it cost those belonging to the City. The fees were not high for such an education as was received at that institution. Prince of Wales College was a credit to the Colony, and had he been one of its founders, he would have been proud of it. It had been objected that the present Bill was a return to the old system. If the revenue of the Colony would bear it, he was willing to continue the Act as it stood, and even to increase the salaries of the Teachers. But as some course must be adopted to prevent an increase of the public debt, he thought the Bill under consideration provided the best remedy they could propose. If parents had to pay 7s. 6d. a scholar out of their own pockets for educating their children, it would, no doubt, be a tax, but were it to be the means of making them look a little better after their education, it would not be money altogether lost. Some parties speak of the propriety of increasing the tax on land; but the present cost of education would require a tax of twenty five shillings per hundred acres,—which was one that he thought hon. members would not be prepared to support. He maintained that this House could not be charged with neglecting the interest of the poorer classes by passing this Bill, as provision was made for weak districts. If any place had a right to complain, he believed it was Charlottetown, where the people paid higher for education than those in the country; but he would not object to the measure, though he would like if the House were willing, to have some fairer rate for the City.

Hon. Mr. LONGWORTH did not consider it proper for hon. members—as had been done by those of the opposition—to endeavour to make capital for a party out of such a question as that before the House. He was willing to concede to the hon. leader of the Opposition all the credit due to him for introducing the present system of education, but he doubted if the hon. member had any very clear views as to how it would work. He was not entitled to all the praise which had been given him on both sides of the House, as the measure was not so perfect as had been imagined. He (Mr. L.) was willing to admit that this Colony was in advance of any other dependency of Her Majesty's Crown in supporting a free system of education. But what was a free system of education? If the subject was enquired into it would be ascertained that the systems called free in enlightened countries such as Prussia and the United States, were different from ours. They were not thrust upon the people without their being in a position to adapt themselves to them. What was the case in Scotland? It was known that the free system, there which had obtained such a world-wide celebrity, was not properly free, as the people were directly taxed for its support, even in regard to what was raised by the state. But the system here, which at first looked well enough on paper, had been found wanting, as there was nothing in it to bind the people to take a proper interest in its operation. The country had been working along with it since it was introduced to the present time; but in revising it, we found it impossible to make it applicable to the circumstances of the Colony, without a material alteration. He did not rise to question the integrity of the motives which actuated the hon. leader of the Opposition in introducing the present system; and in advocating the amendments now proposed, he (Mr. L.) hoped that hon. members opposite would also accord those on this side, the credit of sincerity of purpose. He had before said that there was no such system of education as ours to be found in any part

of the world. If, then, it were not adapted to older countries, was it adapted to a new one like this Colony? Were we to refer to Prussia, we would find in a work published in 1842, that while the revenue of that country was £13,000,000, and the cost of education estimated at £1,200,000, still the amount borne by the State was only £50,000. This was the proportion paid by the State for education in that country, and the system of education there was considered the most perfect in the world. It was undoubtedly government education, but as to its being free, it was absurdity. What was given by the government was only subsidiary, and to encourage the people. The same was the case in Scotland; the heritors paid a part, and the people the rest. Were the people of Prussia to contribute in the same proportion for education out of their revenue as this Island, it would amount to about £6,000,000. Our system was called a free system, and he might say if we took into consideration all the benefits resulting from it, it was too free. The hon. member for Princetown objected to the Bill before the House on the ground that it would give a death blow to the present free system. He ought to examine and see whether it was perfect or not, before lamenting that important alterations were to be made in the Act.

[The hon. Mr. Longworth then read some lengthy extracts from several works, among which was one by the late Dr. Young, of Nova Scotia, to strengthen his position that a system of education to be successful should in part be supported by the voluntary contributions of the people.]

The hon. COL. SECRETARY intended to say something on this Bill, but as so much time had been occupied, his remarks would be brief. He was willing to accord to the hon. leader of the Opposition, credit for introducing the present system of education, (and he believed his grand children would have reason to be proud of what he had done,) but it was found that it was costing the country too much, for all the benefit derived from it. The hon. member did not carry his principle far enough; to gain proper advantages from the system, he should have made it compulsory on parents to send their children to school. This was not the time to speak of the manner in which the money to meet the expenses of education was to be raised, but he was of opinion that it would not be judicious to increase the tax on land. The hon. member for Prince County had objected to the cost of Prince of Wales College. The system of education would not be complete without a higher educational institution for the whole Colony. He (Col. Sec.) did not doubt—though the hon. gentleman was disposed to be so very economical in regard to Prince of Wales College—that he would support a grant of several hundred pounds to a sectarian institution.

Hon. Mr. COLES remarked that a great deal had been said about perfecting the present system of education, and all the amendments introduced by the government party had been for that object, but he believed they were now further from it than ever. The hon. member who introduced the Bill had read lengthy extracts from a work by George Young. And who was this George Young? Why it was just as probable that some person in some other country, like as the hon. member had done with Mr. Young

here, might quote the opinions of George Coles, for the system in this Island is talked of in the neighboring Colonies as being the best system possible. He (Mr. C.) agreed with the hon. Col. Secretary, that there should have been a clause in the Act to compel the attendance of children at school. It was objected that the people do not now take a sufficient interest in the schools. There might be some truth in the statement, but if such was the case, it was the fault of the Government, in keeping a person in office who did not visit the schools perhaps once in four years. Under the Act, the people were made to feel that they had an interest in the schools, as they could not get a teacher without first erecting a suitable building, and supplying books and other things necessary. In one place, he (Mr. C.) had read of the Government built the school-houses, while the people supported the teachers. Here they had reversed that system, and made the people provide the houses and furniture, while the Government paid the teachers. The people also felt the land tax, as directly paid for the support of education. And he believed it would have been better for the Government, instead of the alteration proposed, to have raised the land tax to 3s 4d an acre, which would have given £2000, and to have taken £5 off the Teachers' salary, which would have amounted to £2000 more. Amendments like these would have relieved the pressure on the revenue, and would have been better than going back to the old system. The hon. member for Georgetown had stated that free education alone had left the Colony £90,000 in debt. It was not education that was the cause of all the debt of the country; but even if it had been the occasion of increasing it, the outlay would not be lost, as there was no telling the benefit which had resulted from ten years operation of the Free Education Act. The hon. member had also said that they were now introducing the system of education adopted in the most enlightened countries. It was a strange thing if the old system which we had in this Colony years ago, was the most perfect in the world. It had been stated, in excuse of the School Visitor, that he had not time to visit all the schools in the country; but he (Mr. C.) had heard a clergyman of some experience say, that he was mistaken if he could not walk through the Island and visit all the schools once a year. It was proposed in the Bill to have two Visitors, but he maintained that it was more judicious to give a good inspector, such as Mr. Stark, £300, then have two complaining that they were not sufficiently paid. The hon. members who supported the Government, should not charge those on this side of the House with factious opposition. There was an important principle involved in the change proposed in the Bill under consideration. If all the advantages were not derived from the present system that might be, on account of the children not attending school, he would go for bringing in a clause to compel their attendance, but he could not support a measure which was simply a return to the old system. He would still press his amendment that the Bill be read this day three months.

The House then divided on the motion of amendment, when there appeared—

For it—Messrs. Coles, Kelly, Thornton, Beaton,

Hensley, Warburton, Sutherland, Conroy, Hewlan, Walker, Sinclair—11.

AGAINST IT—Messrs. Longworth, Col. Secretary, Pope, Gray, Laird, Kaye, Montgomery, McLennan, Brecken, Yeo, Howat, Duncan, Green, Haslam—14

The main motion that the Bill be read a second time was then put and carried 15 to 11, Mr Ramsay, who was absent during the former division, voting with the majority.

The Bill was accordingly read a second time and committed to Committee. A short time having been spent in Committee, progress was reported and the House adjourned.

AFTERNOON SITTING.

April 18.

The House went into the order of the day, viz., Committee of the whole on consideration of the Report of the Special Committee on the Public Accounts—Mr. Sinclair in the chair.

After the report had been read by the chairman—

Hon. Mr. COLES said he had a great number of papers before him, but as it would take him a long time to get through them, and he would only, he supposed, be finding fault with the leader of the late Government, he did not think he would enter into the subject. He was disposed to let the present Administration have a fair trial, and to give the present leader an opportunity of proving himself a better financier than his predecessor. He (Mr C.) thought that the chairman of the Special Committee (Mr John Yeo) deserved a great deal of credit for preparing a report which had been signed by all the members of Committee, even those belonging to the minority of the House. The Report contained no one-sided explanations, it was simply an unvarnished statement of facts.

Hon. Mr. LONGWORTH was happy to find that the hon. leader of the Opposition took such a fair view of the case. There was no doubt that the revenue last year had not been equal to the expenditure. He (Mr L.) was also happy to find that the accounts were so correct that the members of Committee, belonging to both sides of the House, had no difficulty in signing the Report. The Committee had only a right to state facts, and not to draw inferences therefrom. They had, therefore, strictly adhered to their duty. He thought it ought to be gratifying to every member of the House, that there was so much unanimity on a matter of such importance as the Report of the Committee on Public Accounts.

Hon. Mr. HENSLEY could also express his gratification that there was such a good feeling between hon. members, and that there was likely to be very little discussion on a subject which frequently occupied the time of the House for two or three days. He thought there was a probability that the revenue would meet the expenditure for the current year.

Hon. Mr. WARBURTON, as one of the members of the Committee on Public Accounts, would certainly pay his tribute of praise to the Chairman, for the fidelity with which he had discharged his duty. It was unnecessary that he (Mr W.) should remark on the several items of the Report, as it would speak for itself. He was sorry, however, that it showed

such an excess of expenditure over the revenue. This year the case would probably be different, as he did not believe that the expenditure for education, under the new Act, would be much more than half what it was last year. He did not know in fact what would become of education in the country, as he felt assured that many of the schools would be closed because the people were not able to pay the subscriptions that would be required under the provisions of the Bill which had been passed.

Hon. Mr. LAIRD was also pleased to see so much unanimity on the subject of the Public Accounts, and hoped that both parties would so work as to endeavor to keep the expenditure within the revenue.

Hon. Col. GRAY thought there was no occasion for the alarm expressed by the hon. member for Prince County when he said that education this year would not probably require from the revenue one

half of what it had done last year. That hon. gentleman would, doubtless, find himself mistaken.

After one other remark or two from hon. members who had already spoken, the report was agreed to, and reported to the House accordingly:

REPORTER'S NOTE.—Had the remainder of the Assistant Reporter's extended notes been considered worthy of publication, a consecutive report of each day's proceedings would have been given up to the close of the Session. As it is, however, all the important debates have been published, with the exception, perhaps, of that on the Report of the Committee appointed to inquire into and report on the working of the Worrell Estate and other public lands on this Island. This debate referred so extensively to figures, that the Reporter could not venture publishing them without a careful revision by the several speakers, a course which is at present impracticable. A somewhat lengthy discussion on the Orange Bill also took place near the close of the Session, but as so much has already appeared on this subject, it seemed unnecessary to publish a repetition of former arguments.