

THE
PARLIAMENTARY REPORTER;

OR,

DEBATES AND PROCEEDINGS

OF THE

HOUSE OF ASSEMBLY

OF

PRINCE EDWARD ISLAND,

FOR THE YEAR 1861.

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

MESSES. D. LAIRD & J. D. GORDON, REPORTERS.



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THE
PARLIAMENTARY REPORTER.

SESSION 1861.

MEETING OF THE LEGISLATURE.

On Thursday, February 21st, 1861, His Excellency Lieutenant Governor Dundas came down to the Council Chamber at 2 o'clock, when he was pleased to open the Legislature with the following

SPEECH:

Mr. President and Honorable Gentlemen of the Legislative Council;

Mr. Speaker and Gentlemen of the House of Assembly;

The period being arrived at which the business of the Legislature is usually resumed, I have called you together, and have much satisfaction in again meeting you, in Assembly, to deliberate on the affairs of this Colony.

Nearly six years have elapsed since a Census of Prince Edward Island was taken. I would, therefore, direct your attention to the propriety of, this year, renewing that Census: more especially as the Imperial Government, having determined on taking one of Great Britain in April next, considers it desirable, that in all the Colonies a similar course should be simultaneously adopted. A Despatch from the Right Honorable the Secretary of State, and Documents on this subject, shall be laid before you.

Mr. Speaker and Gentlemen of the House of Assembly;

The Accounts of the past year, and the Estimates for the present, shall be duly submitted to you. All Financial arrangements, connected with the public service, have been framed with a due regard to economy.

The unusual Expenses of the past year, which were incurred, principally, by the purchase of the Estates of two non-resident Proprietors, are not altogether met by the Revenue.

I would direct your most serious attention to the fact, that the Revenue, as regards the Imports on Spirits, has, in some measure, decreased in the face of increased duties. It is to be feared, that a system of Smuggling extensively prevails—an illicit Traffic as destructive to public morality, as it is injurious to your finances.

The Land Commission, which your Address to Her Majesty procured, has, as you are aware, investigated with the utmost care and diligence those questions submitted to it. The award of the Commissioners, will, I am assured by them, be made as early in the ensuing Summer, as practicable. That a decision so important, and so anxiously looked for by you, should have been delayed, is a subject of regret both to the Commissioners and to myself. Such delay was, however, unavoidable. It has arisen as much from the laborious and responsible character of the task which the Commissioners undertook, as from frequent interruptions;—your own Referee having, in his high official position, other onerous duties to discharge.

Mr. President and Honorable Gentlemen of the Legislative Council;

Mr. Speaker and Gentlemen of the House of Assembly;

A Despatch which I have recently received, acquaints me, that the Colonial Minister gladly acknowledges the promptitude with which the Legislature of this Colony hastened to give effect to what, they supposed, was the desire of Her Majesty's Government, that the award of the Commissioners, when given, be rendered valid and binding. The Colonial Minister did not, however, anticipate, that the Legislature, with this object in view, would have proceeded to pass an Act of Assembly antecedent to the making of the award. As it, therefore, appears to His Grace, the Duke of Newcastle, that such legislation is premature, His Grace does not consider it advisable to submit, at the present moment, this Act for Her Majesty's assent.

You will be gratified to learn, that the purchase of the Selkirk Estates—sanctioned by you last year—has been attended with the most satisfactory results. The great majority of the Tenants on that Property have, in a manner highly creditable to themselves, come forward and paid the deposit of the purchase-money requisite for the redemption of their leaseholds. The large amount of the sum deposited, is an earnest of the self-sustaining character of the transaction.

In consequence of a clause in the Land Purchase Act, restricting the Interest on Debenture Loans to five per cent., it was found impossible to negotiate these, while Treasury Warrants yielded six per cent. I was therefore, compelled, in order to meet our engagements to avail myself of the temporary expedient of issuing Warrants to the amount required. A considerable proportion of these Warrants has been redeemed, and I confidently look for your approval of the course I adopted.

In the absence of all Military Forces, for the protection of the Colony, I have endeavoured to organize, throughout the Island, Volunteer Rifle and Artillery Companies. My efforts have been seconded, in a praiseworthy manner, by numbers of spirited young men, who have enrolled themselves in these corps. I trust, that a patriotic feeling, similar to what prevails at home, and in the adjacent Provinces, will prompt you, liberally, to support the movement, and enable me to complete the efficiency of these Volunteers. As the present Militia Law is not applicable to them, I would direct your attention to the necessity of legislating in reference to this valuable acquisition to our Military Forces.

The past year will be long remembered, as that in which our Queen sent her eldest Son to visit Her North American subjects. In your reception of the Prince of Wales, you testified an attachment to Her Throne as gratifying to His Royal Highness, as it was characteristic of the

9. Under the circumstances of your Excellency not being able to negotiate Debentures at five per cent., in accordance with the Land Purchase Act, whilst Treasury Warrants yielded six per cent., we approve of the course adopted by your Excellency in issuing Warrants for that service.

10. We are pleased to learn that your Excellency's efforts in organising Volunteer Rifle and Artillery Corps have been responded to in a praiseworthy manner by numbers of spirited young men enrolling themselves. We will cheerfully make such provision for supporting and encouraging the movement as our limited means will afford, in order to enable your Excellency to further their efficiency. Your Excellency's suggestion respecting the Militia law not being applicable to them, shall receive our best consideration.

11. It is pleasing to know that the reception given to the Prince of Wales by the People of this Colony was gratifying to His Royal Highness, testifying as it did an attachment and loyalty so characteristic of its inhabitants.

12. We cordially unite with your Excellency in the fervent hope that our deliberations may, with the favor of Divine Providence, conduce to the honor and welfare of this Island.

The first, second and third paragraphs were agreed to. The fourth having been read—

Hon. Mr. COLES said—we are not altogether surprised to hear that the expenses of the past year are not met by the Revenue. But, Mr. Chairman, we were not aware last Session that two Estates were going to be purchased by the Government. With respect to the Selkirk Estate, we were informed by His Excellency that it was offered to them at a low rate, and the House, on this account, considered it should be purchased, though the Land Commission was agreed to. Now, though it was stated in the message to the House, that Lord Selkirk had offered his Estate to the Government, it turns out that the very reverse was the case—that they had offered to purchase it from him. From a conversation which I had with Mr. Douce, I learned that it was offered to him for £3,000 less than it was purchased for by the Government. The offer was made to his son when in England, and as he could not agree to the purchase without his father's consent, he returned to the Island for that purpose, and while absent, Lord Selkirk received propositions from the Government. If they, instead of making an offer for the Estate, had sent home to ascertain what Lord Selkirk would have taken for it, this £3,000 might have been saved. The correspondence with this Proprietor was not submitted to the Legislature when the purchase was proposed, as it should have been, or probably the measure would not have received the concurrence of the House. Again, Sir, when this House extended the Land Purchase Bill with the view of purchasing this Estate, it was distinctly laid down that no higher rate of interest should be paid than what was mentioned in the Act; and when I stated at the time, that it was doubtful whether money could be obtained at 5 per cent., oh, they had no fears! their credit stood so high everywhere, that they could obtain money to any amount, but the poor Liberal party, when in power, could not get a shilling! The late Government, however, though so much abused, procured money at 5 per cent. under the Land Purchase Act, while the present Government have failed. But what have they done! They have violated the constitution of the Colony, by issuing Treasury Warrants that are not authorized by any law of the Island. This is the course pursued by this great Government, which we were almost led to believe would never do any wrong. I am surprised that

the constitutional lawyer, the hon. member for Georgetown, should have consented to such an act. What would have been the result had the opposition now come into power, and expediated these Warrants, as they might have done? I did not think His Excellency the Lieutenant Governor would have come down here whining in the manner he did in his Speech—"it was found impossible to negotiate debenture loans at 5 per cent., while Treasury Warrants yielded 5 per cent.; I was therefore compelled, in order to meet our engagements, to avail myself of the temporary expedient of issuing Warrants to the amount required." The other Estate, Lot 54, the Government was not authorized to purchase; but I suppose they bought it to please an absentee Proprietor. They must go and give him £3,000 for the Estate, and that too after the greater portion of the good land on the Township was sold. What remains is swamps, or land on which scarcely anything can live but frogs. No wonder, then, that we hear the debt of the Colony is increasing. I maintain that if the Government could not procure money at the rate of interest specified in the Act, they had no right to purchase the land at all. They may say, but we have received so much from the sales on the Selkirk Estate, that a portion of the Warrants has been paid off by this means; but they had no right to appropriate the money thus received to such a purpose, for Warrants when issued should be redeemed in their turn. The expenses of the past year, which have been increased by the purchase of two Estates, have not been, we are told, met by the revenue. What, then, will now be the public debt of the Colony? We have heard much about the extravagance of the late Government—oh, they were ruining the country! But when we went out of power, the debt was only about £39,000; now it will be found to be over £60,000. At one time, under the administration of the late Government, if the sum paid for land, and the amount of Treasury Notes about were deducted, the debt was not more than £2,000 or £3,000. The Government last year knew that they were going to purchase at least one Estate; they were aware also that a reception was to be given to the Prince of Wales; and to meet this and other extra expenditure, they increased the duties from 25 to 100 per cent., and yet we are told that the expenses have not been met by the revenue. Respecting Lot 54, nothing is said in His Excellency's Speech; all the glorification is about the Selkirk property—"the purchase has been attended with the most satisfactory results—it will be a self-sustaining transaction." But no expectation is expressed that Lot 54 will be self-sustaining. Here, then, we see the Government engaged in a land speculation without the probability of its being self-sustaining, and that too since the Commission was appointed; and notwithstanding all that they have said about the loss by the purchase of the Worrell Estate. How much also have we heard from some of the members of the present Government respecting the titles on the Worrell Estate not being investigated; but here they have consented to the purchase of Estates, without any investigation of the titles. I believe it was understood with respect to the Selkirk estate that no investigation should be had; but what excuse can be offered with regard to Lot 54, the title to which is known to be very questionable? I do not think the objection to the fourth paragraph of the Address very important; yet, I believe, Sir, that a bad course has been pursued by purchasing the two estates together. The large sum received from the sales on the Selkirk estate, we are informed, is an earnest of the self-sustaining character of the transaction. From the Worrell estate, in reference to which so much complaint has been made, a large amount was also paid in during the first year. My next session, we may hear a different tale about the Selkirk estate. The tenants on the estate, it appears from a remark made by the agent last year on the floor of this House, have scarcely paid any rent for 14 or 15 years, and from the amount

of arrears remitted by the Government, the statement, I think, must have been correct. This being the case, if it is ascertained that they may have been able to raise sufficient money to pay the deposit of the purchase of their farms, but perhaps they will never so forward in paying the full statements. The remittance of the Worrall estate, I do not believe the opportunity of those on the Selkirk estate who have the advantage of a better title. But we can not judge how the Selkirk estate is to pay until two or three years hence. By paying the arrears amount, however, required for the purchase of two estates, together with the higher rate of interest on the whole £2000 or £3000 a year, has been added to the arrears of the Colony.

Hon. Mr. WOOD.—I think that the report of the offer made by Lord Selkirk to Mr. Douse must be unimpaired. I do not believe that Lord Selkirk is a man who would be guilty of double dealing. The hon. member found great fault that higher interest was given than the Government, but we know that money now can be obtained only at a high rate. I scarcely ever paid so high discount as I have done this last year. He need not say that the Government is to be blamed for acting as they have done. They could not obtain the money otherwise. And see what they are doing for the country. They have given up a large amount of back rent to the people on the Selkirk estate. The Government have done more for the people in a short time, than his party would have done though they had remained in power for ten years. At one time he was in favor of Eschsch, and at another time running it down. This is the way he (Mr. Cole) has carried on.

Hon. Mr. WIGHTMAN.—The purchase of the Selkirk estate was agreed to by this House last session, though it may have been under the impression that it was offered to the Government. We all thought the terms were very low; but when we hear to-day that it probably could have been purchased for £3000 less, we have cause to regret, if such be the case, that this amount was not saved. The rate at which the property was purchased, however, must be admitted to have been very reasonable, and I believe the people on the estate—as I have met many of them at public meetings, and heard their opinions—are well satisfied with the terms at which they are privileged to convert their leasehold into freehold. I supported the measure for the purchase of the Selkirk estate, and do not regret having done so. I wish we could obtain more at the same price. With respect to Lot 54, a higher sum than 2s. 4d. per acre was paid for it, and as the purchase was not authorized by this House, I consider the Government had no right to purchase the estate which they did. Reference has been made to the Worrall estate, and much we have heard during our sessions because the rate paid for it was so high. The Government could not treat with the owner of the estate himself, and they were unable to prevent a middle party from stepping in, with whom they had to arrange the purchase on the best terms they could obtain, though at a considerable loss to the Colony compared with what it would have been had the owner himself been willing to treat with the Government. But I believe, notwithstanding all that has been said respecting the price paid for that estate by the late Government, and the manner in which it was afterwards managed, that the loss the Colony will sustain by the property will be trifling, as large sums have been paid in from it at different times. I will cheerfully assist the Government in any measure to authorize the purchase of more land, if it can be obtained at the same rate as that paid for the Selkirk property.

Hon. Col. GRAY.—I would not have risen so early in the discussion were it not to correct the statements of the hon. leader of the Opposition. There is something for the people of the country to depend on besides his assertions. He says he was not aware two estates were going to be purchased by the Government—was not; nor was I; but a long time has elapsed since the rising of the House last ses-

sion. With respect to the justice of the proceeding, it appears that the Government were authorized to purchase more land than the Selkirk estate if the incoming year was satisfactory to us as to doing so. The hon. member referred to something told him by a gentleman, another hon. member of this House, who is now in his place, a circumstance which I very much regret. He says this gentleman informed him that the Selkirk property was offered to his son for £5000 and that was paid for it by the Government. But more accurate is nothing without proof. We have the statement of Lord Selkirk that the very low rate of 2s. 4d. per acre was agreed to by him solely on account of representations made to him from his own tenantry; and I think the hon. leader of the Opposition, and the gentleman who he states gave him this information, must be under some misapprehension, for I cannot believe that that distinguished nobleman would be guilty of double dealing. But even were it the case, I submit to hon. members on both sides of the House, if they would not rather see £5000 placed against the Colony than that the estate should have passed into the possession of Mr. Douse? We are all aware what has been lost to the country by the action of middle men, as has just been referred to by the hon. member for Murray Harbor. I am not disposed to attach blame to the late Government for purchasing the Worrall estate, though I may regret that it was not obtained on more favorable terms. I had, however, to inform this hon. House that we did not purchase the Selkirk estate at 2s. 4d. an acre, but at a less sum.

Hon. Mr. WHELAN.—How much less?

Hon. Col. GRAY.—I will before I conclude state how much less for the information of hon. members. Last year when we were informed that the estate of Lord Selkirk could be obtained at the low figure of 2s. 4d. an acre, notwithstanding this House had agreed to the appointment of a Land Commission, as we could scarcely expect that it would be the means of procuring the land on more favorable terms, in order that the Government might be in a position to accept the offer, I introduced a measure to extend the Land Purchase Bill.

Hon. Mr. COLES.—The Bill which you had called a visionary scheme.

Hon. Col. GRAY.—The Loan Bill I considered a visionary scheme; but I do not recollect of ever characterizing the Land Purchase Bill as such. When Lord Selkirk communicated to the Lieut. Governor last year that he was willing to dispose of his estate, the quantity of land mentioned was 48,000 acres, and the rate 2s. 4d. sterling an acre. But it subsequently appeared that his Lordship held 62,000 acres, and in consideration that we should give him £3000 down in cash, and the remainder in debentures at five per cent, he agreed to dispose of his whole estate for £9918 0 9, being £968 15 0 less than 2s. 4d. an acre, or at the rate of 2s. 1½d. per acre. After the land was surveyed it was ascertained there were 59 acres over and above the 62,000, for which his Lordship received 2s. 4d. an acre, being nearly the very large sum of £617 5. To raise the £2000 required, as it could not be obtained on debentures bearing five per cent interest, Treasury warrants were issued, Lot 54 cost £2000 for which amount warrants were also issued, being in all £4000; but as about £1958 of the warrants have been redeemed, the amount now out is little more than £2000, and the extra expense to the Colony this year on account of the higher rate of interest will only be about £90. But now we come to the real pith of the matter—the right of the Government to accede to a rise in the rate of interest. We found that we could not meet our engagements, as it was impossible to negotiate debentures at five per cent, while Treasury warrants were bearing six per cent, and though there was no special enactment authorizing the issue, were we to allow the opportunity of purchasing the land to slip from our grasp? If we had permitted the estate at so low a price, to pass into other hands, the members of the Opposition, I have

only too happy to think, by two or three editorials which appeared in the *Islander*, that the Loan Bill was going to be taken up by the party in power. After they appeared, I observed to a person who holds a prominent position in the Colony, that if the Government adopted this scheme, I would give up politics altogether, as the great object for which I had labored would be gained. But lo, and behold in a week or two afterwards the Leader of the Government came out in a letter in the columns of the same paper, repudiating the Land Purchase and Loan Bills altogether, and stating the Government were unanimous on the point. The people of Belfast after receiving such a favorable opportunity of becoming freeholders under the Land Purchase Bill, and having their arrears of rent remitted, came out with an address to the Lieut. Governor, thanking His Excellency and the gallant Colonel for the boon; and in His Excellency's reply, these Bills by one of which the Belfast estates came into the possession of the Government, are again repudiated. Still the hon. Colonel states he was never opposed to the Land Purchase Bill. He referred to the injurious consequences to the Tenantry of middle men stopping in between the Government and the owners of estates, I will not however, say much on this point, as I agree with his observations. But why should members of the Government talk of middle men, while some of their number coolly go into the Land Office and wipe out from the books the names of applicants for land? And now we come to the charge of dishonesty against the late Government, because they raised the interest on Treasury warrants from five to six per cent., thus causing a depreciation of debentures which were at five per cent. In adopting this method to enable them to negotiate warrants they only did what every government does when there is a rise in the money market, and what they themselves have done. As I remarked before, the explanation of the hon. leader of the Government in this House respecting the course which they pursued is somewhat satisfactory; still I cannot say they were justified in issuing the warrants, because in doing so they acted without the authority of law.

Hon. Col. GRAY.—Mr Chairman, I wish to correct what I conceive to be a misrepresentation on the part of the hon. member. I do not consider it necessary to follow him through all his remarks, as he has not invalidated my arguments. He has travelled back to the resolutions which were passed by this House in 1859. This I think irrelevant to the subject under consideration, but cannot allow his observations to pass unnoticed. He appears to misunderstand the nature of these resolutions. I objected to the Loan and Purchase Bills only in a secondary point of view. Before I came to this House, I stated on the hustings in the presence of several hundreds that I was not opposed to both these Bills in every respect, but that I considered the measure which I intended to propose was superior to the system of paying by instalments under the Purchase Bill. As was justly remarked by the hon. member for Murray Harbor last year, the offer of Lord Selkirk was so favorable that it could not be expected the Commission would be the means of obtaining the land on better terms. This was the only reason that induced us to enter into the purchase. Respecting what is mentioned in the resolutions, namely, the Escheat, Fishery Reserve, and Quit Rent questions, I believe most people in the country consider them to be as there stated "visionary schemes." The hon. member attempted to justify the rise of interest on Treasury warrants by the late Government while debentures were allowed to remain at the same rate; but I still maintain my argument that he cannot point out a case in Britain or in any other country, where after the Government had given security on the same kinds of loans on similar security that a rise was made in the interest of one and not in that of another. Such a course would be most unjust. To show in what manner the action of the late Government operated, I may state that I had purchased debentures myself to a considerable amount, and when the interest on Warrants was raised, I found it impossible to obtain more than £90 for £100 on the face of the debentures.

Mr DAVIES.—One of the principal objections offered to the purchase of Lot 54 by the Government, appears to be that there are no receipts from it; this, however, should not be expected as it has but recently come into their possession. The question with the Government was whether the land ought to be

purchased by them or be allowed to go into the hands of private individuals. I have heard that two or three parties were desirous to procure the property, and if it had been disposed of to either of these persons, the Government or the Tenantry would probably never again have the opportunity of purchasing it on nearly so favorable terms. Under these circumstances I think the Government were justified in the course which they pursued. The hon. leader of the Opposition stated that the price paid for the Worrall estate was about 6s an acre, but if the quantity of land purchased, and the sums paid for it be reckoned up it will be found to be near 6s an acre.

Hon. Mr COLES.—The amount for the fishery reserves should be deducted from that.

Mr DAVIES.—It is pretty evident that the late Government bought both the fishery reserves and the water on St. Peter's Bay, as otherwise it does not appear that the number of acres said to be on the Estate can be made up. With respect to the statement that the Selkirk estate was offered to Mr Douse for £2000 less than the sum for which it was purchased by the Government I think it is extremely doubtful. Mr Douse's son was here at the time the Bill passed the House, and went home by the next Mail to forestall the Government, and what use would it have been for him to do so, if they had offered a higher sum for the estate than he was expecting to give. I would have been pleased to learn that the land had been purchased at a lower rate; but, as I before remarked, in the circumstances of the case I believe the Government were justified in acting as they did.

Hon. Mr HAVILAND.—The hon. leader of the Opposition is frequently found straining at a gnat and swallowing a camel. He denominates the paragraph under consideration a "whining paragraph," because, I suppose, the Government had the sincerity to come forward and state the course which they had pursued. The Government have been obliged, in order to meet their demands, to issue Treasury warrants at 8 per cent.; but if this had been done by the late Government they would not have had the candor to acknowledge it. We have been told by the hon. member that we have violated the constitution of the Colony; but where was the violation of the constitution when he and his party were in power, and the credit of the country was at a low ebb? Treasury warrants were given in a subordinate office at a discount, and known to be taken in some instances by the party immediately to the Treasurer's office where the sum on the face of the warrant was demanded and obtained. A person also was despatched to Halifax to endeavor to procure money, if not otherwise, by disposing of warrants at a discount; and there was no law empowering them to negotiate Government loans below par. We were necessitated to consent to a rise of interest or to decline the purchase of the estates; and when we consider that Treasury warrants were bearing six per cent., it is unreasonable to suppose that debentures at a lower rate could be negotiated. A capitalist would be a fool if he found it possible to obtain six per cent. for his money on government security for ten years to lend it on the same security at five per cent. With respect to the action of the late Government in raising the interest on Warrants when that on debentures was left unchanged, the hon. member will not find a precedent in any country; and I contend that in this matter they committed a public fraud. The objection, however, to the rise of interest which we sanctioned is a mere *bagatelle*, as no individual interests were made to suffer. I was surprised to hear the public morality of the hon. member, when he stated that if the Opposition had come into power they would have repudiated the Warrants thus issued by the Government.

Hon. Mr COLES.—I did not state that they would have repudiated them, but they might have done so.

Hon. Mr HAVILAND.—To even hint of such a course shows what respect he entertains for the public credit. I am astonished that such a remark should have fallen from one who has occupied so high a position in the Colony. For one party going into power to discard the engagements made in public faith by those whom they displaced is unknown in the history of legislation. He raised objections to the purchase of Lot 54 because it was liable to be escheated, and was only a fit place for frogs. The title of this Lot is, I believe, the only one which has been brought before a jury of Prince Edward Islanders, and they de-

cided it to be valid. And though I am unable to state the description of land on which frogs are always found, yet I have the best authority for saying that whether they are numerous on Lot 54 or not, the soil there is of a very good quality. The Government are assailed for paying a higher rate for this Township than for the Selkirk estate; but if they had not agreed to accept the offer at £2000, other parties were prepared to step in and take possession; then the Government would have been charged with neglecting opportunities, and the hon. leader of the Opposition would have been the very first to raise the cry. Members of the Government have been accused of once opposing the Land Purchase Bill and afterwards adopting the measure. I can say for myself that I never opposed the Bill, and defy any hon. member to prove that I ever voted against it. I heartily wish all the land on the Island could be purchased under its provisions. But I was opposed to the Loan Bill, and will ever be so, for I consider it to be unjust in principle.

Hon. Mr COLES.—I cannot understand the great objection of certain parties to the Loan Bill, as the amount of interest which it specified was only four per cent. The hon. member for Georgetown almost leaped into a passion when alluding to the action of the late Government in disposing of Warrants at a discount for the Road service. This was, he said, an unconstitutional proceeding, but I would like to hear him prove his assertion. A sum was voted by the House for the contingent expenses of roads and bridges, and the Government considered it quite proper to obtain money to meet the orders on the Road Correspondent, by appropriating a part of this sum to make up the deficiency caused by the discount allowed. But the present Government when in need of money under such circumstances, are assisted by the Bank for political purposes.

Hon. Mr LONGWORTH.—There has been none received from the Bank for the Road Service.

Hon. Mr COLES.—Well, an arrangement was made with the Bank last year to receive money from it; and we cannot tell to what purpose it is applied. As to issuing Warrants without authority, I contend that the late Government would never have adopted such a course; however, as the amount issued by the Government appears to have been only £2000, and thereby the estate was procured on more reasonable terms, perhaps we should not raise further objections on the point.

The paragraph was then agreed to, as was also the fifth.

The sixth paragraph was then read.

Hon. Mr COLES.—This paragraph, Mr. Chairman, is in answer to one in the Speech which states that the Land Commission has investigated with the utmost care and diligence those questions submitted to it. Now, Sir, I dare say this was easily done, for the only questions submitted to it by the Government were the resolutions passed by this House two years ago, which were repudiated by the Duke of Newcastle. His Grace stated that he had referred the resolutions to Sir Samuel Canard, who with other proprietors, was of opinion that the labors of such a Commission as was proposed by the House would be unsatisfactory, as it would terminate only in a report which would not be binding on any of the parties, and suggested that three Referees be appointed with power to hear and determine all the questions in dispute. This proposal was concurred in by the Duke, and the resolutions rejected, because they did not include all the questions at issue, and would lead to nothing binding. Still these resolutions thus repudiated, and the Act of last Session to give effect to the award, with perhaps the exception of a despatch or two from the Secretary of State for the Colonies, were all that the Government submitted to the Commissioners; and I will undertake to show that if these gentlemen investigated with diligence the questions brought before them, it was independently of any assistance from the present Government. The Duke of Newcastle in his despatch in answer to that of the Lieutenant Governor enclosing the resolutions of the House last session agreeing to the Commission says:—

“It will be desirable that previous arrangements should be made as far as practicable, for having at hand all wit-

nesses, and all documentary evidence which the Commission is likely to require, so that the time needed for their actual sitting in the Island may be reduced within the most moderate compass consistent with the due and complete accomplishment of the enquiry.”

Now, Sir, the Government made no preparation of this kind at all. When the Commissioners arrived, instead of any previous arrangements having been made, the Government appeared to do everything to thwart the enquiry. The *Royal Gazette* containing the notice of the time that the Commission would commence its sittings, though that paper is usually issued on Tuesday morning, did not appear until Wednesday, the day on which the Court opened, as if to keep the people in ignorance of the fact. The Commissioners themselves after they began their labors were evidently most desirous to sift the whole question. And the Government did that much honor to the liberal party as to appoint Mr. Hensley one of the Counsel for the tenantry. They did not bring forward their own Attorney General, though he is in the receipt of some £350 of the public money, because, I suppose, they considered Mr. Hensley more competent than he to conduct the case. They also procured from New Brunswick the services of another very competent legal gentleman, Mr. Thompson, who proved himself to be very able, and gave general satisfaction. As regards the lawyers retained, then, I cannot complain of the conduct of the Government. But what kind of a brief did they place in these gentlemen's hands! Nothing but the resolutions referred to. The Speech therefore goes too far with respect to the Land Commission, if by the expression, “questions submitted to it,” be meant those submitted by the Government. The day on which the Royal Commissioners opened their court, I asked the question whether every person who so desired would be permitted to submit matter for their consideration, and Mr. Hensley replied that he understood the Government had no objections to any individual coming forward to give information.

Hon. Mr. HAVILAND.—That statement is incorrect.

Hon. Mr. COLES.—These were the words, as nearly as I can remember, employed by Mr. Hensley. Now, Sir, I would like to ask, what had the Government to do with it!

Hon. Mr. HAVILAND.—Then why complain that they did not give in a brief!

Hon. Mr. COLES.—Their place was to submit to the Commissioners whatever questions were in dispute between Landlords and Tenants, but not to dictate who should be permitted to come forward and give evidence in reference to these questions. Let us see what was the result of the permission granted by the Court. I myself, and others came forward and made statements for the information of the Commissioners with respect to the questions they were called upon to investigate. But opposition was met with from the Government. When my friend on the left, Mr. Cooper, was proceeding with his evidence, he was interrupted by the Colonial Secretary with some statement about a clause in an old Act, which he said could be proved, by reference to the manuscript Journals of the House, and when the particular journal was enquired for, it was ascertained to be at the Colonial Secretary's own house, who had carried it from the Clerk's office, out of which no document of the kind should ever be taken. Another case of opposition to parties desirous of furnishing information to the Commissioners was that experienced by some delegates who applied to the Government for documents containing statistics in reference to the number of paupers, &c., and their request was never attended to.

Hon. Mr. HAVILAND.—No application was made to the Government for such documents.

Hon. Mr. COLES.—Well, it was made to some member of the Government,—I believe to the hon. member himself.

Hon. Mr. HAVILAND—No delegate ever applied to me for any documents.

Hon. Mr. COLES—Was there not a letter applying for statistics sent to the Government?

Hon. Mr. HAVILAND—No letter of the kind ever came before the Government.

Hon. Mr. COLES—Nor to any member of the Government?

Hon. Mr. HAVILAND—Mr. Chairman, how can I be expected to negative all his questions.

Hon. Mr. COLES—The application then was made to some of the officers of the Government. Besides this case, one of the Counsel for the tenantry stated publicly here that the officers were closed against them, while the Counsel for the proprietors had statistics and everything at their disposal. Not one figure was placed in Mr. Thompson's hands by the Government. He came to me on the evening after Mr. Haliburton's address was delivered, and asked if I could do anything to assist him, saying that unless statistics were furnished him, he would be unable to meet all the arguments of his opponent. And not only were documents withheld, but during the course of the enquiry members of the Government and their officials made statements adverse to the interests of the people. Nearly the only instance of sympathy shown for the tenantry on the part of those connected with the present administration, was the remark of a certain member of the Government to the effect that if the people were privileged to pay nothing for the land, they would prefer to pay it by instalments. I will now advert to the next paragraph of the Speech, which ought to be considered in connection with the sixth. It states that the Colonial Minister did not anticipate that the House of Assembly would proceed to pass an Act to give effect to the award of the Commissioners antecedent to the making of that award, that such legislation appears to him to be premature, and therefore he does not consider it advisable at present to submit this Act for Her Majesty's assent. Now, if His Excellency has taken a true extract from the despatch it appears very extraordinary that the Duke did not entertain this opinion when he penned the despatch of the 16th of June communicating the information that the Commission was appointed; for that he was aware of the passing of the Act is evident from this passage in the despatch which says:—

“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.”

He here acknowledges the *promptitude* and *completeness* with which the House of Assembly acted, and now we are told that such legislation is premature. In a former despatch he stated that as far as possible it was necessary that the Legislature should concur in any measures which might be required to give validity to the decision of the Commissioners; and I presume that on account of this statement, the Act was passed which he does not consider advisable to submit for the Royal allowance. One would have thought that the lawyers on the other side of the House would have been competent to put a proper construction upon a despatch, but here the Duke trips them up a bit and tells them that their legislation was premature. It appears, however, that His Grace was pleased with the passing of the Act, when he wrote the despatch of the 16th of June, and how are we to account for the change in his views? The only inference which can be drawn in the case is, that he has been influenced in withholding the assent by the petitions forwarded by certain proprietors to the Colonial Office. Had the Act been sent

home at the proper time, I believe it would have received the Royal allowance. It was possible to have had it prepared and forwarded in the month of May, but I understand it was not sent to England until the month of August, and consequently could not be received by the Duke of Newcastle until after his return from his visit with the Prince of Wales to these Colonies. Had the Government been anxious that the Bill should have obtained the Royal assent, they would doubtless have forwarded it in good time; but everything has been done to favor the proprietors. They gained time to petition after the sitting of the Commission, and now the assent is withheld. If the decision of the Commissioners is unfavorable to the proprietors the assent will never be received; and the Act not being sent home earlier may prove the ruin of the tenantry. When a Bill is laid past in this manner in the Colonial Office, it is generally considered to be completely set aside. It is my firm belief that Sir Samuel Cunard knew when this proprietary party was in power, that then was the time to have a settlement of this question; and that, no doubt, was the reason he advised that the award should be binding, for otherwise the tenantry would not submit to it—there might as well be an arbitration without a bond. He knew that there was nothing to fear if the measure or award pleased the Government; and that this view is correct appears from the circumstance that they did not forward the Act to the Colonial Office earlier in the summer, but gave the proprietors time after the sitting of the Commission to petition against it. If the Commissioners are the gentlemen I take them to be, they will at once throw up their commissions, for why should they continue the investigation when there is no law to render their decision binding. One clause in the Act reads thus—“Be it therefore enacted by the Lieutenant Governor, Council and Assembly that the report or award, or one part thereof to be made by the three Commissioners” &c. This shows I think that if the Commissioners could not give in a whole award they should make a partial report. This they ought to have done; it would have given the people some idea of the result of the Commission, and tended to allay the excitement in the country. The tenantry have made great exertions to pay their year's rent according to the recommendation of the Commissioners, but the proprietors in most cases have not attended to their part of these recommendations. I know several instances of persons who with considerable effort had made out to pay their rents as recommended, and a few days after they were served with writs for arrears. Now where did these writs issue from but the Attorney General's office, who as he is an officer of the Government ought not to have acted contrary to the recommendation of the Royal Commissioners.

Hon. Mr. HAVILAND.—He issued no writs against tenants on any estate, the proprietor of which had agreed to the Commission.

Hon. Mr. COLES.—The hon. member is mistaken. The proprietor himself for whom the writs were issued, admitted that he had agreed to the Commission. If this is all the Commission is to do—be the means of causing writs to be issued and distrains made, what will be the ultimate result? I would ask the hon. member for Georgetown, how many writs have been issued from the office in which he is a partner since the closing of the Commissioner's Court? And I have heard also that another legal gentleman, a member of the Government, has been engaged in a prosecution against a tenant. I have in my possession a letter which states that a tenant was put in for £3 or £4 expenses in a case about land, and had never received any notice that he was required to pay. A poor widow who was prosecuted for rent, and came to make her case known to the Commissioners at a

time when she was able to receive only a very short hearing; has since been further oppressed. In another case the bailiff entered the house of a person who was dying—and did die before he left the place—and seized the little property which the poor man possessed; and so disgusted were the people in the neighborhood that they would not purchase at the sale. Now, Sir, though it may be considered a stretch of legislation, yet I think it proper that an Act should be passed to prevent such proceedings pending the award of the Commission. I received a letter from one of the Commissioners stating that it will be late in the Summer before their decision can be given, and as an act will probably require to be passed next Session to give it effect, before that can receive the Royal assent and the award become binding up on the parties, nearly two years will elapse. Something then should be done by the Legislature in the mean time to prevent distrains for arrears of rent. This would only be giving effect to what the Commissioners recommended when they closed their Court in Charlottetown. It has been said that he who fails to do his duty is equally guilty with the person who violates law. If the present God-fearing Government have failed to send home the Act referred to in time, they are much to blame. The House rose on the 5th of May; there was then sufficient time to have it copied and forwarded by the 14th of the same month; but they neglected to do so, and are therefore chargeable with the consequences to the tenantry which may ensue. I might have referred to some other points, but as the House is restricted in time, and my friend on the right (Mr Whelan) has, I believe, a resolution to propose I will conclude for the present.

Hon. Mr LONGWORTH.—Mr Chairman, I did not intend to take part in this discussion to-day for private reasons, but I cannot suffer this trade to pass without a remark or two. The hon. leader of the Opposition has accused persons of the legal Profession connected with the Government of engaging in prosecutions for rent since the rising of the Commission, who recommended that no distrains be made for arrears pending the giving in of their award. Does he think that a professional man, whatever position he may occupy, can act contrary to the instructions of his client? It would be most extraordinary if he was to raise his voice to his client and say, I will not follow your directions, though solemnly bound by an oath to conduct your business to the best of my ability. It shows weakness on the part of the hon. member to lay a charge against a member of the Government for issuing a writ in compliance with the directions of his client. I received instructions to proceed in a certain case against a person in arrears of rent, before the sitting of the Commissioner's Court, and afterwards having received a letter from the individual saying that the proprietor had not a good title, and stating other objections to paying the amount, I was bound by my instructions to issue a writ. I do not purpose at present to reply to the assertions of the hon. member, but there is another point to which I may advert. He made a statement to the effect that not a single member of the Government came forward to advocate the cause of the tenantry. Now if an individual was desirous to have his case ably advocated, would he not be likely to retain the person best acquainted with its peculiar nature? As Mr Hensley is a gentleman well acquainted with the case of the tenantry, and because he is as able as any lawyer in the Colony not connected with the Government, he was appointed as one of the Counsel on their behalf. Mr Thomson, though a young man, was known to be perhaps as able an advocate as is to be found in the Lower Provinces, he was therefore retained to be Mr Hensley's coadjutor. The Government having thus procured able counsel, thought it better to leave the case in their hands. The

hon. member referred to some of those belonging to the Government, giving evidence before the Commission against the tenantry or in favor of the proprietors. If they did so in a case where their private interests were concerned, how can their conduct be censurable? But one distinguished member of the Government offered occasional remarks at different times before the Court, and watched the proceedings from the first nearly to the last. I myself, though an obscure member of the Government, also came before the Commissioners.

Hon. Mr COLES.—You did more harm than any person who appeared before them.

Hon. Mr LONGWORTH.—This is the first time I have heard so; the truth, however, respecting my statements will be known when they appear in print. I did not go the length of some individuals on the questions of Escheat and Quit Rents, but I based my arguments on the resolutions passed by this House. Several hon. members who are supporters of the Government also appeared before the Commission and made statements at length in favor of the tenantry. The hon. leader of the Opposition also stated that delegates applied to the Government for information, and never received an answer. Mr Benjamin Davies came to me desiring to be furnished with a statement of the number of paupers in the Colony, and the amount of oatmeal distributed one or two years by the Government. I went immediately to the Clerk of the Council and directed him to supply the information; and I have good authority for stating that it was done. Reference was made to statistics being withheld from Mr Thomson, while Mr Haliburton had everything put to his hand. Mr Haliburton made up his statistics chiefly from the census returns of the Island, which were also in the hands of Mr Thomson; but as he had to meet Mr Haliburton's statements in reply, and had not then time to prepare them, to complain that he had not the means was the only way he could easily get over the matter. The hon. member, because he found in a clause of the Act referring to the giving of the award of the Commission the words, "one part thereof," argued that if they could not have given in the whole award they should have given a partial report. These words are merely a technical expression, and are not intended to convey any such meaning as he put upon them. I thought he was jesting until he began to back up his position by arguments. I did not intend to say so much at this time; I only rose to show that a person bound by a solemn oath could not neglect the instructions of his client, though connected with the Government.

Hon. Mr YEO.—I wonder if the hon. member Mr Coles, thinks he is doing any good to the country by the course which he is pursuing. He makes a cry about this Act not passing at Home. I knew that it would never pass. This agitation which is kept up is ruining the country. Ireland some years ago was nearly ruined the same way, but a great change has come over that country lately, and the people now I believe are beginning to do well. If it were not for a few persons who keep up agitation, the people here would live very contentedly. It is a true saying that one scabby sheep spoils a flock. (Laughter.)

Hon. Mr COLES.—I do not wonder that the hon. member from Port Hill comes forward to support the cause he does. But what information is this he has given us! He states that he knew the Act would never pass at home. Here then is a member of the Government which passed this Bill saying that it could never receive the Royal assent. Whether he is the scabby sheep in the flock or not, I cannot tell, but there is certainly strange conduct somewhere. The hon. member for West River has attempted to make a defence. He says he came before the Commissioners,

and no doubt he did, yet it was difficult to tell whether he was in favor of the tenants or proprietors. He mentioned the circumstances of some individuals who are freeholders, but said little respecting the condition of the tenantry. When the question was put to him by one of the Commissioners as a member of the Government, and a member of the Legislature what he thought the tenants should pay for their land, he said 20 years' purchase.

Hon. Mr LONGWORTH.—I made no such statement.

Some little altercation ensuing, the standing order was moved, and the House shortly afterwards adjourned.

MONDAY, Feb. 25.

Debate on the Address resumed.

Hon. Col. GRAY.—I believe the hon. leader of the Opposition had possession of the floor when the Committee rose on Saturday evening. Does he purpose to continue his speech this morning? If not, I shall claim the attention of the Committee for a short time.

Hon. Mr COLES.—The hon. member may proceed.

Hon. Col. GRAY.—Mr Chairman, the animus displayed on the part of the hon. leader of the Opposition is so apparent, the aspersions cast upon the Government so utterly unfounded, that I cannot help feeling for his position. The Commission is indeed a sharp thorn in the hon. member's side. I repeat it, the Commission is indeed a sharp thorn in the hon. member's side. Sir, I will have to trespass on the patience of the Committee while I follow *seriatim* the arguments in his speech on the paragraph under consideration. So extraordinary is the position which the hon. member has assumed, that I am astonished at his hardihood. Does he for one moment imagine that any sane man in the Island will believe that the Government which labored and strove to get the Commission appointed, would so soon as their wishes are acceded to by the Secretary of State for the Colonies, turn round and tear out their own vitals. I speak not for my colleagues individually; they are well able to speak for themselves. But I would ask any individual who knows me, if I am a man to break my solemn compact, and stultify myself in the face of all men. Do I desire anything from either proprietor or tenant? Have I aught to hope from their love, or fear from their hate? Sir, the people of this Island will not be so easily hoodwinked by the hon. member as he would fain desire. They are well capable of discerning between their real and apparent friends. However fertile a brain he may possess, his inventive genius is at fault here. The hon. member first stated that when the Commissioners arrived, the Government immediately began to thwart their proceedings.

Hon. Mr COLES.—I never said any such words.

Hon. Col. GRAY.—These are the words, then, as nearly as I can remember. Now, Mr Chairman and hon. members, I ask you, can you believe this? Is it credible? The hon. member next stated that the Government produced no documents by which the Commissioners could be guided. So far from this being the case, immediately on their arrival, the Colonial Secretary, by order of His Excellency, furnished the Commissioners with every document connected with the Land Question among the public records. The hon. member then commented on the short notice given of the sitting of the Commissioners, and dwelt much upon the non-appearance of the *Royal Gazette*. He is not happy in this allusion, as the Commissioners themselves were the parties in fault, and I publicly commented upon it to them at the time. Respecting the *Gazette*, the issue of that paper was delayed at my request, to enable the Commissioners to insert a notice of their time of sitting in the three Counties. The hon. member asked what did the Government do? and observed that they merely put into the hands of the Commissioners the Act of the Legislature and the resolutions of the House. Yes, Mr Chairman, and much more. I myself gave Mr Thomson written notes, and both he and Mr Hensley were told they had an unlimited brief. The hon. leader of the Opposition next alluded to a declaration of Mr Hensley, stating that the Government had no objection to the tenantry bringing forward what evidence they pleased; and then the hon. member asked "What had the Government to do with it?" Was not this rich? when immediately after, he turned round and accused the Gov-

ernment of not doing anything. He next referred to Mr Cooper's address, and an observation made by the Colonial Secretary. I was present at the time, and considered the Colonial Secretary was justified in pointing out where Mr Cooper was in error. But the hon. member dwelt upon the fact of the Colonial Secretary having a volume of the Journals at his house. I was present, and the circumstances were these: The Colonial Secretary, in allusion to Mr Cooper's error, stated it could be proven by the Journals of the House. One of the Commissioners asked, "Are these Journals here?" The Colonial Secretary replied, "That particular Vol. to which I allude is now at my house; I will send for it, but there will be a little delay in so doing." Now, Mr Chairman, there is not an hon. member who might not in like manner have had this book at his house. The Colonial Secretary is one of a Committee of three for revising and reprinting the Laws, and requires constant reference to the Library, and is at perfect liberty to take any volume he pleases to his own house at all times. Of all the frivolous charges I have ever known, this surpasses them. I would be ashamed to attack any man with respect to such trifles. The hon. member said that he was told some delegation had applied to the Government for information, and were refused.

Hon. Mr COLES.—I said it was not given.

Hon. Col. GRAY.—That was the refusal. Why does the hon. member deal only in assertion? why does he not give something tangible? When called upon at the time by the hon. member for Georgetown to prove the charge, he shuffled the question. The hon. leader of the Opposition referred to statements made to the Commissioners by members of the Government and their officials; but in this case also he dealt in general assertions without proof. Another charge made by him was that not one figure was put into Mr Thomson's hands by the Government. I know from my own personal knowledge that this statement is incorrect. But, Mr Chairman, it would seem from these remarks of the hon. member that he expected the Government to become partizans of one side or the other. The Government afforded every facility for giving evidence, and at the public charge employed two Counsel of character and respectability for the tenantry; and if any have the shadow of right to complain, it is the proprietors. But as the Government considered the proprietors were able to pay for Counsel themselves, we learned the side of favor to the poor. The hon. member twitted us with being a God-fearing Government. Sir, the duty of every government is to administer justice to rich and poor, without partiality, favor or affection; and woe to the rulers of a people who allow themselves to be biased by any improper motive! He next commented upon the circumstance of several distrains having been made for arrears of rent. But I have made every inquiry, and cannot hear of one case upon the estate of any proprietor who had signed his agreement to the Commission, where the tenantry who had paid his year's rent as required by the Commissioners; had been distrained upon. Let the hon. member give us names and proof. I have heard of distrains upon the Tracadie estate; but, Mr Chairman, this property is owned by several parties. The Rev. John McDonald, who is a clergyman of the Roman Catholic Church, in Britain, is a non-signer; the trustees of the children of the late Captain R. McDonald are non-signers; so are the brothers of the present resident proprietor, who has signed for one-fifth—his share; and I cannot believe that this gentleman would distrain, as it is reported he has done. But I would like to ask the hon. member himself, if he ever distrained the goods of a poor man. Much as the Government may feel for the sufferers, they cannot be held responsible for the acts of individuals. He has also made an attack upon Lawyers generally, but this I leave these gentlemen to answer. Mr Chairman, I have answered from my notes of Saturday's debate the groundless attack made by the hon. member upon the Government, and will now turn to the famous Act out of which he strives to make political capital; and I trust that during my political career, I may never be reduced to so miserable an expedient for assailing a Government. In a Despatch dated March last, His Grace the Duke of Newcastle says—

"But it will be necessary, before going further into the matter, to be assured that the Tenantry 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 con-

cur in any measures which might be required to give validity to that decision."

[The hon. member then read an extract from His Excellency's Despatch in reply, which enclosed a copy of the Resolution passed by the House last session.] I myself considered the resolution of the House pledging the Tenantry to abide by the award sufficient; but a few days after Mr Palmer remarked to me that he was afraid the Duke might not consider the resolution sufficient, and he accordingly recommended that a short Act should be passed to make assurance doubly sure. Ever anxious that his Grace should have nothing to complain of, I cheerfully submitted the Act, gentlemen, for your approval. And on the passing of this Act His Excellency immediately sent a Despatch to the Duke of Newcastle informing him of the fact [The hon. member here read an extract therefrom.] In June his Grace wrote to His Excellency saying that the Commission was granted. You are aware, Mr Chairman, that all Acts or Bills have to go through the printer's hands, and where was the necessity for singling out this particular Act from among all the rest to send home,—especially when his Excellency's Despatch effected all that was necessary. The hon. member is wandering in a maze, when he says the Act not being sent home earlier may be the ruin of the Tenantry. Did ever mortal man hear the like? Why it is the very reverse. The Act was to bind the Tenantry to abide by the award, and so enable His Grace to nominate the Commission. How then can the tenantry be injured by its not yet receiving the Royal assent? On the contrary, they and the proprietors now stand on equal terms. From the first I considered it was premature to pass an Act to confirm an award not yet issued, but in passing it this House erred on the right side, showing our readiness to co-operate frankly with his Grace; and it will be seen when the Despatch is read, the sound reasoning which induced his Grace to consider it premature. To render the award effective and permanently beneficial, various acts will be required, which could not possibly be framed till the award is made. The hon. member in commenting upon the Despatch gave us his inference. When the Despatch is produced in due course, I shall draw mine. He touched upon the probability of the Commissioners throwing up their commissions. I would say to the hon. member that from what I can learn his acts are all tending to this to him desired consumation. No doubt he ardently wishes it. He first opposed the resolutions, and when he thought they would likely effect some good, he voted for the Address praying for the Commission. And from his present conduct, it is evident that he knows where the shoe pinches. The bitterest foe the tenantry of this Island ever had, could not strive more diligently than he is doing to bring injury and ruin upon them, and to invalidate all our efforts on their behalf. The hon. member's motives are very apparent, and cannot deceive many.

Hon. Mr. COLES.—The hon. member seems to feel the prick of the thorn much more than I do. I think, Mr. Chairman, I have touched him in the right spot, for I never saw him so humble. He knows that he has to answer to the country for the deception practised with respect to this Commission. I opposed the resolutions submitted by the hon. member because they contained a reflection on the late Government about the Land Purchase Bill. I voted for the address, and also for the Act to give effect to the award of the Commissioners, though with reference to the latter there appears to be some difference of opinion in the Government, for one member of the Executive has declared that he never expected it would pass at home. The hon. member for Belfast speaks of frivolous objections; but if we turn to his complaints against the late Government we will find that they are frivolous also. He censured them for their vote to repair Government House; we shall soon see what the amount appropriated for that purpose last summer will be. From the hon. member's statement in reference to the delay in giving notice of the opening of the Court, there appears to have been some difference between the Commissioners and the Government. With respect to the order to furnish information to the delegates, I did not say it was not given, but that it was not attended to. The hon. member's state-

ment about the missing journal is not altogether correct. I wished to obtain it, and went to the Clerk of the House, who informed me that it was not in his office. It turned out that it was at the Col. Secretary's house, and the Commissioners having inquired for it too, it was sent for. But supposing the Col. Secretary had been greatly opposed to the Commission, what would have been the result? That which I complain of is that the journal in question was taken out of the Clerk's office. The hon. member also states that every document necessary was furnished to the Court; this, however, cannot be correct, for Mr. Hensley never saw them; and if it had been true Mr. Thompson would not have come to me at a late hour the night before he delivered his address, inquiring if I could not do something to furnish him with statistics. I only spoke from what this gentleman stated to me, and it is somewhat singular if they were furnished that neither of the counsel saw them. One member of the Government says the Census was before Mr. Thompson; but how could a stranger in the country be expected to turn his hand to every thing without assistance. They endeavor to show how favorable they have been to the tenantry, by dwelling on the fact that they employed counsel for them; and left the proprietors to provide their own. But, Sir, I understood that they did not retain counsel at all until they heard that the proprietors had done so, and then they telegraphed off to Mr. Thompson, for they very well knew that if they did not provide counsel they would incur severe censure. The hon. member for Belfast may say that he gave the counsel written notes, but did he come forward before the Court and show by despatches and other documents that the quit rents were never given up, and furnish other evidence respecting the questions in dispute. I do not state that the Commissioners said anything against the Government for the course which they pursued, and I believe they would not, but this they remarked that unless for the information given by myself and others opposed to the Government they would have been left in ignorance of the real questions at issue. I believe that some of the supporters of the Government came forward and gave evidence, because, I suppose, they felt like ourselves that something ought to be done more than the Government were doing to furnish the Commissioners with information. But what did this hon. gentleman, this distinguished member of the Government of which we have heard so much, say before the Commission? Why, on one occasion he asked how it was that the late Government did not purchase the Selkirk estate? Now, Sir, I would like to ask what that had to do with the question before the Court? The hon. member Mr. Yeo, also appeared before the Commissioners, and I admit gave a very fair statement, considering the position which he occupies as a land proprietor; but he said nothing in favor of the tenantry. It is true the leader of the Government likewise came forward, and another of his colleagues; yet this was not until a meeting of delegates from different Townships was held, and resolutions of censure against the Government were passed. When one member of the Government was asked before the Court his opinion respecting the land question generally, he said he had given his sentiments on the subject so frequently in the House of Assembly that he thought it was unnecessary to give them here. But the officials of the Government were allowed to come forward and give their evidence, one of them stating that the tenantry ought to pay from 20s to 30s an acre for their land. The hon. member for Belfast says that one of the Macdonalds, of the Treadie estate, agreed to the Commission. Sir, we do not know who has signed this document agreeing to the Commission; it is not here.

Hon. Mr. HAVILAND.—It is in possession of the Imperial Government.

Hon. Mr. COLES.—It ought to be in the hands of the Government of the Colony; for, I dare say the Home Government have given it to Sir Samuel Canard, and it may never be ascertained on this Island who has signed it. We have heard it stated that those proprietors who have not agreed to the Commission are not to be bound by the award. Is this then to be the case that the tenantry who were not consulted in regard to the Commission are to be bound by its award, while some of the proprietors are not? The hon. member also remarked that as a despatch had been sent informing the Duke of Newcastle that the Act was passed, there was no necessity to be in such haste to send it home, since it had to be printed. Now though that were the case, is it probable that this particular Act would not be printed to the last, were there not some intention to delay sending it home? Other Bills were printed long before, and how came this one, which was of so great importance, to be left to the last—why was it not printed first? Nothing ever gave me more pleasure than when I heard at the opening of the Commissioners' Court that all the proprietors would be bound by the award; but if this is not to be the case, the agitation on this question is not yet over,—there will be more than ever. Talk about agitation! why it is this Government which has caused agitation. We were told by them that this Commission was to settle the whole question. But what has been accomplished? That Act I believe will never become Law, for the words employed by the Colonial Minister are precisely the same as in cases when Bills are disallowed. One thing I have to say against the manner in which we have been treated in that matter is, that the Duke should have agreed to the appointment of the Commission, thus throwing the country into agitation, and then turn round and refuse the Royal assent to the Bill. This is what I consider a strange proceeding.

Hon. Mr. YEO.—The hon. member, Mr. Coles, was certainly mistaken when he stated that I said nothing before the Commissioners in favor of the tenantry. I said that the crops had failed of late, and consequently the people had found great difficulty in paying their rents. I told the Commissioners also, with respect to Lot 13, that I would agree to anything that was fair. But some who came before the Commission appeared to have no regard for truth. Mr. Warburton did not make a fair statement. He commenced by saying that I gave short leases. I never gave a short lease in my life. He also stated that I made a reservation of wood in the leases, and I never did anything of the kind;—and other statements in the same manner. The Commissioners saw through him at once, and soon understood him as well as I did. Talk about my doing nothing for the tenantry, I have done almost everything that lies in my power to favor the country. Last summer, when the Government could not get money to send home to pay for the land, I gave them a £1000 stg. bill, though it was considerably to my disadvantage. I have also frequently taken persons out of jail who were put in for debt; but some hon. members come here, and set up a jabbering, that would never do anything of the kind.

Mr. SINCLAIR.—The hon. leader of the Opposition eloquently stated in what respect the Government displayed a want of action before the Commission; and though his remarks have been somewhat severe, I must say that they are, generally speaking, my sentiments. I think the position the Government have taken is untenable. They appear to think themselves as much entitled to be considered the friends of the proprietors as of the tenants. Their right for so thinking is certainly not clear. How were the expenses of the Commission to be defrayed? One part was to be paid by the British Government, one part by the proprietors, and the other third part by the Government of the Island, on behalf of the tenantry. When the Government assumed to act for the tenantry in binding them to agree

to the decision of the Commission, and to pay their share of the expenses, they should also have presented their case fully before the Court, and not have taken any side with the proprietors, who were another party in the arbitration. The questions in dispute were between the Government of this Colony and the proprietors. It is the Government that should have control of the fishery reserves, it is they to whom the quit rents ought to be paid, and so with the other questions at issue; certainly then it was their duty to have taken up the part against the proprietors, and not only to employ counsel, but also render them every assistance. Now, Sir, it may be that as the Government consider themselves the guardians of the interests of the proprietors as well as those of the tenantry,—I say it may be on this ground that they have kept back the Bill until the proprietors had time to petition against it. This of course is only a supposition, but it would appear that something of the kind was the reason for the delay in forwarding it to the Colonial Minister. I am not certain but there is something binding on the tenantry on account of the resolutions passed by the House; however, if this be not the case the tenantry are no more bound than the proprietors, and we are still in the same position as we were before the Act was passed. We have every reason to believe that if the award does not agree with the wishes of the proprietors, the assent to the Bill will be withheld; and if it be unfavorable to us we ought to have the same right to object to it. I think we acted very hastily when we passed a Bill to give effect to the award without knowing of what nature it might be. It appears to have been the first opinion of the Duke of Newcastle that an Act should be passed, when he stated before action would be taken we must bind ourselves to abide by the decision of the Commissioners. But now since the assent to the Bill is withheld, it seems as if they desired us to bind the tenantry while the proprietors were to go free. I consider that we have been very unfairly dealt with.

Mr. HOWAT.—Some reference has been made to a meeting of delegates at which resolutions were passed censuring the Government for not supplying the Commission with every information respecting the questions in dispute between landlord and tenant. Now, Mr. Chairman, I happened to be at that meeting. I was invited to it because I was considered to be one interested in the land question,—which opinion was correct enough. At this meeting, which was held—I may as well state where—at the Globe Hotel, I was asked to agree to the resolutions referred to. I must say that I did not like the appearance of things; the persons present were respectable enough, but they were mostly discarded officials, and the chairman himself, Mr. John Lord, was a small proprietor who holds his tenants in a firm grasp. I said that I could not agree to the resolutions, because I thought that was not the time, when the Commissioners were sitting, for political disputes, but that all should be unanimous in presenting the claims of the tenants; and I urged them to wait until the result of the Commission was known. The resolutions, however, were passed, and what followed? The next morning when they came before the hon. Commissioners, these gentlemen said they could not receive anything of the kind, as they had nothing to do with political matters, and requested the delegates to withdraw their resolutions, to save them the necessity of rejecting them. The delegates when they heard this, though respectable persons, looked foolish enough, as they were also told by the Commissioners that the evidence mentioned in the resolutions had been received by them.

Hon. Mr. COLES.—Did they say who furnished them with the evidence?

Mr. HOWAT.—This brings me to the point. They stated that they did not expect to receive information altogether from one side of politics, but that all parties were free to

come forward and give their evidence. Sir, there is another point to which I desire to call attention. The poor tenantry have laboured under great suspense as to the result of the Commission; and now they may become discouraged as the impression has partly gone abroad that because the award is not given in, and the Act is disallowed for the present, that the whole thing has proved a failure. But this is not the case. The reason that the award has not been given in, is solely on account of a press of other business on the part of the Commissioners. Mr. Howe, our own Referee, in whom I believe the country has every confidence, holds a high position in the neighboring Province, and has consequently numerous public matters to occupy his attention, which accounts for the delay. And nothing has yet been shown to prove that the Act to give effect to the award will be finally disallowed. The despatches received have not said so, and I think ultimately all will be right.

Hon. Mr WHELAN.—Mr Chairman; I seldom trouble the House with my remarks, and am therefore entitled to a hearing on the present occasion. But before proceeding to give my views on the question more immediately under consideration, I may refer to some statements made by the hon. member for Tryon. As I was one of those delegates to whom he has referred in such reproachful terms, I feel myself called upon to reply. He states that he came into the meeting by chance.

Mr HOWAT.—I came in by invitation.

Hon. Mr WHELAN.—Let it be by invitation then, it matters little; but we have his statement that he did not like the appearance of the meeting, as the most of those present were discarded officials. If he pleases to so style the ex-Postmaster General, the ex-Queen's Printer and others who once held office under Government, that does not militate against their position in the Colony, nor the business in which they were engaged. They were deliberating on matters, Sir, that ere long may be the means of hurling that hon. member and his friends from their present position. The figure which he cut at the meeting in question was by no means enviable. He whined in the most humble manner, "ah wait, do not proceed with your censure until the result of the Commission be known!" He has also stated that the chairman of the meeting was himself a land proprietor. Well, suppose he was, I defy the hon. member to prove him guilty of one act of oppression. Mr John Lord has never incarcerated any of his tenantry, and allowed them to pine away and rot within the gloomy walls of a prison.

Mr HOWAT.—He has never had the chance to do so, because his tenants have paid up their rents.

Hon. Mr WHELAN.—This shows he is a good landlord. The compassion of the hon. member for the delegates when they came before the Commissioners' Court was certainly astonishing, and ought to have been bestowed upon others more in need of his sympathy. With these few remarks, I shall now direct my attention to His Excellency's Speech. It has been my fortune to read many gubernatorial speeches; it has been my fortune also to listen to many in the Council Chamber of this Colony, most of which reflected credit on those who dictated them; but in all my experience, and in all my reading a more meagre production than this never came under my observation. It is altogether unworthy of one holding the high position of Her Majesty's Representative. I have read it with some attention, and must say that it scarcely contains a single sentence which has not a grammatical blunder. I can well understand that in this House in the hurry of debate, or at any public meeting where papers are generally hastily written, inaccuracies might occur; but that a document prepared as this has been with ample time for reflection, and for weighing every sentence,

should come down from the Government—a government, too, who boast of their learning and intelligence; or that they should allow Her Majesty's Representative to read such a document is truly surprising. Passing over one or two inelegant expressions at the very commencement of the Speech, I come to the sentence wherein we are told that nearly six years have elapsed since a Census of the Island was taken, and we are called upon to renew that census. From this, then, all that is required, is to re-enact the law of 1856 relating to this subject. These and other expressions in the Speech, Sir, are equally at variance with the rules of composition and the dictates of common sense; but I pass on to matters of greater importance. We are informed that the unusual expenses of the past year, incurred principally by the purchase of two estates, are not altogether met by the revenue. It is a pretty clearly ascertained fact, however, that though there had not been an acre of land purchased, the whole revenue would not have been sufficient to meet the expenditure. But information respecting this state of our financial affairs has been carefully withheld from the public. The first year the Government were in power they were so ostentatious of the receipts that they published them at the end of every quarter; but this year the columns of the *Islander* and *Royal Gazette* have been silent on the point. All their glorification has been respecting the purchase of the Selkirk estate, on what they consider advantageous terms, and the manner in which the tenants on that property have come forward to purchase their land. But what is the reason that not one allusion has been made to the purchase of Lot 54? Have there been no deposits paid in from that Township? no people rendered happy there by the conversion of their leaseholds into freeholds? Neither is any reference made to Lot 11, nor to the Worrell estate. Have there been no sales on, nor receipts from these properties? No other place where the tenantry have been rendered happy through efforts similar to those put forth by the gallant Colonel on behalf of the Belfast people? We have been told with a flourish of trumpets that upwards of £2000 have been paid in from the Belfast estate; but when the Worrell property was purchased, about as much was received within a similar period of time; yet there was no glorification on the part of the late Government—no boasting declaration that it would never bring ruin upon the Colony. Hon. gentlemen expressed their objection to the Loan Bill on the ground that it would be unjust to benefit the few at the expense of the many; but in the action of the Government with respect to the purchase of the Selkirk estate, we have at least an evidence of their disposition to benefit the few, and leave uncared for the interests of the many. Still, whatever credit they may take to themselves in this transaction, they have only been carrying out the provisions of that Bill which they labored to misrepresent for so many years. His Excellency says the purchase of the estate has been attended with the most satisfactory results, that the tenantry have come forward and paid the first deposit for their land. Now, Sir, let us turn for a moment from this fair statement to its counterpart in the recent famous address signed by some 906 of the settlers of Belfast to the Lieut. Governor, and His Excellency's very remarkable reply. These are the people of whom it was said by Mr Douse in this House last session, that they had not paid any rent for the last 18 years,—a statement fully borne out by the fact that £14,000 of arrears were given up on the estate when it fell into the hands of the Government; and still they come forward and state in their address, "We endeavored to fulfill our honest engagements in the payment of our rents." Further on in the address they say to His Excellency, "We are ready, on any emergency, with our voice and our heart, to sustain your Excellency

and Government, and to resist or suppress countervailing agencies employed by self-interested agitators, for the purpose of averting the public mind from the right direction."—These remarks show how subservient they are—they will never oppose the Government, but submit to them in everything. This is the language of those 906, who regretted that they could not attend the Governor's levee, to the great disappointment, no doubt, of His Excellency; whether an insufficient wardrobe, or the want of a fashionable pair of breeches for each individual, caused this seeming instance of neglect, we are merely left to conjecture; but it is consoling to reflect that the 906 who could not make their bow to His Excellency on the occasion referred to, had the forethought to depute some of the "respectable" people in their neighborhood to perform this act of courtesy—thereby intimating that the whole 906 are not the most respectable people in the world. Now, as to His Excellency's reply, I must say it is astonishing that he should give expression to such sentiments as it contains. Had the answer to this Address proceeded from the Hon. Colonel Gray, Hon. Mr. Palmer, or Hon. Mr. Haviland, I should not have been surprised; but that a gentleman who is expected to hold the scales of justice in his hands, who is a representative of that Queen whose diadem will not pale its lustre before that of any other living Sovereign,—that he should descend and mix in the din and turmoil of politics, is truly lamentable, and altogether unworthy of one who holds such a high position. Referring to the Land Commission His Excellency says:—

"Await with patience the award of that tribunal composed of men who have no interests to serve but those of justice and of truth. Do not testify impatience. Agitation must re-act injuriously on yourselves. Turn a deaf ear to all those visionary schemes which, pending the investigations of the Commissioners, are as crude and premature as they are impracticable. I care not whether these schemes assume the shape of a loan, to be guaranteed by the Imperial Government, or some supposed shorter solution of the difficulty. I class them all under one category, and unhesitatingly advise you to reject them."

By characterizing all those schemes for the relief of the tenantry which are not entertained by the present Government, whether devised by their predecessors, or advocated by single individuals, as "visionary and delusive," His Excellency has, in my opinion, lowered that high character which it was his duty to maintain. Even the Loan Bill—that Bill which passed both branches of the Legislature by respectable majorities, and which was introduced at the suggestion of the then Colonial Minister, Mr. Labouchere—even that Bill His Excellency has classed among the visionary schemes which the people are unhesitatingly called upon to reject. What, does His Excellency designate as delusive a scheme which was devised to obtain a loan for the purchase of land, while he himself has sanctioned a rise in the rate of interest to procure money for a similar purchase? He also alludes to "some supposed shorter solution of the difficulty arising out of the Land Question," by which he no doubt means the question of Escheat. This scheme he likewise stamps as visionary, though it has been advocated on the floor of this House by individuals who now compose a part of his Government, and by other prominent men in the Conservative ranks. I will now turn my attention to the paragraph in His Excellency's speech in reference to the Land Commission. He says in reference to the delay in giving in the award:—

"It has arisen as much from the laborious and responsible character of the task, which the Commissioners undertook, as from frequent interruptions—your own Referee having, in his high official position, other onerous duties to discharge."

Is this a satisfactory reason to the people of this Island that the award of the Commissioners has been delayed, because one of the Referees—the Referee for the tenantry—owing to his official position, has other onerous duties to perform? This circumstance was well known to the majority of this House at the time of his appointment, and they ought to have selected one who is not so pressed by public engagements. But, Sir, I am not disappointed. I have more than once expressed my belief that the Commission would prove nothing but a scheme to gain time. I believe, however, that the Commissioners were actuated by proper motives in endeavoring to discharge the duties assigned them; but I cannot believe that the Government, when they brought forward their resolutions on this subject, were sincere in desiring to obtain that Commission which has as yet produced nothing. The inquiry of the Commission, however, was instituted so far as to lead the tenantry to believe that their condition was to be ameliorated; and it has been so far satisfactory that it has given full vent to the feelings of the people, and been the means of exhibiting the evils of the leasehold tenure. With respect to the Bill to give effect to the award of the Commission, which His Grace the Duke of Newcastle did not consider advisable to submit for Her Majesty's assent, I believe it has been referred to by my hon. friend on the left, (Mr. Coles) yet as I have given it some attention, I may be permitted to offer a remark. I am of opinion that had the Bill been forwarded to the Colonial Office early in the summer, before the proprietors had sufficient time to petition against it, it would have received the Royal assent. But in this neglect of duty, we have another instance of the want of sincerity on the part of the Government. What other fate could it be expected to meet, when one of the members of the Government said here in his place, that he knew very well the Bill would never pass? Is this the manner in which the business of the country should be conducted? that Bills are prepared by the Executive, and passed through both branches of the Legislature, which are afterwards refused the Royal allowance; and then we are informed next session that they could never pass—that they are, to use His Excellency's words, "visionary schemes." I have not seen the Duke's despatches, but trust they will show something to justify him in the seemingly vacillating course which he has pursued. It appears by the despatch to His Excellency, intimating the appointment of the Commission, that His Grace was at that time satisfied with the passing of the Bill, and afterwards he writes that he considers such legislation premature. Let hon. members on the opposite side of the House explain the reason of this change in the views of the Colonial Minister. With respect to the Commission, we learn from His Excellency's speech, and from private sources, that it will resume its labors early in the ensuing summer. It is highly probable that they will then require considerable time to make out the award, and that this House will be called upon next session to pass an Act to give it effect, which after being sent home, will probably go, like the last, the way of all waste paper; for what are we to expect from the efforts of a Government to relieve the tenantry, which numbers among its members not less than four or five land agents and proprietors? But though the award be satisfactory, and the Act to confirm it receive Her Majesty's assent, before this can be accomplished at least nearly two years will elapse. Some immediate steps ought to be taken to prevent the suffering and hardships endured by many of the tenantry on account of distrains for arrears of rent; and with the view to test hon. members on this point, I purpose to submit an amendment to the paragraph of the Address under consideration, which is in answer to the next paragraph of His Excellency's speech. A certain hon. member displayed considerable warmth of feeling, &c. on a late occasion, when it was remarked that he was the supporter of a Government

favorable to the proprietors, and he declared that he would resent anything of the kind. Now, Sir, this amendment will test whether hon. gentlemen generally, actuated by similar feelings, are sincere in their professions, and whether the tenantry have more friends on this or on that side of the House.

Mr. Whelan then read his amendment, as follows:—

“We are not insensible to the importance of the investigation made by the Land Commission, and we readily join with your Excellency in expressing regret that the award should have been delayed. We deem it advisable, however, in the meantime, that some measure should be adopted to stay proceedings, since the closing of the Commissioners' Court in this Island—many of the tenantry have been subjected to great expense and hardships. Such a measure as this, would give practical effect to the unanimous recommendation of the Commissioners at the closing of their Court; it would also afford great relief to the tenantry, and be hailed with satisfaction by the inhabitants of the Island generally.”

I may be told that such a measure would be an interference with private rights; this no doubt will be the argument brought forward by the supporters of the Government. But I shall anticipate it by saying that surely the Commissioners, when they recommended at the close of their sittings in Charlottetown, that only one year's rent be paid, also interfered with private rights. In short, the whole scheme of the Commission is an interference with private rights. If we are the real friends of the tenantry, I think we should pass a measure of this kind, and leave it to the Imperial Government to say whether it is an interference with private rights or not. As extreme diseases require extreme remedies, it may be competent to pass such a law. I have been often referred to the United States for precedents by the hon. and learned member for Georgetown, and in return for his information to me, I may remind him that the State of Georgia the other day passed a law to prevent the collection of all debts for a certain time. I have frequently been referred to that country for precedents, I simply give it as one. I am confident that this amendment to the Address will not pass; but I will have the satisfaction of placing upon record my views, and those, I believe, of others on this side of the House; and what will also, I feel assured, meet the approval of the people of this Island generally.

The hon. member then proceeded to comment on succeeding paragraphs, but a question of order having arisen, he concluded by moving the amendment which he had before read. The House then adjourned till three o'clock.

AFTERNOON SITTING.

Debate on the Address resumed.

Mr. BEER.—Mr. Chairman, it appears as if the Government were put upon its trial, on the paragraph under consideration. As an independent member of this House, Sir, I can express my opinion freely on this question. I have no personal interest at stake in connection with the Government, and therefore have nothing to gain or lose whether it stand or fall. But it may be different with some members of this House; to them it may be of material consequence that it be defeated at the present time. I stand in the same position with respect to the Proprietors as to the Government; I have nothing to gain from their favor, nor fear from their opposition. My sympathies are nearly altogether with the Tenantry, the most of my dealings being with them. The hon. leader of the opposition endeavored to make out a case against the Government for the course which they pursued while the Commission was proceeding with its investigations. This kind of opposition, however, is nothing new. Some hon. members on the other side of the House at first characterized the Commission as a will-

o'-the-wisp, and said it would never sit; and when they ascertained that it would sit, they then affirmed that it would accomplish no good; and when it did sit, and seemed most willing to investigate every matter connected with the question, they then said the award would never be given. They have thus employed every means to throw obloquy upon the Commission; and after it had closed its sittings here, they claimed the credit of communicating to the Court all the information which it received. I am of opinion that the Government, when they had procured the Commission, and had obtained the consent of such a talented gentleman as Mr. Howe to act as referee for the Tenantry—the most competent for the appointment, perhaps, that could be obtained in the lower Provinces—and had retained such able counsel, though they had stood aloof altogether from the Court, would have been quite justified in so doing. I am astonished to hear that some hon. members consider that the purchase of the Worrell Estate was as good a bargain as that of the Selkirk Estate. Taking into consideration the quantity of land, the amount paid, and the receipts in the same space of time, the Selkirk Estate has been a very much better bargain than the Worrell property. It is well known that Lord Selkirk would not treat with the late Government for his Estates—that he would have nothing to do with them at all. I believe it has been mainly through the exertions of the present Lieutenant Governor, seconded, of course, by the Government, that the purchase has been effected. The present Government, in my opinion, will do more while in power for the good of the country, than has been done since this Island was a Colony. The words put in the mouths of some of the Tenants who came before the Commission, by certain individuals, I believe were injurious to the cause of the Tenantry. I will cheerfully support the paragraph in the Address, for I feel assured that the Commission will turn out well.

Hon. Mr. HAVILAND.—Mr. Chairman, the ex-Queen's Printer, who favored us in the preceding part of the day with a lengthy speech, has come out in a new character—that of the Lindley Murray of the opposition. The hon. member has expressed his astonishment that Her Majesty's Representative should open the Legislature with a speech couched in such inelegant language. If he is so very loyal as to be shocked because the Queen's Representative so lowered the dignity of his royal mistress, as to read a speech in which, as he thinks, there are so many inaccuracies, what will he say when I point out an expression in Her Majesty's speech, at the opening of Parliament in 1859, similar to one which he terms inelegant in that of His Excellency? With respect to the sentence referring to the renewing of the Census, I can show the hon. member similar methods of expression in the writings of the historians McAulay and Allison, who, I presume, were greater grammarians than even the Hon. Edward Whelan. But, Sir, I cannot give him credit for originality in criticising gubernatorial speeches; for the great Cobbett was in the habit, for some years, of criticising almost every royal speech which Parliament was opened. The hon. member alluded to the Belfast people not being able to pay their rents, and therefore, I suppose wished to draw the inference that they would be unable to pay the instalments of the purchase money of their farms. He seemed also to say that the settlers on the Worrell Estate were better able to pay than those on the Selkirk property. But we have no evidence of this, for how often under the late Government, and under the present, have we seen notices to the purchasers on this property to come and pay up their arrears. There was no guarantee given by the late Government, when the Worrell Estate was purchased, that it would be self-sustaining. It is well known, however, from the exceedingly low price paid for the Selkirk Estate by the present Government, that it would not prove a burden upon the Colony; and the noble

manner in which the Tenants have come forward and paid the first of their instalments, is an earnest that the whole will be received. The Tenantry on this Estate, Sir, appear to be as superior in a pecuniary point of view to many on the Worrell property as light is to darkness. We have the evidence of this fact before us every year in the returns from this property. The opposition take great credit to themselves because Lot 11 was purchased on so reasonable terms—that estate of a few thousand acres. They boast of this property being self-sustaining, but never utter a syllable about the sixty thousand acres on the Worrell Estate that were not self-sustaining. The hon. member referred to what he was pleased to denigrate the subserviency displayed by the people of Belfast in some of the expressions in their address to the Lieutenant Governor in reference to the purchase of the Selkirk Estate, and hinted that it was effected to further the political interests of a certain member of the Government. But he himself, Sir, knows well for what purpose the Worrell Estate was purchased. He knows that a large draft was made upon the funds of the Colony to preserve him a place in this House. I admit that Mr. Whelan possesses talent, and displays eloquence, and if anything were to befall him, Heaven help the liberal party. If he were to fail, they would soon become broken up and scattered. No wonder then that on account of his abilities, an effort was made to secure his place in the Legislature. Much has been said in regard to the presence of lawyers in this House; but, Sir, it would be a great deal more to their pecuniary advantage to attend to the business of their profession than to engage in politics. I myself would have had much more to support my family today, if I had not descended into the political arena; yet I had a duty to perform. I had to come forward and stand for the rights of my country, and never shall I relax my efforts until every necessary object is gained. And no party, I believe, was ever so able to effect the political salvation of the Colony as the party who at present hold the reins of Government. The members of the opposition talk eloquently of what they accomplished when in power. And what did they do the eight long years they were in office to ameliorate the condition of the tenantry? Nothing but carry through the Land Purchase Bill. They know that now is their time to make a breach in the present Government, for if the present opportunity should pass, and the Land question be settled, they are aware that they will never again rise to power. I heard the sentiment expressed on Saturday, that we ought not to have purchased the Selkirk Estate, when we were unable to procure the money without paying a higher rate of interest than was specified in the Purchase Bill. This shows all the sympathy of the Liberal party for the suffering tenantry. They must censure the Government for issuing Warrants to secure a property by which hundreds of settlers have had the opportunity of converting their leaseholds into freeholds. And, Sir, I believe if the people of Belfast heard the remark of the hon. member, Mr. Whelan, this morning, respecting their inability, on account of an insufficient wardrobe, to attend the Governor's levee, and the disparaging manner in which he spoke of them generally, they would feel doubly thankful that the Conservatives are in power, for did the hon. member and his friends hold the reins of Government, the proprietary shackles of the tenantry on that Estate would, in all probability, never have been removed. Much as has been said in regard to the issuing of Warrants at a high rate of interest, I defy any member of the opposition to say that under the circumstances of the case the Government did wrong; and I believe that every individual of them, from the ex-Queen's Printer down, if put upon oath, would not say so; and if they did, the country would cry out against them. But it suits the opposite party to talk loudly about the constitution of the Colony being violated, and to employ every means to overthrow the Government.

They, of course, have no interests to subservise by endeavouring to overturn the Government! Not they! However, if the Government should be defeated, and the country pronounce against us, I shall cheerfully resign my seat at the Council board; but I will still carry with me the conviction that I have done my duty to my country and my God. I may offer a remark further in reference to the Land Commission. I supported the resolutions for the Commission because I considered some scheme of the kind was necessary to the peace and welfare of the Colony. And the appointment of the Commission having been obtained, I consider it was the duty of the Government to occupy an independent position; for had they not taken this stand, the proprietors would have had a plea to come before the British Government, complaining that the Government here had acted unfairly, and praying that the whole Commission be set aside. But we have been censured for taking this unpartizan course, and at the same time have been told that though we have a law officer of our own, paid out of the public purse, we retained others to plead the cause of the tenantry. Had the Attorney General been directed to conduct the case, and he only, we would never have heard an end to the complaints of the Opposition, and for this reason partly, and because Mr. Hensley was known to be familiar with the case of the tenantry, the Government obtained his services. Now, Sir, though I believe that the Attorney General is equal in talent to Mr. Hensley, yet as it is generally admitted to be true in physics that a Doctor, in whom a patient has no confidence, seldom effects a cure; so in this matter, unless the people had confidence in the Counsel they would not be satisfied that justice had been done to their case. They would have objected to Mr. Brecken because he is related to the proprietors, and connected with the old family compact. So the Government considered it better to employ other Counsel than give reason for objections of this kind. Mr. Hensley's coadjutor was a gentleman of great talent, and a rising member of the New Brunswick Bar, and who, next to the hon. Commissioner Gray, is considered, I believe, the most able legal gentleman in that Colony. It is evident, then, that if the Government had desired to favor the proprietors, they would not have procured the services of such competent men, but of some third or fourth rate lawyer to advocate the cause of the tenantry. Great objections have been taken against the Attorney General and myself for issuing writs for the collection of arrears of rent on the Tracadie estate. Sir, I have yet to learn that though a professional man enters into the political arena he is to neglect the interests of his client. The duty of a British lawyer is to sacrifice all to the interests of his client; and this principle in relation to jurisprudence is one of the surest guarantees of the liberty of the people. The responsibility in issuing writs does not rest with the lawyer, but with the client who brings forward the case. My partner and I have been almost branded as traitors for complying with the instructions of our clients; but I learn on searching the public records that that friend of the tenant—that champion of the people, the Attorney General of the late Government—the Hon. Joseph Hensley—also issued writs against the bleeding tenantry of the famous Tracadie estate. And this same gentleman, while in office under the late Government, was the paid attorney of Robert Bruce Stewart, than whom there is not a proprietor more obnoxious to the tenantry of this Island.

Mr. OWEN.—One of the charges brought against the present Government is that they issued Treasury warrants at six per cent. instead of Debentures at five, as specified in the Purchase Bill, to obtain money for the purchase of the Selkirk estate and Lot 54. I consider this one of the most judicious actions of the Government; for it would have been better to pay ten per cent. interest than to allow the estates to pass into other hands. It has been asserted by an

hon. member that the land on Lot 54 is so poor that it is only a fit place for frogs. Now, Sir, I am very well acquainted with that Township, and I can say that it will compare favorably with the adjoining Lots, and that the land is of as good a quality as any on the Worrell estate, with the exception perhaps of Lot 38. Much has been said against the Land Commission; but in my opinion a great deal has been gained by its appointment. It is the first public acknowledgment on the part of the British Government that there are grievances or questions in dispute in this Colony with respect to the land tenures, which require to be settled. The Commission has given great satisfaction in King's County, for the people there considered it a privilege to be permitted to go into Court and state their grievances. The tenantry in the district which I represent are satisfied to wait until the result of the Commission be known, as it would be inconsistent one session to ask for a Commission and the next to ask that it be set aside, when it had not sufficient time to complete its labors. This proposal which is now made to pass a law to prevent the collection of arrears of rent is only a piece of deception, and intended to go forth to the country. Those who are advocating such a measure know it would never become law. I would like to ask the hon. leader of the Opposition if he believes that a Bill to suspend proceedings for the collection of arrears of rent, would receive the Royal assent? But even admitting that it should pass at home, what benefit would result from such a Bill, for before it could have time to become law, the award of the Commissioners would be made known.

Hon. Mr. THORNTON.—I do not purpose to occupy much time, but to speak briefly to the question. The Commissioners recommended that one year's rent be paid, and that no arrears be exacted. This recommendation has been attended to by the tenantry, for I can assure you that the landlords seldom ever received more rent than they have done this year. The proprietors, however, at least many of them, have not been satisfied with one year's rent, but have proceeded to compel the payment of arrears. Now, Sir, I will support the resolution, because such a measure as it proposes would only be giving effect to the recommendation of the Commissioners, and because I believe that unless something of the kind is done there will be more agitation in the country this year than there ever was with the question of Escheat. I have been often asked by tenants since the sitting of the Commission if they ought to pay rent, and I have always advised them to pay, as recommended by that Court. The people are expecting more from the Commission than they ever did from any other scheme for the settlement of the land question; and they are anxiously waiting to hear its result. In regard to the property with which I have to do, I have attended to the recommendation of the Commissioners, and will not compel payment of arrears until their decision be known.

Hon. Mr. MACAULAY.—[Reads Mr. Whelan's amendment.] This document has upon the face of it most dangerous words. It in effect says that the Commission should be nullified. The expectations of the tenantry have been raised by the Commission, and before it has completed its labours, we should never think of passing a resolution which would go to set the whole affair aside. I fear, Sir, this amendment has not had its origin in honesty of purpose. I would consider myself a traitor to my country did I support such a measure as is contemplated by the resolution, because it would thwart the good intentions of this House when they asked for the Commission. No good purpose will be served by following hon. members on the opposite side of the House into details; it is sufficient to say that I believe they are not sincere in their opposition to the paragraph under consideration, as they must know that a Bill to stay legal proceedings for the collection of rent would never receive the Royal allowance.

Progress was reported, and the House adjourned.

TUESDAY, Feb. 26.

House again in Committee on the Address in answer to His Excellency's speech.

Mr. CONROY.—Mr. Chairman; the paragraph of the Address under consideration expresses regret that the Commission has not made its report. This regret is fully concurred in by me, and I believe by the people of the Island generally. The Commission has raised great expectations among the tenantry; it was almost the only subject of conversation in the country for three or four months. The delay in making the award, we are informed has been caused by the other business engagements of the Referees, and we are recommended by the members of the Government to exercise patience. This may be all very well, but what is the use of preaching patience to a man who is distrained upon, and all his effects taken away by the bailiff? The tenants in the district which I represent, I believe are as punctual in paying their rents as any in the Island, and have complied with the recommendation of the Commissioners to pay one year's rent, as well as could be expected. But those most in arrears are those who are least able to pay this year's rent; still I have been informed that Mr. Charles Palmer has distrained upon several of those not only for the accruing rent, but also for arrears. In one case, I have been told, a person who receives rent for Mr. Palmer sent him notice that a certain tenant in arrears had paid this year's rent, and the answer returned by Mr. Palmer was, "give him credit for one year's rent, and distrain for the balance." I do not say that all the proprietors would act in this manner, and I understand there are no such difficulties on the estate managed by Mr. DeBlois; but when I hear of such conduct as this, how can I ask my constituents to wait with patience the award of the Commissioners, and be subject to the lash of the proprietors for probably two years longer. A meeting was held in my district just before I left home to consider the necessity of petitioning this House to pass a law to stay proceedings at present for the collection of rents; and I understand that a petition to this effect from that part of the country will be laid before the House in a few days. The general impression among my constituents is, that nearly every member of the Government, excepting Hon. Col. Gray, (who is very much esteemed in that part of the Island) is doing almost everything to thwart the Commission. I was sorry to hear the hon. member Mr. Yeo the other day speak against the character of the Hon. Mr. Warburton. It did not come well from that hon. member to charge anything against one who is his political opponent. If Mr. Warburton made any incorrect statements before the Commission, as Mr. Yeo was present, he ought to have contradicted him at the time, and not alluded to it on the floor of this House.

Hon. Col. GRAY.—Mr. Chairman; in regard to the distrains mentioned by the hon. member for Tignish, I have to state that I have made inquiries, and cannot learn that there has been one case of the kind where the recommendation of the Commissioners was carried out, on the estate of any proprietor, who agreed to the Commission. I deplore as much as the hon. member for Tignish, that it should be necessary to distrain in any case, but the Government has nothing to do with that,—the law must take its course. He states that the tenants will probably remain two years longer under the lash of the proprietors. They have been much longer than two years under the proprietors already, and we have never heard the hon. member express so much sympathy for them before. But I have seen it stated under the hand of the Commissioners themselves that the award will be ready in June. Is that two years? If I could obtain my desire the award would not be delayed two weeks. I consider that we have done

all that we could do in the case. But the question before the Committee is the amendment submitted by the hon. member, Mr Whelan. I cannot congratulate hon. members of the Opposition on the wisdom which has prompted the introduction of such an amendment, because I am certain very few will be deceived by it. Sir, a decent respect for ourselves as a legislative body, should have prevented the agitation of such a question. I do not blame some of the uninformed men in the country parts of the Island who are led to believe that such a measure as is proposed in the amendment could become law; but Sir, I do cast foul blame upon any Representatives of the people for encouraging them in such a delusion. Hon. members opposite know as well as I do, that such a measure even if passed by this House, must have a suspending clause, and that Her Majesty herself has not the power of granting what is desired—it would be a violation of her coronation oath, and a breach of the constitution. I confess, Mr Chairman, I was pained to hear the remarks of the hon. member for Cardigan (Mr Thornton) last evening. I would now ask that hon. gentlemen, who I believe is incapable of an untruth, does he think such a measure as staying payment of rents, would receive the Royal assent? Setting aside the unconstitutional nature of the question, I doubt not that the hon. member is most sincere in his desire, together with his friend the hon. leader of the Opposition, that the object of the Commission should be defeated. For 35 years, successive Houses of Assembly endeavored to settle the land question and for 8 years since 1851, the present Opposition held the reins of Government; but their acts were such that not only the great proprietors, but also the Home Government viewed them with suspicion and distrust. And what is the position of the Colony now? Not only has the British Government granted a court of enquiry, but almost all the great proprietors have agreed to be bound by its decision. This Court is now deliberating on the question, and in the face of this, and after having bound ourselves by a solemn contract with the Secretary of State for the Colonies, the Opposition now turn round and ask us to pass a measure which would put an end to the Commission, stultify ourselves before the public, bring upon us the contempt of the Home Government, and put a weapon into the hands of the great proprietors for ever. Sir, if this House had the power of passing such a measure, we would not have required the Commission at all. Only think of the heartlessness of this attempt to deceive the tenantry! Even supposing it were possible for Her Majesty to sanction such a measure, it could not be sent home and returned before the award of the Commissioners be made; hence it would be totally useless in every respect. I am pained to hear hon. members so cruelly trifle with the feelings of the people.

Hon. Mr THORNTON.—I rise to answer a question put to me by the hon. leader of the Government in this end of the building, as to whether I believe that such a measure as that proposed in the amendment would receive the Royal assent. I may state that I have my doubts upon this point, because so many measures which have been passed by the Legislature have not received this assent, and even the Bill carried through last Session, to give effect to the award, has not as yet been sanctioned at home. The measure proposed in the amendment is not to say that arrears of rent shall never be collected, but only to carry out the recommendation of the Commissioners, that none be distrained for until their award be made. No sooner had the Commissioners left the Island, than advertisements appeared in the newspapers stating that if they had power to prevent the collection of rent, they might also prevent the collection of any debt, and containing other such remarks, thus throwing

ridicule upon the whole thing. The proposed measure is only to give effect to the recommendation of the Commissioners, and prevent such proceedings.

Mr COOPER.—It is utterly absurd to say that a bill to prevent distraints for arrears of rent would not receive the royal assent. If the Commissioners possessed the right to recommend that one year's rent be paid, which no doubt they did, if they take it into consideration when making their award, surely they had as good a right to recommend that payment of arrears be not enforced; and as the Home Government has placed the whole property of the proprietors, as it were in the hands of the Commissioners, I do not see that it could object to sanction a bill to give effect to their recommendation. I believe if the British Government knew what is taking place here in the way of oppressing the tenantry, it would consider us highly culpable, if we did not pass such a measure as is proposed by the amendment.

Mr DAVIES.—No little has been said by hon. members of the Opposition with respect to the suffering in the country of late, caused by distraints; but much of this has been owing to actions in the Small Debt Courts, antecedent to the new law coming into force, which abolishes imprisonment for Debt under a certain sum. I think we should pass no law at present that might interfere with the Commission, but wait until we learn its decision. In regard to appearing before that Court, I may state that I considered this was the duty of the representatives from the country, for, being a member for Charlestown, I did not feel called upon to give evidence on the question under investigation. I regret that the Duke of Newcastle has thought proper not to recommend that the Royal assent be given to the Act to give effect to the award of the Commissioners; and as yet I am unacquainted with his reasons for so doing, but it is probable that they are satisfactory. I am most desirous that this Commission may settle the Land Question, and I believe it will. The hon. member for King's County, Mr. Whelan, has charged the Government with insincerity in regard to the Commission, which he calls a will-o'-the-wisp, and says it will never effect any good. If the Government are not sincere with respect to the Commission, I cannot see what they expect to gain by it, for if it turn out a cheat, they will assuredly go down. Much has been said about distraints, particularly on the Tracadie Estate. Mr. Archibald McDonald, though he has agreed to the Commission, yet as he is only a partner in the Estate, and is agent for the others, if he has distrained, he was necessitated to do so by his partners. It has been also said that the Messrs. Palmer have distrained for rent; but I am not aware that they have agreed to the Commission. I think, however, it would have been well for all the proprietors to have signed for it—just to have grappled with the matter, for it can scarcely be expected that if a settlement is made with those who have agreed to it, that the others will be able to hold out.

Hon. Mr COLES.—I was surprised to hear the lesson read to us this morning by the hon. leader of the Government. He states that the Home Government possessed no confidence in the late Government; but, Sir, I think they have shown quite as much respect for the late Government as for the present. Hon. members of the majority, speak as if the Commission had originated with them, which is not the case, as it was recommended to the late Government by the Secretary of State for the Colonies; and when the present Government came into power, they only took up the suggestion. We are accused of bringing in this amendment only for the purpose of defeating the Government; and no wonder, when they think that we hear so much whining about deceiving the people. But, Sir, I would be sorry to see the Government defeated on this resolution, as I desire

that they should have the opportunity to carry out this Land Commission scheme which they have begun. The amendment does not contemplate thwarting the Commission, but only to suspend oppressive proceedings pending the award of the Commissioners. It would only be a temporary measure, and would fall to the ground as soon as the award became binding.

Hon. Mr LONGWORTH.—Mr Chairman; every courtesy has been shown to hon. members on the other side of the House in this debate, lest they should hereafter complain that they were restrained. But with all the latitude which they have been allowed, what have they proved? We still remain unimpeached, and I was about to say unimpeachable. If it be the desire of the Opposition that we should have a fair opportunity to test this Commission scheme, what can be the motive which impels them in the course which they are pursuing? It is as clear as noon-day that their situation in the cool shades of opposition is not all that is desirable. If they are sincere in what they profess, in reference to not seeking to defeat the Government, why have they not received the statements from this side of the House, without attempting to misrepresent them? Their conduct has been unworthy of an honorable opposition. I do not blame an hon. member for opposing a government, but I do object to unfair proceedings. With respect to the paragraph of the Address under consideration, it is unnecessary to take up time, as the subject has been already fully discussed. I will briefly refer to the object of the Commission. The granting of this Island in large tracts was an impartial proceeding on the part of the British Government; but they did not foresee the evils which have ensued. However, the deed was done, and its consequences have come down to us, and unless we are enabled to remedy them, they will descend to our children. I do not affirm that members of this House were insincere in the measures which they introduced to settle this vexed question, but the schemes failed in the end proposed. Escheat was tried for a time, but effected no good result, and has been set aside. The Land Purchase Bill was passed, and I do not object to it, for it is based on safe principles, yet it is limited in its operations. The Loan Bill was next introduced, but it was opposed by most of those who compose the present majority, because it was dangerous in principle, as it pledged the whole revenue of the Colony to carry it into operation. It was then considered that a Commission should be appointed to investigate the whole question; and this scheme the present Government have endeavored to carry out. The hon. leader of the Opposition states that we have done nothing more than take up a suggestion made to the late Government by the Colonial Minister of that day; but admitting this to be the case, why did not they attempt to carry out the recommendation?

Hon. Mr COLES.—Because we went out of power.

Hon. Mr LONGWORTH.—This was not the reason, for the last proposal which the hon. member made was to revive the question of Escheat. The existing Government considered that as the Land Purchase Bill was limited in its operations, it was desirable that something more extensive should be attempted, and hence the origin of the present movement. Objections have been taken to the manner in which we have endeavored to carry out the Commission; but I maintain that it has been carried out in good faith, and that all has been done by us which a government could be expected to do. The whole duty of the Government was to hold the scales of justice in their hands, and afford every facility for investigation. The hon. leader of the Opposition has insinuated that the public offices were closed against those who desired to obtain information on the side of the tenantry, but as this has been already answered, I shall not recapitulate.

In regard to the hardships caused by distrains for arrears of rent, I regret exceedingly that the proprietors, at least those who gave in their adhesion to the Commission, should pursue such a course. I think, to say the least, it shows very bad taste on their part. I regret that the Leasehold System was ever introduced into this Colony; but it having come down to us, and that tenure having been acknowledged, we cannot now pass a law to do away with rights which have been a long time recognised. I believe if such a bill were passed as is contemplated by the amendment, the direct effect of it would be, though it could receive the Royal assent, that the proprietors would turn round and say, "Since you have disregarded our rights we will look after our own interests;" and before the measure would have time to become law, they would have recovered a large portion of their arrears by coercive means. I am of opinion that the only motive which actuates the Opposition in proposing this amendment, is the desire to see those at present in power driven from their position.

AFTERNOON SITTING.

Hon. Mr KELLY.—I rise to express my approval of the amendment before the Committee. I believe what it proposes would be a just measure. Some hon. member remarked that there perhaps might be one instance or two of distrains on the estates of proprietors who have agreed to the Commission; but I know several cases in which judgments are pending; and though the award of the Commissioners was given in to-morrow, it would not stay these proceedings. I can see no impropriety in passing such a measure as is proposed, therefore I will support the amendment.

Mr MONTGOMERY.—I am unable to discover what advantage will be gained by the proposed measure. When the Commission was sitting, it was anticipated that some proprietors might pounce upon their tenants before the award was made, and the Commissioners said that surely no proprietor would act so unfairly as to enforce the collection of arrears; but at the same time they stated that they had no power to hinder it. Though I regret that there have been distrains, yet I cannot well see how they are to be prevented. I would support the amendment, if I considered it would effect any good; but I feel convinced that the measure which it proposes would not receive the royal assent. Besides, I think, if passed by this House, it might materially effect the Commission; and I would be sorry to see any step taken which might be the means of defeating the object for which it was appointed.

Hon. Mr PERRY.—When I heard the amendment read, I thought it was so short and simple that it would scarcely meet with opposition. It does not, however, appear to be looked upon in this light by some hon. members. I do not understand how it would be the means of overthrowing the Government, as it is not opposed to the Commission; but only goes to carry out the recommendation which I heard the Commissioners give at St. Eleanor's. As regards what was done by the Government to aid the Commission, I cannot particularly speak, but I observed one member of the Government at the Court who appeared to be ready to furnish information. I feel called upon to support the amendment, as it is necessary that something should be done to prevent oppression on the part of the proprietors pending the award of the Commission. I do not see that any injury can result from it, for if the award comes out in a few months, then the proposed measure would not be required; but we are not aware how long it may yet take the Commissioners to complete their labors.

Hon. Mr LAIRD.—I think there is not the least prospect of the proposed measure receiving the Royal assent. Under the late Government, a Bill was passed to tax the rent rolls of the proprietors, and this was termed by the Home Government

"class legislation," and not allowed to pass into law. I think there is every probability that the measure now proposed would meet the same fate. I am willing to support any measure which would benefit the country, providing there be a likelihood of its receiving the sanction of the authorities at home. Much has been said about the Government withholding information from the Commission; but I never heard that any person was prevented from coming before the Court, and giving his sentiments freely and fully. If the work of the Commission had to be gone over again, I am of opinion that the Government could not act more fairly than they have done.

Hon. SPEAKER.—I do not intend to give altogether a silent vote on this question. There has been a great deal of time wasted by the irrelevant matter introduced into this discussion. The Government have been censured for not furnishing information to the Commission; this, however, was not so much their duty as that of the tenantry, who were allowed every facility for representing their case to the Court. But when the Commission commenced its sittings in Queen's County, so few came forward at first that the Commissioners were led to believe that no grievances existed. This was in a great measure caused by certain parties who labored to make the people believe that the Commission was a delusion. I explained to the Commissioners when at St. Eleanor's, that this was no doubt the reason that there appeared to be so little interest manifested in the inquiry when they opened their Court at Charlottetown. The Government procured able counsel; and with reference to the Commissioners, I have heard different people in Prince County express the belief that other gentlemen could not be appointed better qualified to investigate the question. I am surprised at the Opposition advancing schemes which are only visionary. The people in the country are, I believe, satisfied to wait until the award of the Commissioners be made known. I am opposed to the amendment, for probably before such a measure as it proposes could receive the Royal assent, the award would be made. Besides, though we were to pass the measure through as rapidly as possible, yet before it could become law, the proprietors might pounce upon the tenantry, and cause a vast amount of hardship and distress.

After some further discussion, the question was put on Mr Whelan's amendment, which was lost on the following division:

Yeas—Hons. Whelan, Coles, Wightman, Kelly, Thornton, Perry; **Messrs.** Doyle, Sutherland, Sinclair, Cooper, Conroy—11.

Nays—Hons. Speaker, Col. Gray, Haviland, Longworth, Yeo, Laird, M'Anlay; **Messrs.** Owen, Davies, Holm, Howat, M'Neill, Beer, Montgomery, Ramsay—15.

The original motion that the paragraph be agreed to, was then put and carried, on the same division, reversing the order.

The seventh paragraph was then read.

Hon. Mr WHELAN.—I rise to move the following amendment to this paragraph:—

"We regret that the Colonial Minister has not seen fit to present for the Royal assent, the Bill passed last Session, to give effect to the award of the Commissioners. While the Duke of Newcastle gladly acknowledged in his Despatch of the 16th June, 1860, addressed to your Excellency, the promptitude with which the Legislature of this Island hastened to give effect to the award, it is worthy of remark, that His Grace did not then intimate that our legislation on this subject was premature. The fact that His Grace now seems to consider that such legislation should be subsequent, and not antecedent to the award, will most probably postpone a settlement of the difficulties arising out of the land tenure until a late period of the year 1862."

It is unnecessary to enter into an explanation of my reasons for submitting this amendment, as the matter to which it refers, on account of its connection with the preceding paragraph of the Address, has already been very fully discussed. It is most extraordinary that His Grace the Duke of Newcastle should on the 16th of June acknowledge the promptitude with which the Legislature hastened to give effect to the award of the Commissioners, and that he should now, as we are informed in His Excellency's speech, consider such legislation premature. But probably we may yet learn the reason for this change in his views. There can be little doubt if the Legislature will have to be called upon next session to pass another Bill to give effect to

the award, that a settlement of the question will be postponed until a late period of 1862. I know that the supporters of the Government will vote down every measure proposed by the minority, but they cannot prevent us from placing our views upon record.

Hon. Mr. COLES.—The reason the Duke of Newcastle assigns for not submitting the Act for Her Majesty's assent, is that he considers such legislation premature; yet he makes no allusion to this in the Despatch of the 16th June in which he acknowledges the receipt of a Despatch from the Lieut. Governor informing His Grace of the passing of the Act. But, Sir, there may be another reason for his considering it advisable that the Act should not be submitted for Her Majesty's approval. His Excellency's Despatch of the 30th April states that the Act had passed through both Houses, whereas it appears from the Journals of the Legislative Council that it did not pass that Body until the following day, the first of May. I suppose the Government depended on the party of new Councillors then lately brought in from the country to do their bidding, and therefore considered the bill as good as passed. I hope and trust that these new members of the Council will see that an unwarrantable reliance has been placed upon their support, and announce their independence. Now, Sir, I cannot say that this Despatch, containing such a statement, was the reason that His Grace the Duke of Newcastle thought the Royal assent should be withheld for the present from the Bill; but there is no telling what may have been the result. He is well aware of the uncertainty of legislative action. In no matter do we know what may happen in a day. A nation may be ruined in a day. Such a course as that Her Majesty's Representative should pen a falsehood to the Colonial Office is dishonorable to one holding his high position. But the Lieut. Governor is not so much to be blamed or held responsible for the statement in the Despatch as the members of the Government, or those from whom he received the information, for it cannot be expected that His Excellency can be otherwise acquainted on any particular evening with the proceedings of the Legislature during that day than from the members of his Council. I hope, Sir, that the amendment just proposed by my hon. friend on the right (Mr Whelan) will receive the support of every member of this House, as it contains nothing but truth.

House then adjourned.

D. LAIRD, Reporter.

WEDNESDAY, Feb. 27, 1861.

House again in Committee of the whole on the Address.

Hon. Col. GRAY.—You are aware, Mr Chairman, that at the close of last evening's debate, the hon. member, the Leader of the Opposition rose in his place, and in a highly insulting and indecorous manner, accused His Excellency the Lieut. Governor with being guilty of falsehood, and his advisers with instigating him to it.

Hon. Mr COLES.—I said his Government caused him to do so—that his advisers instigated him to it.

Hon. Col. GRAY.—I should have supposed, Sir, the hon. member was aware by this time, of what is expected in society from a person claiming any respectability. Nor was it in the heat of debate the hon. member used this language, but in his cool calm moments. If hon. members are satisfied to have the proceedings of this House conducted in this indecent manner, I for one, raise my voice and protest against it. It shows, Sir, to what sore straits hon. members are driven, when they bring forward such sorry quibbles upon which to found an accusation so grave. And what it is founded on is, that His Excellency dated a Despatch on the 30th April announcing the passage of a Bill through both branches of the Legislature, when according to the Journals, it appears not to have passed until the next day. Upon turning to the Journals of the Legislative Council, I find the Bill in question was read a second time and passed without a division on the 30th April. Now, Sir, I am not going to take my Parliamentary experience of Legislative duties from the Leader of the Opposition; nor am I going to learn how business should be conducted by referring to any Colonial Parliament. I look to my Fatherland, Great Britain, and in doing so, ask him if he can point

but one instance in the British Parliament where a Bill has passed the House of Commons, gone up to the Lords, been read a second time and passed without a division, that was not passed virtually, if not technically? If His Excellency is to be charged with falsehood on these grounds, which of us is safe or not equally in fault!

Hon. Mr COLES.—I say the hon. Leader of the Government, must go again to the land of his fathers to learn Legislative duties, if he stands up in this Legislature at the Head of the Government, and says that after the second reading of a Bill it becomes the Law of the land. Will he tell me an amendment might not have been moved to that Bill! On the next day, e.g., if the Legislative Council had only one of a majority, the Opposition might have mastered their forces and thrown it out. Or suppose one of the Councillors had died before the next day, would the Bill have passed? It would not. I expected this would be the excuse. It is the Government, however, I hold responsible. How did His Excellency know it had passed unless told so? His Excellency could have no idea it had passed unless he had been so informed by one of his Councillors, for he is a gentleman of too high standing to pen a falsehood in reference to this matter. In the Legislative Council a motion was made that the Bill entitled "An Act to give effect to the Report of the Commissioners to be appointed on the Land Question," be now read a second time. Mr Bagnall moved, seconded by Mr Swabey, that the word "now" be left out, and after "time" insert "to-morrow," which shows the Bill was not finally agreed to. Next day it passed. It appears there was no division taken, but that does not alter the question.

Hon. Mr MAULAY.—The matter at present before the Committee is the charge brought against the Government by the hon. member; viz., that the advisers of His Excellency caused him to pen a falsehood. Words of this character should not be passed by this hon. Committee without ascertaining their truth or falsehood. Before a charge of this nature is urged against such gentlemen, he should be well satisfied about its foundation. I contend, however, the words of the Despatch will not be found meriting this censure, nor His Excellency the charge imputed to him.

Hon. SPEAKER.—I rise to speak to a point of order. It was certainly out of place in the hon. member, the Leader of the Opposition, to use the expression which he did. Hon. members may be aware that after the first reading of a Bill it is laid upon the table, that hon. members may have an opportunity afforded them of examining its contents. During this period there is no discussion upon it. On the second reading the principles of the Bill are considered, and when these are received it is presumable it will become law, and that the only alteration which will take place, will be in its details. This occurs in Committee; and when the details are gone through, it is then ordered to be engrossed. A Bill, however, is open to amendment in any of its stages.

Hon. Mr MAULAY.—When the principles of a Bill are absolutely conceded, it is presumable it will become law. What is the object of the third reading of a Bill, but to correct errors which may have been made in engrossing?

Hon. Mr THORNTON.—From my own experience in the Speaker's Chair, I learned that in every stage through which a Bill passed, an opportunity was afforded for expunging a principle, or for adding a new clause; and that the third reading was not merely to correct clerical errors. I have known some most important amendments proposed, and clauses added to a Bill at its third reading.

After a little farther discussion on this point the motion on the amendment was put and lost on the same division as the preceding amendment.

The eight paragraph was next read by the Chairman, after which—

Hon. Mr COLES said,—The inference to be drawn from that paragraph, in the Speech of His Excellency is, that £13,000 had been paid in Warrants. His Excellency regrets that after issuing Debentures, the Government could not raise the money, and was compelled to issue Warrants at 6 per cent. Certainly, there was great objection to that, till we happened to draw out some farther explanation. Had it not been discussed by the minority, I believe the majority would have passed it as it is. Now it turns out there were only £2000 issued bearing 6 per cent, of which £1000 was given to a member of the Government for a bill of exchange. Perhaps the Bank condescended to take the remainder; but I think the Bank has not that confidence in the Government which would induce them to take their Bills. Now that the present Government stood so high in England, it was considered the Bank would cash their Warrants; but there appears to be some difficulty on this score. It is acknowledged in the Speech of His Excellency, the Government made a bargain with Lord Selkirk about the purchase of his land, but could not get the money; consequently Warrants, which they were not authorised to issue, were issued, bearing interest at 6 per cent. Now, if the Bank has that confidence in the Government, which was pretended they would have given them £2000 at once, and taken their Warrants. There is certainly an objection to any Government stepping out of its legitimate course. If a Government can spend more than it is authorised to do in one case, it may do so in all cases; and perhaps the payment of those Warrants issued without law cannot be enforced. It was said if we came into power, we would repudiate them; but I think no Government could enforce their payment. If there are many of them out, perhaps it would be advisable to pass a short Act for the purpose of enabling the Executive to stretch its power in enforcing their payment. (Laughter.)

Hon. Mr HAVILAND.—The hon. the Leader of the Opposition appears to think the Government have exceeded their powers in issuing these Warrants; and, that it would have been preferable to have left the tenantry—with whom he sympathizes so much—without making an effort to free them by paying a few more pounds interest, rather than to have purchased the Selkirk Estate. What patriots they are, when it suits their convenience! It cannot be inferred the Bank had no confidence in the Government, because it would not take their Warrants for £2000. If the hon. member understood the finances of this country, he would be aware, that the Bank at certain seasons of the year, cannot give Bills on Great Britain. Only for a tax upon its members, it could not be kept in working order. The balance of trade, too, is against us, as we import more than we export. How then could we meet these difficulties? I say, it was fortunate Mr Yeo had means at his disposal to enable us to meet these demands,—not that the Bank had no confidence in the Government, but because at that season of the year, trade was in such a condition, that the Bank could not purchase their Warrants. If the Bank sells Bills it is to get money from other parties, and it is as apparent as anything can be; its refusal on that occasion was not indicative of a want of confidence in the Government. If the hon. member, himself, had offered the best security the country could have afforded, at that season of the year, I believe he would not have procured a Bill of £500. We know this colony would become bankrupt were it depending upon the trade of Great Britain. It is the trade of the United States which keeps up our country; for it is there we get a market for our surplus produce. No doubt the hon. member, would like to get out of the dilemma by censuring the Government. Session after Session, we know the Government of Great Britain itself does extraordinary acts

which, tho' not within the letter of the Constitution, are consonant with its spirit. Then they come to Parliament, and if Parliament does not sustain them, the Government must go to the ground; but, on the contrary, if it is for the public weal they always have a majority, tho' party spirit run ever so high. I believe every man on both sides of this House who will put his hand on his heart, will approve of this act of the present Administration, and say they did the best they could under the circumstances;—that they did just what the hon. member himself would have done under similar circumstances, tho' he now throws out such insinuations against us. Tho' he may flatter himself with back-stairs influence, still he is not so well versed in the schemes and policy of the present Government, as to know everything which has come to pass. By-and-bye, if a Bill be introduced beneficial to the country, I suppose he will say the country should thank him for it. If he is so fond of acts of indemnity as he pretends, why did he introduce a Bill in 1858 by which Treasury Warrants could be hawked about the country, and contrary to what had been authorized, sold at a discount. I knew of persons going to the Road Correspondent Office and getting Treasury Warrants to the amount of hundreds of pounds, for £90 per hundred, thus causing the country to lose 10 per cent. And it would puzzle first rate accountants or a Philadelphia lawyer to make head or tail of the books, to ascertain how much was lost on these Warrants; yet, these are the moral politicians who came forward to give us a lecture on political morality.

Hon. Mr. COLES.—The hon. member from Georgetown still harps on the same string. No new arguments are advanced—nothing but the old story about Treasury Warrants. But I may state that at the period to which he refers we had £300 voted for contingent purposes, and placed at the disposal of the Government, we acted legally and constitutionally; and if Warrants were hawked about at the discount stated, it was not the act of the late government. The hon. member speaks about back-stairs influence. Does he mean to say I go to His Excellency and get a knowledge of what his Executive is doing? For the last two years I have not opened my lips to His Excellency on political matters.

Hon. Mr. HAVILAND.—I never intended to insinuate the hon. member had the slightest influence with His Excellency. It is by pricking up his ears to find out what is going on here.

Hon. Mr. COLES.—That is certainly a strange definition to give of back-stairs influence; but it will not do to say I have that influence because I take up the weak points of the majority. But, Sir, there is another point to which the hon. member has alluded,—that the Government had violated the law, but that the country would concur with them because they had taken the shackles off a few tenants. But look at the other side: Are there no shackles to be taken off the other tenants? No; we are told by His Excellency they will take off no more; there are to be no more Loans to buy them out in other parts of the Island. These favors are for Belfast. As for Lots 32 and 37, they do not belong to the constituency of a gentleman who has influence here. Here it is; they are not to listen to such visionary schemes about Loans; but, had we been in power the tables would have been turned. In reference to the Worrell Estate because we did not investigate the titles we were charged with having acted contrary to law. My hon. colleague at that period left the Liberals because we did not investigate the titles. So did Mr. Macintosh, and my friend on the left (Mr. Cooper) who manifested more sincerity, agreed with them we had not done exactly right. During two Sessions in succession the Opposition tried to upset the Government on that question. Now they tell us we are doing these things out of treacherous motives and a party spirit, because we tell them

they violated the Act,—themselves forgetting how they managed.

Hon. Col. GRAY.—The Hon the Leader of the Opposition, who has just sat down, has evidently alluded to me, and in terms which I must repudiate. He referred to a member in this House, who had influence to pass measures through the Legislature, and Lots 32 and 37 will not be benefited by our exertions. I now publicly declare all my exertions have been, are, and shall be to put, not only these Lots, but all others upon the same footing; and all that can possibly be done, shall be done to effect such a consummation. This, however will not be done by a Loan Bill which would sink every man—every freeholder on the Worrell and Selkirk Estate, by a ruinous taxation, which would amount to £130,000 in 10 years. We need not, then, entertain the project of a Loan of that magnitude. My object is to carry out the provisions of the Land Purchase Bill, but not at the expense of persons who are already freeholders. Of what benefit would it be to gain them their freedom and then make them tax-payers?

Hon. Mr. YEO.—I was surprised to hear the remarks which fell from an hon. member a short time ago. The Government were of opinion the Estate should be purchased; and, when Debentures could not be disposed of as they desired what was to be done? Was it necessary to call the Legislature together to know if they would advance money to purchase the property? No man of reason would think of doing such a thing. The Bank could not give the sum required, and I was requested to advance the sum required, which I did. Of this I do not boast, as it is nothing to the purpose. I did it for the benefit of the Country, and to enable the government to effect a purchase. No reasonable member I think should rise and accuse the Government for their conduct in this transaction.

Hon. Col. GRAY.—The hon. member the Leader of the Opposition has introduced what purports I believe to be a reply to a paragraph in the Address presented to His Excellency by the inhabitants of Belfast. The comments of His Excellency on the paragraph respecting a Loan are surely very plain; and I think no hon. member can mistake his meaning. His Excellency says to them—"Do not testify impatience;" and, speaking of the Commission, he advised them to "turn a deaf ear to all those visionary schemes, which, pending the investigations of the Commissioners are as crude and premature as they are impracticable." And so they are. We must not interfere with the Commission. By doing so, we may mar the whole affair. The advice of His Excellency is to wait, rather than adopt premature measures. We do not know but what the Commissioners themselves may propound a Loan; and, I trust the British Government will bear a portion of the expense incurred. If the Commissioners recommend a Loan under certain restrictions, it may be well; but, pending their investigations His Excellency the Lieut. Governor recommends the tenantry to exercise patience.

Hon. Mr. COLES.—As regards what has fallen from the Hon. Col. Gray respecting the paragraph in the Reply of His Excellency to the Address of the people of Belfast about some scheme which may be proposed, perhaps he refers to the one proposed by the Colonial Secretary, which was to borrow twice as much as was necessary. It would appear, however, the Colonial Secretary has come to his senses; for, knowing the Bill was lost, and that something must be done to promote the peace of the Country, he fell back on the old scheme, and came forward and gave his views on this point to the public. I have yet to learn we are to obtain anything from this Commission. The Colonial Secretary will see he does not rule, when a rod has been brought to bear upon him, under which he so speedily retracted the opinions which he had just promulgated. Talk of giving an Award which will call upon the Home Government to remedy evils incurred by a preceding Home Government! No, Sir. This Act is lost. We are told we must pass another to give effect to the Award of the Commissioners. According to the wording of the

Act—"That the Report or Award of the Commissioners, or one part thereof, to be made by the three Commissioners or Arbitrators, or any two of them to be nominated and appointed, &c.," we see it does not contemplate that they were to be appointed till the Act passed; and this Act has since been refused. Suppose one of the Commissioners should die, how, I ask, is the Commission to go on? There is no Law for that purpose. The only one there is, is the one under which they were appointed. If the Award be not favorable for the proprietors, we need not expect it will receive the Royal assent; and a Bill will not pass this Legislature unless favorable to the tenants; so, under these circumstances, I think we may expect little from the Commission. I would, then, support the views of the Colonial Secretary and adopt the only feasible scheme upon which this House can fall back. It was no visionary scheme to purchase Lots 54, 57, &c.; and, if not then—why now? The hon. member from the second district, King's County, need not say it would be ruinous to borrow £100,000. Has not one-third of this amount, £40,000, been granted by the Colony already; and if it were wise in that case, it cannot now be ruinous to go as far again.

Hon. Mr LONGWORTH.—I believe I was asked whether or not £40,000 were granted for the purchase of lands, and answer, I believe that sum was granted for that purpose. I may state, too, I think it was not too much, considering the manner in which the purchases were effected. I think the instance cited by the hon. Leader of the Opposition, as a strong argument, does not, and will not favor his views. It may do for him to say the principles of the Loan Bill would not be ruinous to the interests of the tenantry; but, were it adopted as suggested by the hon. member, it would then be a signal to all the world, we were prepared to buy up all the lands in the Island at the highest figure. The Bill would be limited to a certain amount, and the proprietors would not take 7s 6d an acre for all their Lots. The hon. member himself, in purchasing an Estate went far beyond its value; and it matters not how the amount was increased. As a man of sagacity, it was his duty to say, if he could not get it at a more reasonable rate, he would not effect a purchase. In purchasing the Selkirk Estate, we were careful not to go beyond the limit assigned us, and thus act against the interests of the people. But we are not now discussing the relative advantages of the Loan Bill, which, already has been discussed at great length; but considering a small paragraph respecting the policy of the Government in issuing a few Treasury Warrants under pressing engagements, without consulting the Legislature. The Estate we purchased was extensive, and its purchase affected the interests of a large body of the tenantry. Even the Home Government is sometimes compelled to resort to such expedients. They do so without consulting the Parliament immediately, believing they would afterwards indemnify their act; and it was upon this principle we acted. If the hon. Leader of the Opposition thinks we have stretched our constitutional powers, let him consider the statements made by the hon. member from Georgetown, who showed him, how he had issued Warrants at a vast discount. To vindicate his conduct in this matter, he said they acted legally and constitutionally, because a certain sum had been voted for the services of the Government. But this sum was voted for bridges which might be injured by a storm, &c., and which could never have been foreseen. Yet this apology is offered for the purpose of bolstering up the defective principles of a Government. But it will not do. There must have been some under-hand work—something not done above board, or better reasons would have been advanced. I referred to a member of the Committee in order to examine the accounts of that year; but it was not possible to ascertain for what purpose the sums expended were appropriated. That gentleman said it was impossible to ascertain for what purpose the sums were expended. Many sums were entered as lost on Treasury Warrants—the particular Warrant and amount not being mentioned. These transactions indicate anything but fair dealing.

Mr BEER.—I think it is unreasonable the Government should be blamed for what they have done in effecting the purchase of the Selkirk Estate. We know it could not be bought without paying £2000 down. What an outcry there would have been, had not the Government issued Warrants to this amount, but left the people on that Estate in their old position! I think the hon. Leader of the Opposition must have an imperfect know-

ledge of the mercantile circumstances of this country, when he says the Bank had not much confidence in the Government when it would not give them a Bill of £2000. It was fortunate they had a friend at home from whom they could get the sum required. Had the Loan Bill passed, the cry would have been, "Now, they must purchase; and we will have our price." The effect would have been, that land would have changed hands at double its value, and the country saddled with a debt. It would take the whole revenue to pay the interest on such an enormous Loan; therefore, I think it is rather visionary to talk about Loan Bills just now.

Hon. Mr THORNTON.—Mr Chairman, I do not rise for the purpose of defending the acts of the late Government, nor to offer opposition to the present Administration; but, to direct attention to the paragraph under consideration. Whether the Government were justified in issuing Warrants or not, I am prepared to support the Amendment to the paragraph. Instead of the whole amount having been borrowed at 6 per cent., we find it was only £2000, and that the Selkirk Estate could not be purchased without that sum. I say I am not inclined to show opposition to the paragraph under discussion. I think the Government were justified in purchasing a large tract of land for the people. I was not in the House, unfortunately, the Session the Bill authorising its purchase, was passed, or it would have received my cordial support. After putting that Bill, guaranteeing £10,000 for purchasing that Estate, on the Statute Book, the Government, without the sanction of the Legislature, issued Warrants to purchase Lot 54. This is the act for which I blame the Government, in purchasing Lot 54 contrary to law. And this Township is spoken of as one of the best in the country. I wish those who speak in these terms, know as much about it as I do. I am glad they are in a position to purchase it; and, as regards the increase of the purchase money, I do not oppose the Government; but I repudiate their act, in paying money for it without the sanction of this Legislature.

Mr COOPER.—I was not satisfied, Mr Chairman, with the late Government in regard to the manner in which they effected the purchase of the Worrell Estate. In reference to the former Government, I may say they were prompted and encouraged by the Ministry to make good its purchase, being promised a Loan by the Imperial Government. The Loan was even voted there, and a day appointed for the second reading of the Bill, when Lord Stanley was to be prepared to explain the wording of it, which resulted in getting it defeated. Forfeited land was not to be purchased without an investigation of the titles; therefore, they could not be a party in guaranteeing a Loan under such circumstances. Finally the Ministry with the consent of the proprietors agreed to leave the matter to an arbitration. After we agreed to this our Government, for party purposes, made a selection of two Estates out of the whole property left to arbitration, thus acting dishonorably to serve party purposes. They borrowed money on the faith of warrants, at a high rate of interest. The liberal Government made an experiment, and the present one has abandoned an honest and just principle to serve party purposes and run the country in debt.

Hon. Mr COLES.—In reference to the Public Accounts, I may say I was a little astonished to hear a member of the Government come out at this late period—two years after the Committee reported—and insinuate that a public officer had acted fraudulently. He almost charged him with fraud, for his insinuation was calculated to lead people to believe that that officer could not give an account of money with which he had been entrusted. Now, if that officer was a delinquent, why did the Government not instruct the Attorney General to take legal proceedings against him? Then the hon. member went on to speak of financial matters; and, as regards the finances of this country, they must be pretty low now, for during the two years they have been in power, they have run the country in debt three times as much as we did during the nine years we had the Government.

Mr DAVIES.—There was every disposition on the part of the Committee on Public Accounts, to act fairly; and no inclination to reflect upon any one without sufficient cause. Any person who looks at the Hooks of the Road Correspondent, may see a number of Warrants are noted as being sold; but neither the name of the individual, nor the amount of the Warrant is mentioned—both of which, I think I would have done. We did not

bring any charge against the Secretary for defrauding the public. I am of opinion, however, he should have noted down the No. of the Warrant, and the name of the individual who received it. It can be shown from the Public Accounts, the present Government has not run the Colony in debt.

Hon. Mr COLES.—My statement about the Road Correspondent has not been contradicted. The only excuse is, he did not keep his Books as another man would have done.

Hon. Mr WHELAN, after referring to the fact of Warrants being issued without the consent of the Legislature, said—I am not sorry this discussion has taken place; because, I trust it will prove a check on this or any other Government which may succeed it, and serve as a warning to them of the impropriety of paying away any portion of the public money contrary to law. If a Government can in this manner issue £2000, the principle is recognized, and £10,000, £20,000, or £30,000 may be issued in the same way. I said I was willing to forgive this error in the conduct of the Administration, inasmuch as it was done for the purpose of carrying out an object to which I lent my assistance. I said last Session, and even a few days ago—my hon. friend on the left (Mr Coles) being strongly opposed to me,—that my policy was to give a frank and generous support to it. Last Session, when it was announced that the intention was to purchase the Selkirk Estate, my hon. friend said we should vote against it. No; said I; my intention is to vote for its purchase, for I am determined to carry out the policy we ourselves pursued in reference to the Worrell Estate and Lot 11. I said, if we had a right to purchase these properties, it could not be wrong to purchase the Selkirk Estate, Lot 54, or any other property. I was not actuated by party motives. I am aware prejudices have been attempted to be excited in Belfast, because I sometimes indulged in a little pleasantry at the expense of some persons in that locality, but I did not do so out of a spirit of malice or vindictiveness. I contend this principle should be recognized by myself, and every man holding positions similar to those which we occupy—that the moment I take my place here, I am not merely a representative of any particular District in this Island, but that I am sent here to represent the views, feelings, and wishes of the mass of the people; and, to do all I possibly can, as an honest man, to further their interests. This I did in reference to the purchase of the Selkirk Estate. And the people in that locality should consider,—that were it not for the conduct of the hon. the Leader of the Opposition, in bringing in a Bill for the purchase of the Worrell Estate, they would not be in the comfortable position to-day which they occupy. Where would they have been to-day, had that Bill never been introduced? They have reason to congratulate themselves on its consummation. And who opposed the Land Purchase Bill?

Hon. Mr HAVILAND.—There was no division taken on it.

Hon. Mr WHELAN.—So far as I am concerned, I say I have done my duty, notwithstanding the insinuations thrown out to induce them to believe I am their political enemy, and that I have no sympathy in common with them and the other people of this Island. If the hon. Col. Gray should bring forward a measure tending to confer still greater advantages upon them than the purchase of their properties, when that is not detrimental to other portions of the Island, I state frankly, it shall receive my most cordial support. We are told we should wait—that all schemes “pending the investigations of the Commissioners are visionary;” but the gallant Col. knows well that if it is improper to interfere with the proceedings of the Land Commission, he cannot forget that he and his colleagues were guilty of flagrant inconsistency in purchasing Lot 54. I trusted the Government would do the same for other parts of the Island, as they had done for Belfast. But any man possessing even a spark of intelli-

gence, may see we need not expect anything from the Land Commission. I am not likely to be mistaken in my views of that institution. Twelve months ago, I said if ever there was a sham, a delusion, and a cheat attempted to be perpetrated upon a free people, it is the institution of that Land Commission. It has no basis at present; and before it takes effect, it is said we must have an Act to give validity to its proceedings. Gentlemen of the majority know that that Act is now virtually disallowed; and its disallowance, no doubt, has been procured through the unconstitutional interference of proprietors here and in the old country. If the Commissioners were to sit again next summer, for several months, you will be compelled to go through the same form again—for it is nothing more than a form—of passing an Act to give effect to any decision to which they may arrive. And, if the Award be not favorable to the proprietors, who have showed what power they exercise at the Colonial Office, to bias the mind of the Secretary of State for the Colonies, and to come between us and the Home Government like a baleful shadow, you know their power right well. Can there be a doubt as to my convictions about the course pursued, that the whole scheme was a sham and a delusion. I am still farther convinced of this, inasmuch as when the Commissioners were sitting, it was announced in the Government organ that the only proprietors who would be bound by their decision, would be those who subscribed the Commission. These amounted to six, and one of them has since relinquished his claim, leaving five to be affected. What then, I ask, is to become of the people under the other thirty or forty proprietors of this Island, who claim to be exempt from the Award the Commissioners may give? Yet, you say, “wait!” Is that the duty of this House? Should we fold our arms and see the bone and sinew of this Colony destroyed, their homes levelled, their hearth-stones made desolate, tenants crammed into jails by land claimants, whose names “stink in the nostrils” of the whole community! Does this become our character as honest men, and trustworthy Representatives? Were we actuated by a sincere desire to promote the interests of the tenantry, we would act independently of any Award. Such a course might be more satisfactory in its results than our most sanguine expectations can form of any Award which may be given.

As regards the financial state of the Colony, I shall not say much. When the liberals came into power in 1851, the public Debt was exceedingly large.

Hon. Mr LONGWORTH.—But you had two years revenue to spend.

Hon. Mr WHELAN.—We had to make up for that in other respects. But allow me to ask if Treasury Warrants were at no discount from 1846 to 1851, when the Government was in the hands of a few particular friends—in the hands of men whose credit in this Colony and in England was so great, we are told, they could accomplish anything they desired? But “the men of yesterday are not the men of to-day.” It is notorious, Warrants were then at a great discount. It is true there was one solitary year, 1858, when, during a commercial crisis, they sold at a discount; but now small sums cannot be raised except in violation of the laws of the land. They well know they have increased the duties on many articles, for which the hardy yeomanry of this Island, whose interests they pretend to have so much to heart, must pay.

Hon. Mr LONGWORTH.—On Spirits and Wines.

Hon. Mr WHELAN.—Yes; and on Tea, I say you have demoralized this country by raising the duties on Spirits; for it has introduced an enormous amount of smuggling. In one place alone, Liquors, the duties on which amounted to £1200, have been smuggled during last year. This is an instance of your fine financial policy. You have increased the Public Debt three times,

though you got the Government with £5,000 spare cash in the Treasury.

Hon. Col. GRAY.—Mr Chairman, we have heard the hon. member who has just spoke at full length before on this subject, and it is not my intention to dwell upon the question under discussion now, as my sentiments upon it were fully enunciated on Saturday. We had proceeded as far as the 7th paragraph, and were then brought back to the 4th in the Address. It occurred to me, from an observation which fell from the hon. member in reference to the purchase of the Selkirk Estate and Lot 54, that he understood only £2000 had been issued in Warrants for the two Estates.

Hon Mr WHELAN.—Yes; and on that ground I withdrew my opposition to the paragraph under discussion, in the Address.

Hon. Mr GRAY.—It was stated a few days ago, when then the hon. member was not in his place, that £2000 was required to complete the bargain about the Selkirk Estate; and also that £2000 in Warrants were issued for the purchase of Lot 54, making in all £4000; but the hon. member spoke as if he fancied only £2000 were paid on the whole.

Hons. Messrs. COLES and WHELAN.—That is what we understood.

Hon Col. GRAY.—I think the contrary was clearly stated by me; but the adage is true—None are so deaf as those who do not wish to hear. I stated that as £1958 of the Warrants had been redeemed, the amount outstanding was little more than £2000.

The Committee then rose and the Chairman reported progress. Adjourned till 3 o'clock.

AFTERNOON SITTING.

Hon. Mr COLES.—A short time before we adjourned, we learned the Government had issued Warrants for the purchase of Lot 54. Before proceeding farther, I may state, I give credit to the hon. Col. Gray for acquainting the minority with the fact, when he was doubtful about us being aware of it. I believe the hon. the Leader of the Government, did so from the best of motives, knowing it would be better to give us the information than to have the subject come up afterwards. On receiving that information, my views are completely changed in reference to the paragraph under consideration, in answer to a clause in the Speech of His Excellency. Had £2000 been authorized by this House, the minority would be justified in giving their assent to the issue of that amount; but, Sir, if they could not have purchased that property under the Land Purchase Act, they had no right to take it upon themselves to issue £2000 in Warrants. There was no necessity for it. The Land Commission had been appointed, and their decision could not have been unfavorable to the inhabitants on that property. And there is another question. These Warrants were paid off; but I would like to know by what authority. Money cannot be paid for Warrants unless in regular rotation. Why then did the Government step aside and pay them before the proper time? I hold, then, that the Treasurer in this transaction violated the Laws of the Land. There must have been some favoritism. Upon this act, I hope the majority of this House will place their veto. What is one of our dearest rights! It is that Parliament holds the purse strings, and will not allow any Government to violate the Laws of the Land in this respect to such an extent as ours has done. True, there may be a necessity sometimes to do so, as in case of war, to spend a few pounds more than has been voted for such purpose; but, what necessity was there in this case to purchase a Township of wilderness land? If one Government is allowed to do this, another may take the same liberty; and where is it to end! There was a little excuse for doing so in

purchasing the Selkirk Estate. My hon. friend (Mr Whelan) intended to have moved an amendment to the paragraph under discussion before, but I dissuaded him from doing so, saying, I did not wish to tie down the Government too closely; but, from what has since transpired, in his absence, I move his amendment:—“We regret that your Excellency found it impossible to negotiate the Debentures which the Law authorised to be issued for the purchase of the Selkirk Estate, and that Treasury Warrants bearing a higher per centage were issued for that purpose. We regret more particularly that such a course as this was pursued, especially, as we have heard that Warrants were also issued for the purchase of Lot 54—a purchase which the House of Assembly did not authorize. The House of Assembly cannot help remarking that such a course as this, so contrary to law and so subversive of the rights and privileges of Parliament, is extremely dangerous, and calculated to destroy confidence in the Government who adopt it.”

Hon. Col. GRAY.—It is not my intention, Mr Chairman, to occupy the time of this House by again recapitulating what has been already clearly stated more than once. I was under the impression my explanation given on last Saturday morning, was clearly understood by hon. members. In reference to the charges brought against the present Administration, I would ask, what is the Executive Government of this Island as now constituted, but a Committee chosen by the people's representatives to act in their absence? Now, the Government in their absence have acted and in what respect have they established a bad precedent? I think it is a good—an excellent precedent; and long may the Government continue to establish such precedents, if by so doing they prevent Townships being sold to middle men for a few pounds. As I stated before, we saved £968 15s. out of the sum allowed us for the purchase of the Selkirk Estate. Are the people of this Island so very rich that they consider it a bad precedent to set, to save this amount and give it towards purchasing a Township to give to hard-working honest men? Five thousand acres of this Lot are very cheap at 10s. an acre. A gentleman of integrity now in Charlottetown would give considerable for the privilege of cutting the timber which grows on it. I wish we could get Mr Sullivan to part with his on the same terms. Is the Government to be assailed with invective because the representatives of the majority, sent here by the people, choose to purchase a Township under the Land Purchase Act? His Excellency the Lieut. Governor is allowed from time to time, to buy a Township, or two or three of them, according as the funds come in. If the Government had acted according to law as the hon. Leader of the Opposition said, they could have purchased Lot 54, at 5 per cent., payable in Debentures; but, the gentleman who sold it to us, would have required £200, or £300 on the Debentures; by paying in Warrants we saved £300, less £45. That is the bad precedent. As regards the Land Commission, my views were that it would do us much good, as will appear, no doubt, when the Despatch of the Duke of Newcastle is received. I regret so much opposition has been offered to our endeavors to carry out this scheme. We have put no money in our pockets by it; and, as long as I have the honor of retaining a seat in this Legislature, no one shall put a pound there. Is it not our glory to save! A respectable man told me a few days ago he was obliged to pay 10s an acre for land on the Worrell Estate, when others on the Selkirk Estate were getting theirs for 6s. an acre. I cannot help it, I replied; it cost more. Land bought for 3s. an acre cannot be sold for less than 5s.; and even at that rate, I solemnly declare we will no more than clear ourselves. I asked Mr Perry when he was before the Commissioners at St. Eleanor's, if land bought by the Government at 3s. an

acres could be sold for less than 5s. an acre. I blame not the late Government for purchasing at the rate they did, as I believe they could not help it. The hon. the Leader of the Opposition said, in case of war a Government may adopt such a course; but, is it not better and more glorious to take it for the promotion of peace? Who brings war upon a land? If for phantom glory men bring distress to thousands of widows and orphans, it shall be my boast to say I desire to do good for the sake of peace. What more glorious than to bring happiness and contentment to our Island homes at the lowest possible rate? Who then, that has the heart of a man beating in him will say we have set a bad precedent?

Mr COOPER.—The hon. Leader of the Government seems to think the minority should have confidence in the present Administration, because they struck a good bargain without our consent, expecting to get it afterwards. In the first place we saw a deviation from the principles of Responsible Government; and, step by step we see a deviation from law. If they go on thus, there will soon be very little use in our coming here at all. If the consent of this Legislature was necessary in this case, they should have got it beforehand. After consent was given to purchase the Selkirk Estate, it was understood all the rest would be left in the hands of the Land Commissioners.

Hon. Mr COLES.—I have yet to learn the land on the Worrell Estate sells at 10s. an acre. If it does, the present Government have raised its price; for 6s. 8d was the highest price paid for wilderness land on that Estate. The present Government may have raised it to make the late Government unpopular; so, the man referred to, need not have been told the Estate cost more money. £18,000 were paid down for it, leaving a balance of £6,000 to be paid and there was a reduction to be made for Fishery Reserves, ponds, &c., which lessened its price considerably; so, taking the whole Estate, it would not amount to more than 5s. an acre. I understood the Selkirk Estate cost more than £9,000; but the littles taken off one and put on another make a great difference. It was stated there were 80,000 acres in the Worrell Estate when we purchased it. Since that period, however, new surveys have been put on it, and now it appears there are only 60,000 acres. In this way it is easy to make out the Selkirk was purchased on more favorable terms than the Worrell Estate. It is well known, too, there was more oppression practised on the Worrell, than on the Selkirk Estate; but anything will serve as an excuse for violating the law of the Land. I have not yet heard one good reason assigned for purchasing Lot 51. A large part of it is a wilderness. Interest must be paid on the purchase money; and the Land tax on it is lost. Now, look at the whole of the Worrell Estate. Look at St. Peter's Bay, with the beautiful farms on its margin. Where we got 12s. 6d an acre for a great part of this property, will the Government, I ask, get 12s. 6d an acre for any of Lot 51? The excuse about middle men will not do. If these stepped in pending the investigations of the Commissioners, the Commission might have taken that into consideration also, and learned them a salutary lesson. The Government, too, should have assisted in punishing men who would dare to interfere in such a manner. I give my support to the amendment, not out of opposition, but from principle. At some future period we may have a Government not as trustworthy as the present; and, if this principle can be carried out, it may be turned to a very bad account in this Colony. Another Government may give 10s. an acre to a friend, instead of 7s. 6d., as mentioned in the Act.

Hon. Mr MAULAY.—I am not anxious to protract

the business of the House in discussing matters of comparatively little importance; but I confess I do not include the amendment just proposed as a matter of this kind. There is one passage in the amendment to which I wish to advert before dwelling upon that to which it more particularly refers, which is this:—"The House of Assembly cannot help remarking that such a course as this so contrary to law &c;" Now, I would like to know what law it is which prevents the issue of Warrants.

Hon. Mr. WHELAN.—There was a law for issuing Debetures.

Hon. Mr. MAULAY.—It would appear, then, Mr. Chairman, that these are the same, which furnishes us with a specimen of their logic, and shows how fond they are of making a noise. If it is the Law of Parliament to which reference is intended to be made, then the sentence is not grammatical. To me it appears absurd, and will remain so, till more light be thrown upon it. So much for the consistency of the amendment; let us now come to its substance. The hon. gentleman on my right has expressed much sympathy for the tenantry; but, I have no reason to believe he is more inhuman than other men, nor have I reason to think he is a bit more human than those who speak less on that point. (Laughter.) When the cry "catch thief!" is heard, he runs away among the crowd and cries "catch thief!" too. Now, if the Warrants had been issued for any other purpose than the one for which they were issued—viz. to rescue tenants from the fangs of proprietary dominion, there would have been a justification for his amendment; but, if consistent to his principles he would have said, "I feel grateful to the Government for rescuing tenants from the fangs of despotic Landholders." He is aware a gentleman was about to purchase the property, but the Government stepped in and bought it for the exclusive purpose of protecting the people. For so doing he says—"Oh! cruel Government,—Why did you not allow the cruel proprietors to tear out the vitals of these tenants?" There are two reasons which prevent me from supporting the amendment;—1st, it is not properly worded; and 2dly, it censures the Government for performing an act of mercy.

Hon. Mr COLES.—For 10 settlers.

Hon. Mr MAULAY.—There are several there. We know it is a common occurrence with Governments to do some small acts not strictly within the letter of Law. After doing so, they come down to the popular branch of the Legislature and state what they have done; and if it be shown it was done for the benefit of the people, their approval is gained. The act of the Government in this instance, though it was without the letter of the law, was still consonant with its spirit. As they purchased it for the good of the people, I do not see how we can blame them.

Hon. Mr. LONGWORTH.—Last year, Mr Chairman, this House came nobly forward, and gave the Government full permission to purchase the Selkirk Estate; there were only two dissenting voices. Even the hon. member from the East Point acknowledged it was purchased on better terms than the escheat of a large portion of the land of this Island could have been obtained for. There was nothing like captious opposition offered by the Legislature last year. In a candid and praiseworthy manner, the members of the Opposition extended their support to the Government side, with the solitary exceptions of the Leader of the Opposition and Mr Cooper. These were the only two who occupied that unenviable position. Whether or not they will reap laurels by taking the stand which they did, remains to be seen. It was admitted on both sides that the Government would be remiss in its duty if

they neglected to purchase the property on terms so advantageous. This was a great admission. Now, the Government, after purchasing that Estate, had an opportunity afforded them of buying another on nearly similar terms. This is the position which we occupied when the property of the assignees of Mr Henry Winchester was offered for sale; and it was bought, as has been ably explained by the hon. Leader of the Government in this House, to afford a protection to the people who resided on that property. The Opposition admits we had power to purchase it, but say we overstepped the bounds in one particular. And what does it amount to!—That we issued securities bearing interest at 6 instead of 5 per cent. Now, we had no other alternative, as Debentures would not sell at a lower percentage. The only course which the Government could adopt, was to raise Treasury Warrants, and thus prevent the intervention of middle men, who, had the Government not acted as they did, would have stepped in and made a profit out of the property at the expense of the tenantry; under these circumstances we purchased. And what is the offence!—Why, the country is put to the enormous expense of paying £20 stg. per year extra, in order to enable the Government to secure this property for the people—that being the extra interest at one per cent. on £2000 stg. This is the grave offence for which we are arraigned at the bar of public opinion. The hon. Leader of the Opposition expressed a hope that the majority of the members would put their veto upon this act of the Government; but, I hope the majority will manifest more regard for their own opinions than to be carried away by such suggestions. If the minority think the Government are influenced by corrupt motives, and have done this to aggrandize themselves—to benefit a few at the expense of the many—they may do as was suggested; but as no such charge can be urged against them, where is the enormity of their offence? I would not like to have such a power placed in my hands, said the hon. Leader of the Opposition; nor would I, Mr Chairman, were we irresponsible. Such a power, if not used constitutionally, might be dangerous. But we assumed not the right as a right inherent in the Government—or we would not have come down to this House in the consistent manner we have, and called upon the Legislature to sustain us.—Mr Cooper loses no opportunity which offers of attempting to bring odium on the Government. He appears to think our desire since the time we took the seals of office has been to fritter away the Constitution. In making these insinuations, I think he is not justified, especially when he professes to have the welfare of the people of Prince Edward Island at heart. Instead of making this groundless charge he ought to be prepared to yield any word of praise to the to the present Administration to which it is entitled. Had his darling measure—a Court of Escheat—been established, would the Selkirk Estate have been thrown into the hands of the Crown at a lower than that for which it has been purchased? No; Mr Chairman, if a Court of Escheat were in operation at the present moment, and supposing for the sake of argument the Selkirk Estate were assailable in such a Court, it would cost more than the price paid for it re-invest it in the Crown; or, in the language of the hon. member himself, to redeem the inhabitants on that property from “proprietary thralldom.” Yet the hon. member rises and preaches to us about inconsistency,—though it ill becomes him. At his time of life, he should be able to draw a clear distinction between right and wrong. If we have done right, we should receive his approbation; if wrong, then we should be condemned. If what we have done is beneficial to the people, and calculated to advance their best interest, then I call upon the members of this Legislature to sustain us.

Mr OWEN.—The hon. the Leader of the Opposition stated there were no more than 10 settlers on Lot 54.

Hon. Mr COLES.—According to the Census.

Mr OWEN.—There are 40, and there have short leases of 21 years—many of which are about to expire. (Hear.) I stated yesterday the Lot was as good as Township 53 or 55, which are fully settled, or any Lots on the Worrell Estate, with the exception of 33. The only conditions on which the agent would allow persons to settle on it were either to purchase or take a lease for 21 years. (Hear.) Now as long as people can get land on more favorable terms, they will not settle on farms with leases for that short period. I may state too, the land, with the exception of a block of Loyalist land, is nearly all opened up.

Hon. Mr WHELAN.—I intend to take a few minutes more, to assign reasons for supporting the amendment moved in my absence. You are aware it was my intention from the first to move that amendment; but thinking it was only £2000, which had been issued in Warrants in place of Debentures, I was willing to withdraw my opposition to the paragraph. I think, now, it would be flagrant injustice to call upon us to defend the Lieut. Governor and his advisers, in issuing Debentures for Lot 54 without the sanction of the Legislature. Much has been said about their zeal for the interests of the people, in preventing the intervention of middle men. According to the Census, there are only 10 tenants on the Lot, in all 40 settlers; and the law must be violated to save 40 people from the grasp of middle men. A far different object, I believe, was in view. We all heard, Sir, of the Emigration scheme of the friends of the Government. A colony of a certain desirable class was to be brought out, to settle, I think on that very Township. In this transaction they have been guilty of a grave political offence; and the means by which they sought to be absolved was by giving an explanation, which was done in the Speech of His Excellency. Who ever heard of anything so monstrous!—a Government committing this offence, pursuing a dangerous course, then seeking to be absolved for confessing their crime? It is a good Catholic doctrine; but I rather think we are not here in the character of Priests, to grant absolution because there has been a confession of sin. I for one do not aspire to that high office. I do not absolve them. An hon. member said the amendment was contrary to the laws of language. Will the hon. member point out the sentence in which this departure from these laws occurs?

Hon. Mr M'AULAY.—In these words—“The House of Assembly cannot help remarking that such a course as this, so contrary to law, &c.” In the first place, it is not true; it is not contrary to any law to which you can refer; and so, must be contrary to the law of Language.

Hon. Mr WHELAN.—The hon. member does not now complain of the construction of the sentence, but of a fact involved. That the course of the Government was contrary to law, we have the testimony of the hon. member from Queen's County.

Hon. Mr LONGWORTH.—We passed a law last year to extend the provisions of the Land Purchase Bill, which authorized us to issue Debentures for £10,000, bearing interest at 5 per cent.

Hon. Mr WHELAN.—But, Sir, they did not do that; they issued them at 6 per cent.

Hon. Mr M'AULAY.—And where is the law to prevent them?

Hon. Mr WHELAN.—It is contrary to that law.

Hon. Mr M'AULAY.—But that law says nothing on the subject.

Hon. Mr WHELAN.—It was at least contrary to its spirit to issue Warrants at 6 per cent.

Hon. Mr M'AULAY.—The law to which the hon. member refers gives special power to issue Debentures for a certain amount.

Hon. Mr WHELAN.—But they issued Treasury Warrants at a higher per centage than Debentures; and no man will say they acted according to the spirit of statute in giving 6 instead of 5 per cent. The hon. member may cavil, but he cannot get over the fact that they committed a great political offence, pursued a dangerous course, and one which cannot be justified.

Hon. Mr COLES.—I was a little amused at the hon. member from Queen's County in saying it was unconstitutional to pass a law to prevent proprietors from distraining for rent pending the investigations of the Land Commissioners, and

now saying they acted contrary to law to benefit a few tenants. When coming to these halls, I met many of his constituents, who had writs in their pockets from the proprietor, to appear at Georgetown, tho' their rent was not due till the first of March. If the hon. member would turn his attention to these suffering tenants, instead of endeavoring to benefit ten or fifteen tenants on Lot 54 who would not thank him, I think it would be much better. When these people petition this Legislature for protection against their Landlords, they are told it would be unconstitutional to grant their petition. But now to hear him and his hon. colleagues, you would think they are the only friends the tenants have. This may do for the proprietors, but I question if it will satisfy the tenantry of this Island.

Hon. Col. GRAY—Mr. Chairman, I believe the hon. member who has just sat down, is not so ignorant of the laws of this Island as he professes to be, for he must know it would be a gross violation of the constitution to pass a law to prevent the payment of rents. The people of this country may be hood-winked a little longer by such speeches, but let them remember the instructions of Her Majesty to His Excellency the Lieut. Governor on this head are positive. It has been said we have called upon hon. members of this Committee to sustain us in a breach of our local laws—but I deny the charge. I have so much confidence in the gentleman who administers the Government of this Island, that I believe he would not imperil his position by interfering with Her Majesty's instructions in sending a Bill of this nature home without a suspending clause. A Bill to prevent distraintment for rent must have such a clause before it would receive Her Majesty's assent. I served Her Majesty twenty-three years at the risk of my life in many a field, and I will not adhere to Her if she violates the rights of Magna Charta. Even Her Majesty's coronation oath binds Her not to interfere with the Courts of Judicature; nor with the rights of property between man and man. To attempt to carry out the object proposed would be likely to result in establishing Martial Law in this Island. The idea is preposterous. The hon. member knows as well as I do—and he should know much better, for he has had a seat in this Legislature many years, I only two—it could never be carried out. I know my rights as a free man, and the power of my Sovereign. Her Majesty has frequently declared through the Secretary of State she will not interfere with the rights of property. Let the people read Lord Durham's instructions on this point and not allow themselves to be deluded by supposing it is in the power of this Legislature to pass such an Act; or that, if passed there would be a tinge of a chance of its receiving the Royal assent. What have I to gain from the love of proprietors or tenants? I do my duty, and in doing it lean to the side of mercy; but I would be sorry to induce hopes in any poor man, which there is no prospect of ever being realized.

Hon. Mr. COLES—I am surprised to hear the remarks which have fallen from the hon. member who has just spoken. It appears the hon. member will be a good subject and serve Her Majesty, just so long as he has his own way. But it is strange to me if he has not attempted to hood-wink the tenantry by telling them they must lay down their heads and tamely submit to the proceedings of their proprietors. Her Majesty's coronation oath will not allow Her to interfere with the Courts, we are told. Is a law which passes both branches of the Legislature here going to interfere with the Courts of Judicature? No, Sir. The people of this Colony were deprived by the predecessors of Her Majesty's representative of legal power to investigate the titles of proprietors. It is a wonder to me a gentleman who has fought the battles of his country should now be cowed down in this manner, and be afraid to give his vote for a Bill of this character. We have a law on our Statute Book already which has interfered with them; for it prevents a proprietor from selling a

tenant's stock between the month of December and June. Now certainly the one would be quite as constitutional as the other.

Mr. SINCLAIR—Hon. members appear to steer a course as far as possible from the question at issue. By running into the actions of the late Government, they keep up a continual skirmish. When the question was about to be put, it received quite a new turn. We discovered that instead of Debentures, which were authorized to be issued at 5 per cent, Treasury Warrants were issued without the consent of this Legislature at 6 per cent, for the purchase of Lot 54. Till then I was prepared to vote for the original paragraph. I think it was very bad policy in the Government to purchase a Township at the present juncture; and, especially when it is in a wilderness state, and more liable to be escheated than any other Township. The reason for purchasing it could not have been to reach a large number of tenants, for there are only 40 settlers on the Lot; and, under all the circumstances of the case, supposing they could have bought it with Debentures, I think it would have exhibited very bad policy to have done so. But to purchase under such an extraordinary stretch of power, deserves, in my opinion, the censure of this House. We should look with a jealous eye upon any Government that would do so. It is our duty to tell them they have exceeded their authority and therefore cannot allow them to pass an Act to justify their conduct. (Laughter.)

Mr. HOWAT—We have been told the whole affair about the Land Commission has been knocked on the head—that the Bill sent home to give effect to the award of the Commissioners has not been graciously received. Last year had we not resolutions introduced to upset the establishment of that Commission. On listening to their plausible arguments too, I was almost shaken myself, tho' there was not one word of truth in them. (Laughter.) Their idea was the country could place no confidence in these gentlemen; but, I would like to know, what confidence can the country place in them? I caution the country against listening to their insinuations, or in taking heed to their gloomy assertions—saying the whole thing is a failure. There is every prospect of a fair termination of the question. Gloom is, we know, produced by various causes. In listening to them I was reminded of what an elderly gentleman in my neighborhood once told me, and his gray head denoted he was not far from his end. Being in a very gloomy mood one day he said he thought there was going to be a terrible winter—six feet of snow. He saw something on the breast-bone of a goose which led him to think so. I tried to pacify him. The winter, however, passed away, was very fine, and the old man died before spring. (Laughter.) Now what may be the cause of the gloom on the part of these gentlemen, I leave you to infer. I gave my vote for the purchase of the Selkirk estate, because I believed it would be self-sustaining. I desire to see every man a freeholder at his own expense. As to the legality or illegality of the question at issue, I do not enter upon it. The Land Commission was established by the action of the majority, tho' in various stages of its progress the majority tried to claim the merit. If the hon. Commissioners do not understand their position, they have received hints how they may back out; but I believe they are not like children who take hold of a toy, play with it awhile, and then throw it away. (Laughter.)

Hon. Mr. WHELAN—The hon. member has related an anecdote about an old man and a goose; and we know, Mr. Chairman, a goose once saved the imperial city of Rome. (Laughter.) I believe the results of the Land Commission, in which the hon. member places so much confidence, will be as in the case of the old man with the breast-bone of the goose—it will die before winter is over. He talks of the Commission having been brought to its present stage of progress by the action of the majority. Will he tell us what progress? I rather think it is a retrograde movement. The law to give

validity to it is dead—nullified by the British Government, notwithstanding this great majority which had such influence at Downing Street. In spite of the influence of these gentlemen it has been hung up there, which is the next thing to being disallowed. There is a stronger influence than theirs at the Colonial Office, whose tools, servants and minions, I believe they are. The hon. member has paraded his own disinterested feelings in reference to this matter; but I would ask what have I to gain from landlord or tenant. He often accuses others of private motives to make a display of his own disinterestedness.

The Speaker now took the chair, and the Chairman reported progress.

Adjourned till 10 o'clock to-morrow.

THURSDAY, Feb. 28, 1861.

House resumed the consideration of the Address.

Mr. DOYLE—Last year we passed a Bill to enable the Government to buy the Selkirk estate. I supported it because I thought the terms on which it could be purchased were as favorable as the award of the Land Commission would be. I think, too, the Government deserves credit for saving £800 on the bargain. I was willing to vote for the paragraph till I learned £2,000 were issued in warrants at 6 per cent, for the purchase of Lot 54. Now I think I am in duty bound to support the amendment.

Mr. COOPER—I have one question to ask. In the Speech of His Excellency there is no mention of Lot 54; but the affair is spoken of here as being made public. Is it intended to be kept out to conceal the transaction from Her Majesty's Government? This question deserves some answer from this Government.

Hon. Mr. HAVILAND—The hon. member, Mr. Chairman, knows well it has not been omitted, for it states:—"The unusual expenses of the past year, which were incurred, principally, by the purchase of the Estates of non-resident Proprietors, &c.," which has been read and re-read during this long debate, in which there has been but a rehash of the same arguments. As he has found fault with the principles of the present Government, I would ask him to find a panacea for the evils of this country. How does he expect to do it? Year after year he has tried Escheat. The Land Purchase Bill and the Land Commission were tried, and he has repudiated the whole three. Will he propose a fourth remedy?

Hon. Mr. YEO—Here we are now five days discussing these points, and spending £30 or £40 each day. Many poor people in the country would be glad to get a shilling of the money. And what benefit will these discussions be to hundreds of poor people. Here they are jumping up one after another like merry-andrews with their master. Laugh-ter.) I think it is most ridiculous, and against the interests of the country to be spending the time in the way hon. members are doing.

At this point the discussion again turned on the probable benefits of the Land Commission.

Mr. HOLM remarked that the hon. leader of the Opposition throughout every stage of the proceedings connected with the establishing of the Land Commission, had expressed his opinion on the floor of the House that it would do no good; that he did so both before and after the Commission was established. Members in the minority now appeared to manifest much sympathy for the tenantry, and in these things he (Mr. Holm) saw their inconsistency.

Hon. Mr. COLES denied having ever said he had no faith in the Land Commission; and said such could not be shown.

Mr. COOPER after referring to matters connected with the appointment of the Commission said—he believed when the subject would be fully investigated by the Commissioners, and their award given, that the Royal assent to a Bill to con-

firm it would not be withheld. He could not see it would be the duty of the Ministry to give their assent to an Act to confirm their decision, as it would enable them to give a decision favorable to one party. But he (Mr. Cooper) believed the Commissioners would do justice to all parties, and in such a manner as would leave no doubt about an Act to confirm their decision receiving the Royal assent.

Hon. Col. GRAY said he was heartily glad to hear the hon. member express his sentiments in the manner in which he had just done. However much he (Col. Gray) may have been opposed to Mr. Cooper's views in reference to his hobby—Escheat, he was then glad to be able to say he coincided with him; and would also bear testimony to his consistency during the long period Mr. Cooper held a seat in the Legislature.

Hon. Mr. COLES addressed the Committee; referring to the Despatches of His Grace the Duke of Newcastle, and showing that a great change had evidently taken place in the views and feelings of the Duke in reference to the Act to confirm the Award of the Commissioners.

Hon. Mr. LONGWORTH addressed the Committee at considerable length. After referring to the discursive character of the debate, Mr. Longworth said he thought good would result from the labors of the Commissioners, and that their investigations would terminate in such a manner as would bring satisfaction and peace to the home of the poor man. Notwithstanding what he had heard about hon. members in the minority being actuated by the purest motives to have the Government carried on well, he was afraid if their motives were probed to the core the contrary would appear; for he was apprehensive they were not prompted by a desire to see this long agitated question finally settled.

Hon. Mr. WHELAN said he would defy the hon. member to put his finger on one speech of his, or vote given by him, to justify such an imputation; and that it was a base insinuation to hint it was from a desire to get office. Much had been said about the desire to purchase Lot 54 to avert the consequences of the interference of middle men, but he (Mr. Whelan) thought there was no great desire on the part of any one to purchase it. According to the last census there were only 18 tenants there! but the member from that District says there are 40. His statement however, as given before the Commissioners at Georgetown differ somewhat from the one given here.

Mr. OWEN—I said it would compare favorably with any Lot in the Worrell Estate, with the exception of 38.

Hon. Mr. WHELAN—Well, we will take his own correction. The impression to be conveyed to every man's mind was, that it was equal to any Lot in King's County. He asserted there were only a few rent payers on it. When asked respecting the value of 51, 53 and 66, he stated the actual value was about 10s. an acre.

Mr. OWEN—I beg his pardon; I did not say they were worth as much per acre as Lot 53, but that the people on that Township would rather pay 10s an acre than be in the position they were.

Hon. Mr. WHELAN—There is his statement—that the land in King's County is worth no more than 10s an acre. He did not say the people would make an effort, but that 54 was of inferior quality; but here he states it is one of the best in the County.

Mr. OWEN—I valued Lot 53 on account of its position, and not on account of the quality of the land. I said I would not value 51, 54, 66, and a part of Lot 52, as highly as Lot 53; because three of the finest rivers in the County flowed through this Township.

A few other hon. members on both sides having addressed the Committee on the subject of the Land Commission and Lot 54, the Chairman put the amendment, which was lost on the same division as the previous amendments—11 to 14.

Adjourned till 3 o'clock.

AFTERNOON SITTING.

The House again in Committee on the Address.

The tenth paragraph in the Address was taken up.

Hon. Mr COLES.—As this is a military affair, Mr Chairman, I would like to see the Majors, Colonels, Captains, and all present. Last year, it appears, nothing was voted toward keeping up the Volunteers; and I think the clause which is now before us is rather premature, as it goes to pledge this House to give a sum for the support of these Companies. At present, I think the Volunteers are very efficient; and, in all sincerity, I may state, I appreciate their efforts to make themselves more efficient; but, I am not prepared to assist in pledging this House to vote a sum of money towards their support. In answer to this clause in his Excellency's Speech, I may say, I imagine the Lieut. Governor has not understood the law of the Island. Is not the present Militia law applicable to the Volunteers? I think it is; but it would appear such is not the case since the parties have been endeavoring to ride rough-shod over old Militia officers. This has been done inasmuch as Commanders have not been appointed in accordance with the Militia Act.

Hon. Mr MAULAY.—There is no Act.

Hon. Mr COLES.—You had better find proof for that assertion. There is indeed no law to authorize the Commander-in-chief to appoint men to ranks over the heads of old Militia officers. I regard the Volunteer movement as merely a party one. In all other countries, ours excepted, I have been given to understand it is not a party movement; but that they are men appointed for the protection of all. And can you expect a secret and sworn party to protect the rights of those of a different sect? No; they are not the men to protect all in their rights. The Volunteer companies are composed of Orangemen, and I know a Captain of one of these who is an extreme partizan. Yes, such is the case, the Lieut. Governor knowing at the same time that the military instructions on this point are positive, for these say that none of Her Majesty's officers shall belong to Orange Lodges. Yet the men in this society are armed without law, and the Legislature is called upon to legalize the act. Now, if an officer of one of these companies is known to belong to such a Lodge, his name is ordered to be struck out. But this Government repudiates the idea of a Roman Catholic stepping forward and taking an office, unless he bow down to them as supreme. And they make no secret about it; for we are told it is necessary to attend the Militia law in order to give effect to the Volunteer force. But, Sir, in the enrollment of volunteer officers there should be no distinction of creed; and, any Government depending upon such a force would be committing a great error. What did we see a few days ago when the Prince of Wales visited Canada? We all know. But the Duke of Newcastle put his veto on the Orange movement in that Colony. In that Country these Lodges banded together, erected party arches, and resolved that the Prince should pass under them whether willing or unwilling. But the noble Duke was made of stuff too stern to put up with such conduct, and signally frustrated their designs. After this event occurred they sent a delegate to the Duke to complain that he would not allow the Prince of Wales to make a partizan of himself. Now, had that force been armed with rifles, imagine what would have been the result. The Duke, however, showed them that true loyalty to the British Throne consists in obeying the Laws of the land. He showed them that the Prince of Wales came not to Canada to make a partizan of himself by walking under any Orange flag. Under the guardianship of the noble Duke he was protected from such an insult. Up to this day we have lived in peace in this Colony; but if under oath one party is sworn against another, I could almost weep for my country.

Hon. Mr HAVILLAND.—Crocadile tears.

Hon. Mr COLES.—It will now be necessary, going back, to review the Militia laws for some years, to discover whether or not they are sufficient to promote the peace of this country, without introducing any new—fangled notions at all.

Here the hon. member referred to Captains Sims, Robertson and Meggitt, and to amusing circumstances which occurred when they were Captains in the Militia some years ago; and having referred to the Moccasin corps said—Upon a certain day the whole Militia force was obliged to turn out for a general review.

Some would have guns, others none; and as there were not swords for all, some used their scabbards instead, and thus made a formidable appearance. When Col. Refins, mounted upon a charger gave the command, "Present arms!" up would go a number of sticks. From a statement which fell from the gallant Major and Colonel, I imagine it is their impression the Volunteers will not be required to turn out to suppress civil commotion,—that they will only be required to repel a foreign invasion; but I think it would be a pity to allow them to be deceived in reference to this subject. I desire to make them acquainted with their true position.

At this point Mr COLES having directed attention to an old Military Act passed in 1780, which referred to persons who were exempt from serving in the militia, to military wages, and regulations, said: Every man in this Island must belong either to a militia or volunteer corps. There is a separate law which relates to the enrollment of volunteers. It is found in the Act of 1846, which is entitled *An Act to render the Militia more efficient*. It is stated in this Act, that as there are 'many loyal inhabitants of this Island who desire to become more perfect in training, and to have the use of arms and accoutrements when under drill, in order that they may be enabled to give speedy and effective service when required;—therefore to encourage a patriotic spirit: Be it enacted by the Lieut. Governor, &c., that it shall be lawful for the Lieut. Governor to receive Volunteers from the several companies to be enrolled for any term not exceeding two years; to appoint officers to each volunteer company respectively; and to require them to assemble for muster and training a number of days, not exceeding twenty in any one year.' Will any one say that another Act is required to make them more efficient. We must have one, however, in order that the pets of the Government may be placed over the heads of old militiamen. If the Volunteers wish to go for training every day in the year, this Act does not prohibit them. Still farther, it is enacted that these arms and accoutrements shall only be given out during periods of training, and shall after that time be returned into custody. It does not compel them to take arms, but after taking them and refusing or neglecting to return them, they are liable to fine. We find, too, under the militia laws of this Island, that even death may be inflicted. This appears in the Mutiny Act, passed in 1857. Now, from this Act it is evident the Sheriff has power to call out this force to enforce the laws. We have been told, however, that if the Commander-in-Chief call out the Volunteers for this purpose, they are not bound to obey. Then follow the penalties, under which no militiaman is subject to corporal punishment—death excepted—which may be inflicted for a violation of the laws. From this Act it is obvious that volunteers are bound to turn out, if required, to assist the civil authorities; and I certainly think it is dangerous to lead them to believe they are not bound when required, to assist in enforcing the laws of the land. I am of opinion, too; it is a bad precedent to set, to allow one officer to step over another, as in the cases just mentioned. Capt. Rankin's company is very efficient. In making it so he spent much money and exertion; and if any man was entitled to the honor of promotion, to be Major or Colonel, he was the man. But what do we do find? We find the Commander-in-Chief—no doubt acting by the advice of his Councilors—taking an Executive Councilor and making him Captain of the Militia under Col. Longworth; and, after holding that office a few days—not as many days as Capt. Rankin held it years—appointing him Major of the volunteers over that Captain's head. Is that the way to encourage Volunteers in this country? No. Nor is it the way in which we managed affairs when in power; for Capt. Nelson—a determined enemy to that Government—and several others, were promoted in regular succession, irrespective of party considerations. We know, too, that the advice of the Duke of Newcastle was to encourage the volunteers, and if we had not a sufficient number of arms he said he would supply us with more. But what did we see a short time ago? We saw a gentleman who had offered his services—with the approval of the Colonel, I think—to the Commander-in-Chief to raise a company of volunteers, have his offer rejected. Yes, a gallant Major, who had kept a garrison for months, with his company in full attire; who was accustomed to march with them to the different churches on Sabbath days, and who took his stand as a christian, was rejected by our God-fearing Government! At the same

time I believe there were on hand 200 stand of arms fit for service, among which were 100 percussion rifles; yet he was informed there were none. Then he was advised to enrol in other volunteer corps. But was it likely the gallant Major would consent to go into a junior officer's company with his men? No, Sir; if they desired to encourage volunteers, what better man was there to command them than Major McGill? Politics must have had something to do with the matter. Again, because at a public meeting held by some of the citizens of Charlottetown who wished to enrol under him, and of which he was Chairman, a resolution was passed to the effect that an account of the whole affair should be forwarded to the Duke of Newcastle,—because he attended that meeting and acted as Chairman, the gallant Major was cavalierly dismissed,—dismissed because he had dared to use freedom of speech! No doubt His Excellency, when he did that act, was acting under the advice of his fickle followers. Subsequently, for writing a letter in the *Examiner*—to which, perhaps, in the multitude of business, he did not give sufficient consideration, though the truth of its statements may be shown from books in our Legislative Library—his name was struck off the list of Magistrates for this Island. So it appears a magistrate dare not speak his sentiments but at the risk of losing his office! If so, and they submit, then they are the most degraded class of Her Majesty's subjects. I was under the impression it was only for corruption in the discharge of his duty a magistrate could be dismissed. What say the Royal Instructions on this head?—Before you dismiss an officer you must submit to him the charges preferred against him. In this case the Colonial Secretary asked him if the letter in the *Examiner*, over his signature, was his production, and he acknowledged its authorship. Shortly afterwards he received a letter addressed "Wm. McGill, J.P." This showed how the wind blew. Major McGill was gone; and, because he acknowledged the authorship of the letter, the *Magistrate* soon followed the *Major*. Now, the Royal Instructions say the whole of the charges urged against him should have been communicated to him in writing before his name should be struck off the list; and the same instructions declare that if circumstances require his immediate suspension, he should be immediately suspended. Was such required in this case? No. The Government, I think, should come forward and publicly make recompense to that Major, and again place his name on the list of magistrates with an humble apology (Laughter). I say it is no laughing matter to have the magistrates of this Island subservient to the Government. Now, it would appear the magistracy have lost all independence. Now a public meeting may be held to discuss public matters; a resolution may be moved which censures the Government for some act; but if a magistrate takes part in the proceedings, off the list he goes at once. Did the late Government act so? Did they ever curb a free expression of sentiment on the part of the magistracy? No, Sir; but in this instance we have an example of an act the most arbitrary, I believe, on record in the dominions of Her Majesty. In the absence of the Hon. Mr. Whelan, I shall now read his amendment to the paragraph under consideration:—

"We highly appreciate the spirit that has prompted numbers of young men to enrol themselves in the Volunteer Rifle and Artillery Companies lately formed in this Colony; and we shall carefully consider the propriety of legislating in reference to these Corps."

This amendment does not pledge us to any particular course,—neither to give favoritism, nor to vote a sum of money, but just respectfully answers a paragraph in His Excellency's Speech. I must now say I would have been gratified had nothing occurred calculated to mar the harmony of the volunteer movement.

Hon. Col. GRAY.—The question before this hon. Committee is this—Shall we have a Volunteer force in this Island similar to that which has been organised in the neighboring Provinces and Great Britain? If we resolve to organize such a force it must be apparent to all we shall require a law for the purpose of securing their better government. Are we then willing to give any pecuniary support to Volunteer Companies out of the funds of this Colony? The organization of military corps, and the management of all matters connected with military affairs is under the control of the Commander-in-chief. With the exception of

procuring money for their support all else is the prerogative of the Lieut. Governor, as given under the Royal instructions. So far as military matters are concerned, I may say I am not in the confidence of His Excellency. That privilege belongs to the Adjutant General, who is the adviser of the Commander-in-Chief on military affairs. Neither am I versed in matters connected with Volunteer Companies; nor did I know, till informed by the hon. member who has just spoken, that it was imperative on Volunteers to be Orangemen. I remember that I called the attention of the Duke of Newcastle, who was condescending enough to converse with me on the subject, to the Volunteers. His Grace referred particularly to one company; and I may state that I did feel proud of that company, and would be glad to be their Leader, and to have an opportunity of showing them in Hyde Park; and their Captain is anything but an Orangeman.

Hon. Mr. COLES—I did not say they were all Orangemen.

Hon. Col. GRAY—In my opinion, Mr. Chairman, this House, in regard to military matters, should be guided by the rules of the military commanders at Home. For the information of any hon. members who may not be aware of the fact, I may state that in Great Britain there are three distinct bodies of Troops,—the Regular Army, Militia and Volunteers; the Regular Army is divided into Cavalry, Artillery, Engineers, and Infantry; in the Cavalry again we have Guards and Line Regiments—in the Artillery Horse and Foot—while in the Infantry, there are Guards, Rifles, Fusiliers, Light Infantry, and Line Regiments. The guards have many privileges over the others, such as the Commissioned Officers having certain rights in the presence of the Sovereign. The regular Militia is a splendid body of men, who did good service in the Mediterranean during the late war with Russia. The Volunteers have not been long organized, but promise to be a valuable arm in defence of the homes of Britain, as well as the Colonies also. The Regular Army is governed by the Mutiny Act and articles of War, which applies also to the Militia, with slight exceptions, the Militia not being liable to corporal punishment. The troops of the Regular Army are enlisted for terms of 7, 14, 21 years, and for life. The Militia is in a measure a levy en masse, called out by the Lord Lieutenant of Counties; they are not bound to quit Britain unless they choose to Volunteer. Parliament cannot order them out of their own Country. Allusion has been made by the hon. member who spoke last, to the Commanding Officers of the Militia of the line in these Provinces being liable, with their men, to be called upon to perform certain duties not devolving upon them in their military capacity. I remember that once in a Country where we were at that time, soldiers of the line were called upon to make roads and bridges. For this purpose they volunteered, and for two years they performed this duty, and then they went back to their respective regiments. These, however, were officers and soldiers of the line, and not Volunteers. For these reasons I cannot admit that the Militia Act, which empowers Militia Colonels to call out certain men and officers to perform certain services, apart from their military duties, has any bearing on the question before this hon. Committee. The real question is, do we require Volunteers? If this House answers in the affirmative, then it is apparent a law will be necessary for their regulation, because it would be a serious matter to put arms in the hands of any body of men unless under restrictions. We must admit, too, I think, that such a force is absolutely necessary. War is probably near our doors; the Emperor of France has 780,000 men at present bearing arms. His language, too, is defiant, for he speaks to the effect that he is not to be dictated to by any nation—that the French are going to stand upon their own ground. This bold language and defiant

attitude of the French Emperor almost makes Europe tremble. Any hour in the day we may have a Privateer upon us from St. Pierre or Miquelon, and in such an emergency what could private men do towards defending themselves or their country? A Corvette having 100 men on board might run into this port on any morning, their crews might march to the Bank and say—"We will thank you for what your coffers contain"—then they might proceed to the various stores, demand anything they choose, and before sunset leave with a cargo worth £20,000; and could men in a private capacity resist them successfully? I leave this House to answer. We are not so safe as some imagine. True, the Commander-in-Chief might call out the Militia, but what could they do without arms? His Grace the Duke of Newcastle expressly alluded to the Volunteers, and said "arm them, not the Militia." To call out the Militia would not be agreeable to many. Old men of sixty years would not like to be pressed into service. But, Sir, it is different with the Volunteers. They are enrolled willingly, and are delighted with the thought of seeking glory at the cannon's mouth. Militiamen would prefer their quiet firesides rather than the field of battle with all its privations. The service performed by Volunteers is one grave and solemn, and quite different from that required of the Militia. During the last twelve months, Mr. Chairman, I may say I was delighted with the young men in our Volunteer Corps; and they certainly reflected great credit upon His Excellency the Lieut. Governor. They are the ground work of a noble force. I would be glad to beat their head when an armed force from St. Pierre or Miquelon would cover this city. Let 50 determined men, with a couple of light field-guns, meet each boat as it lands, and I am much mistaken in our Volunteers if they would not soon and easily dispose of them. (Hear.) I hold then that the Volunteer force, when properly established, will do us much good, for there would always be difficulty in organizing the Militia in a Colony such as this. Respecting the appointment of Militia Officers to serve in Volunteer Corps, it is inadmissible. I remember having occasion last year to complain to His Excellency on this subject, as I had heard a Captain of the 2nd Queen's County Regiment in Lot 49 had been appointed Captain of a Volunteer Corps, and I should have had his commission vacated in the Regiment and given to another, but it turned out to be the Captain's son. Mr. Chairman, we may be told the Laws for the better Government of the Militia are good, but the question arises will the Volunteers submit to come under these Laws? I think not—the Mutiny Act is very severe. I cast no reflections upon any, but I may state that I heard of the conduct of certain officers and men of a Volunteer Corps in this Island—I say not where—on account of which they rendered themselves liable to the punishment of death according to the provisions of this Act. I would ask then, do the Volunteers wish to come under this Statute, which punishes with death disrespect to a superior officer! Disrespect to a superior officer is a heinous crime. I once saw a fine soldier shot for this offence. His Corporal said to him "go," and he answered "I will not." A Corporal, too, is the lowest non-commissioned officer in the army. I think it is obvious, then, that our young men will not consent to come under the Militia Law. We must have a milder one by which they shall be governed. In reference to the Volunteer movement let us imitate Nova Scotia, New Brunswick, Canada and Great Britain itself. If Volunteers are to be enrolled they should have their Sergeant-Majors or Adjutants. Do this hon. Committee want to have the rifles we already possess preserved? These stand of arms are worth £10,000, but if they are not looked after, in the course of three years they will not be worth £5000. A young man on taking up a rifle for the first time is not supposed to know how to take the lock to pieces, or to clean

the piece. Sergeant-Majors should be appointed in each Company to look after all these things. It remains for this House then to vote a small sum, if hon. members wish to further the efficiency of this force. If we do so His Grace the Duke of Newcastle will send us more rifles, and then applicants will stand a better chance of being supplied. The hon. the leader of the Opposition referred to the appointment of my hon. colleague to be Major of Volunteers for Queen's County. In England the rule obtaining is, when a Corps is first organized, officers are selected indiscriminately. An officer who has served in the regular army may go in as a private, a Major who has served in the regular army be appointed Captain of Volunteers, while a civilian may at once be appointed Colonel; therefore when the Commander-in-Chief appointed a gentleman of standing and position in the community to be Major, none should complain, and certainly not officers commanding independent Corps, for in this country Captains commanding Companies are, in point of status, Lieutenant Colonels. If, after a Company is organized a vacancy in its command occurs, and a civilian is brought in, then the senior Lieutenant might reasonably complain. I knew many officers, formerly in the army, and who did distinguished service there, who are serving in Volunteer Corps at home under civilians. Many of the nobility serve in very junior positions. But the question for this Committee to decide is—do we need a Volunteer organization to protect our hearths, our homes, and our country, or do we not? If we do need them, then in my judgment we must have a Law for the purpose of regulating that force. The next question is—will the representatives of the people vote a sum of money to supply their actual necessities? This is the question. I am sorry, Sir, I have detained the Committee so long in the discussion of this subject.

Mr. DAVIES—There are two questions before this hon. Committee, Mr. Chairman, which must be decided. The first is, shall we pass a Law authorizing the organization of Volunteer Corps? and, secondly, shall we vote a sum of money to render these Corps more efficient? I for one answer and say I am willing to vote a small sum for their assistance. In the reply to the Speech of His Excellency, we do not pledge ourselves to any particular course, but only say we are willing to grant a small sum for the encouragement of the Volunteers. For my own part, I may say I have no experience in military affairs. All I can do is to hit a target. I do not wish to detain the Committee by making many remarks. As far as giving encouragement to the Volunteers is concerned, I may state that I would willingly take £1000 for the purpose of giving our young men a better education in military science. I think it would be quite as desirable to grant a sum of money for this object as for any other, in order to render this force more efficient. It has been well remarked by the hon. leader of the Government, that we do not know how soon war may be at our doors; but apart from that consideration, it would be well to cherish a military spirit. I only regret that the limited amount of money at our disposal will not admit of our voting a sum sufficiently large towards this object.

Hon. Mr. THORNTON—I did not intend, Mr. Chairman, to speak much on the subject now under the consideration of this hon. Committee; but I feel that I ought to say something in favor of the amendment. I think I ought, for the paragraph in the Address binds this House to do what is required in money matters, towards supporting the Volunteers. Now, I for one am not prepared to do anything of the kind till I really know what is to be done. As a military man, and one who has held a commission for many years past, I confess, that on hearing this question discussed my military ardor is being aroused. As a Captain in the Militia, I am becoming afraid if such alterations

as are now contemplated be made, that I for one may be left out of the list of officers, and not have another opportunity of handling a sword, or, if required, of fighting for the peace and welfare of P. E. Island. My object in opposing the paragraph is that it is a direct pledge to give the amount required for supporting this new force. I would have said, had they not asked so much, that I was entitled to 14 days pay for services performed in the Militia fourteen years ago. Since that period it has been purloined, and I have not received any thing at all. But here am I now as a plain Captain in the Militia, somewhat amused at seeing myself and others overlooked, and my friend from Murray Harbor, made Captain over our heads. It was, to say the least of it, scarcely fair that I who had been drilled on Charlottetown square, and put through both exercises, should have been treated so unhandcomely. It was hinted to me that were I promoted I would be put in the front ranks and shot down. (Laughter.) In this matter I am prepared to go as far as is necessary, and to give what is fair and reasonable. If my arm can be of any service, I, as Captain in the Militia, will feel bound, if required, at any time to defend my country. If the French and Americans come upon us, of course we must fight. I give my support to the amendment.

Hon. Mr. WIGHTMAN.—In reference to what was suggested by the hon. member from Charlottetown, I may say I have no desire to withdraw a sum of money from the Schoolmasters of this Island for the purpose of giving it for the military education of our young men. I think the Volunteers are a credit to our country; still I would be sorry to reduce the pay of the poorly paid Schoolmasters for this object. I would much rather see these praiseworthy gentlemen get £5 a year more than they now receive, than subtract that sum from their salaries to give for the object suggested.

Hon. Mr. HAVILAND.—It would ill become me, Mr. Chairman, to remain silent when the Volunteer question is before the House; especially so, when such a tremendous onslaught has been made on myself and the Volunteers by the hon. leader of the Opposition. In that extraordinary address, in the delivery of which he occupied about an hour and a half, I never heard any one speak so inconsistently. One minute he would blow hot, and the next cold. Sometimes the Volunteers were everything, and again he could place no confidence in them as they were sworn members of a secret society. Indeed, so really inconsistent was he, that when he sat down I was doubtful whether he considered it would be advisable to pass a vote of censure on them or not. The Volunteers have taken a secret oath he alleged; but, whether that is the oath of allegiance or not, I am unable to determine. At any rate I can say I have not taken any other oath.

Hon. Mr. COLES.—I meant the Orange oath.

Hon. Mr. HAVILAND.—I can assure him there is no other oath tendered to them but the oath of allegiance; and, for my own part, I was never in an Orange Lodge. Be that as it may, there are many Orangemen who are very good subjects, and many who are not, who are very bad subjects. Then the hon. member went on to argue that the Statute Laws for the regulation of the Militia are quite sufficient for the Volunteers; and on this point, as a professional man, I am quite at issue with him. Did he not know that there is not one Corps of Volunteers in P. E. Island legally constituted under any Act of this Colony? They are all purely Volunteer Corps, Captain Pollard's not excepted. Before a Volunteer Company can be organized under the Statutes of this Island, it is necessary that the commanding officer in the Militia authorize the Captain of his regiment to call out of his regiment a certain number of men who are willing to enroll as Volunteers. Take up the Statute and you will find that each Captain is to draw from

his respective regiment a certain number of men who are willing to volunteer; and, such being the case, who will say that one Company was formed during the last year on that principle? I state now, that out of Captain Pollard's Corps which numbers more than 80 men, rank and file, not 20 belonged to any Militia regiment. So in the Prince of Wales Company, under Capt. Lea, not three of his men belonged to any Militia regiment; and in the same manner I might go through every company in the Island. Let the hon. member show me the Volunteers were organized according to the existing Statute—that they were called out of Militia regiments as the law directs. There is much of a military spirit existing in Nova Scotia. There they have thousands of regular soldiers; yet, will the leader of the Opposition tell us our Militia Laws are more perfect than those of Nova Scotia! or than those of New Brunswick or Canada! It is a new military organization altogether. In England we know they have a Militia Law which has taken centuries to render perfect; but the Volunteers of England have nothing to do with this law. They are organized on totally different principles, as was clearly shown by the gallant Colonel, the leader of the Government. It is unnecessary for me to go into the matter when he has presented it in so clear a light. The hon. leader of the Opposition appears to be anxious to make the Volunteer movement unpopular in the country. He appears anxious to have the information promulgated through the country that the Volunteers are liable to be called out by the Sheriff to enforce executions, collect rents, &c. It was reiterated again and again—for the purpose no doubt of making the movement unpopular in the country—that such was the object for which Volunteer Companies were organized. It can be easily shown, however, that these Companies have not been organized with the view of putting down a civil commotion—a casualty which may never arise—but for purposes of self defence. Look at the gallant Corps of St. Peter's Road and Wheatley River, seven-eighths of these Companies being composed of Tenants, would it not be a monstrous idea to suppose they were organized for any other object than the repelling of foreign arms? Certainly it would; and they are well aware they are set for the defence of our hearths and our homes, if the unfortunate day should dawn when their services would be required for this purpose. We know we live in eventful times, and know not what a day may bring forth. Prince Edward Island, I believe, possesses as much military taste, talent and courage, as the neighboring Colonies; and it would be a singular circumstance should we consider it unnecessary to encourage the Volunteer movement when we have not a single company of soldiers to offer resistance to an aggressive force. In Nova Scotia—the military pet, so to speak, of the British Government—there are two or three thousand regular soldiers stationed all the time, with a citadel which cost thousands, I may say millions of pounds; notwithstanding, in Nova Scotia they have considered it necessary to organize 32 Volunteer Corps, in addition to the regular soldiers stationed in that Province. The Volunteer Companies, too, have been encouraged and supported by their Legislature; for last year the sum of £2000 was voted by the Legislature in Nova Scotia for the purpose of paying drill Sergeants, and procuring necessary accoutrements for the Volunteers in that Colony. But in this Province, where we are in an almost defenceless state, when we urge upon the attention of this House the necessity of adopting measures for rendering more efficient, and extending the Volunteer movement, the subject is laughed at as a joke by some hon. members. But it is more than a joke. The movement has taken hold of the public mind, and the Volunteers will not be alarmed on being informed that they must collect rents with their bayonets! They are aware they were not organized for such a purpose, and know they are not bound by the Militia Laws. I may state, Mr. Chairman, that there are already organized in Prince Edward Island 27 Volunteer Companies.

numbering in all 1,542 men. Of these Companies 2 are in King's County, 17 in Queen's County, and 8 in Prince County. According to the population, Prince County has kept pace with Queen's County; and, taking into account the difference of population, Prince Edward Island has exceeded Nova Scotia in organizing Volunteer Corps.

The House then adjourned.

FRIDAY, March 1st, 1861.

The House resumes the consideration of the Address.

Hon. Mr. HAVILAND resumes.—I was showing, Mr. Chairman, before the hour of adjournment arrived, that our Corps of Volunteers had not been organized under our Militia Laws, and that the Militia and Volunteer forces were quite distinct. I wish now to refer to a different matter; which, though a personal one, I feel called upon to explain. The hon. leader of the Opposition, and the hon. member from Cardigan, censured His Excellency the Commander-in-Chief for placing me in the position I have the honor to occupy as Major of the Volunteer Corps in Queen's County. The hon. leader of the Opposition appears quite indignant that I occupy that position rather than Captain Rankin, whose experience and standing as an officer he adduced as a reason for his promotion. As far as that is concerned, I would be the last to disparage that gentleman, either as a private member of the community or military officer, or in any respect; still, I do not see what particular claim he had to the Majorship any more than Captains Pollard, Fraser, Murphy or Ross. I may state that I am indebted to His Excellency for the position which I have the honor to occupy as Major, and in placing me in that position he was only exercising his prerogative as Commander-in-Chief in this Colony. It would not do, however, not to attempt to make political stock out of that circumstance. In appointing a Major the Lieut. Governor only exercised his prerogative as Commander-in-Chief, and he did so without consulting his Executive. I will say more—though I dislike to be my own trumpeter like the hon. leader of the Opposition when he speaks of the confidence which he possesses in the country.

Hon. Mr. COLES—I never for once boasted of the confidence which the country placed in me.

Hon. Mr. HAVILAND—I mean your party, with yourself at their head, for I never supposed the Conservatives had confidence in him. Owing to this attack however, I must for once be my own trumpeter; and I will say, notwithstanding all that has been advanced, that I possess the confidence of at least three-fourths of the Volunteers of Queen's County, and that they would rather have me to be their Major than Captain Rankin. I may state farther, that I possess the confidence of all the Volunteers, with the exception of a very few. Some were dissatisfied because I was made Major before they were consulted, but when it was explained to them, they expressed their concurrence. A few thought it was done for a political end, and when they were given to understand such was not the case they expressed their entire satisfaction. The hon. leader of the Opposition endeavored to show that there was no necessity for any new Law for the Volunteers; but it is very singular if the Military Laws of this Colony are so perfect that none other at all is required. If such be the case, Mr. Chairman, our Military Laws are different from those of the other Colonies, and even unlike those of Great Britain itself. In Britain, however, we know the Militia Laws are quite distinct from those by which the Volunteers are governed. Militiamen, whether in the Colonies or in England, are bound to serve in that Arm, if required, and may be balloted for, for this purpose; and, if unable to find substitutes, they must enter the ranks themselves. In the edition of Stephen's Commentaries on the Laws of England, published in 1853, the author shows that two or three regiments of Volunteers have remained in England ever since the French Revolution, and that before the Revolution there

were no Volunteers in existence. The Militia were raised in default of enlistment; by a compulsory levy. Then again, we should take into consideration the corps of Yeomanry and Volunteers, which are distinct from the Militia, for though now for the most part laid aside, some remnants still exist. There is one celebrated Corps in particular, which was the model on which the Volunteer Companies were formed, viz., the Victoria Rifle Corps. Notwithstanding all these facts, the hon. member thinks it is unnecessary to pass such a Law as the one we have in contemplation. Suppose, Mr. Chairman, a member of a Volunteer Company should destroy his rifle, or sell it, there is no provision made in our Militia Laws to meet a case of this description. The only way by which redress could be obtained, would be by appealing to our ordinary local laws. Every circumstance connected with the Volunteer movement shows the insufficiency of the Militia Laws as applicable to the Volunteers. According to the Militia Statutes, the Lieut. Governor must authorize the commanding officers to call out of their respective regiments a specific number of Volunteers, who are afterwards required to assemble for muster and training at least 20 days in the year, &c. Now, where have we a Corps formed according to these directions? If this House think we do not need the Volunteers, that it is sufficient to have a force which may be called out under the Militia Laws as they now stand, then the Volunteer Corps should be disbanded, and we ought to commence again *de novo*. As regards the employment of the Militia by the Sheriff for collecting Rents under certain circumstances, there is no such authority granted him in any Militia Act or our Statute Book. The only force which the Sheriff can employ for this purpose is the *posse comitatus*. I cannot find in any of the Militia Statutes that the Government of the day would be justified in sending out the Militia in any of these Colonies, for any other purpose save for that of repelling a foreign invasion. There is nothing of this nature in any of the earlier Statutes, and I do not find anything bearing on it till I come to a recent Act which was passed by the late Government in 1851, in which we find the words "sufficient emergency" inserted. It rests with the hon. member, the Leader of the Opposition, to explain the meaning of these words. These words are not in the Militia Statutes of Nova Scotia, New Brunswick, nor of Britain, nor are they found in the Militia Acts of this Province till we come to the one passed by the late Government in 1851. All we desire is to have a Law enacted for the proper regulation of the Volunteers, who are quite distinct from the Militia. As regards the oath of allegiance, I may state, that I have administered it to two Volunteer Corps. But it is not only the Volunteers, strictly speaking, who should take this oath, but every man born under the British flag. It is no trap set by the Government, then, in organising Volunteer Corps, to place men in such a position that they could be made to act against their fellow Colonists. I know not who enunciated the doctrine that the Volunteers were to be at the control of the Sheriff, if he required their services, to assist him in collecting rents; but at any rate such a doctrine was promulgated, and believed by a few. The explanation, however, which was given to them was quite satisfactory, and dispelled any fears which they entertained at that point. It would be dangerous, as I showed them, to allow any man, whose loyalty you suspected, to have a musket, if he refused to take the oath of allegiance; for should war arise, he might join the enemy. It was stated yesterday by the hon. Leader of the Opposition, that the present Government repudiated the idea of Roman Catholics holding office. My opinion why there are so few of them holding office under the present Government is, that it is because they are, as a body, opposed to the principles of the present administration. Would any Government put their political opponents in office? I never heard of one doing so; but any Roman Catholic who supported us

at the hustings had our patronage extended to him at once. The brother of the present Bishop, who is a Road Commissioner, is an example of this. To place men in power who were opposed to us would be suicidal, for it would work our own destruction; and this reason is as applicable to Protestants as it is to Roman Catholics.

Mr CONROY.—I have no doubt the hon. member from Georgetown possesses the confidence of the Volunteer corps of this County; I care not who possesses it. I have no objection these spirited young gentlemen should dress and march about the streets as they please, provided it costs us nothing; but not so, shall I vote for such a purpose. I have heard a good deal about Roman Catholics being excluded from the Government. At any rate it is evident there has been a studied attempt to exclude them from the movement for which we are now called upon to vote a sum of money. This much I know, a Captain of a Volunteer Company wrote a letter to a gentleman in my District about the formation of a Company of Volunteers. The letter was given to Mr Archibald M'Leilan, the postman with the direction, that, if the gentleman to whom it was addressed was absent, he was to hand it to me for perusal. I read it, and so far as I remember, the general tenor of the letter was this:—"Sir; Having been lately appointed to the command of a Volunteer Company, it appears to me the intention is to deprive your people from entering these corps. Not coinciding with these exclusive feelings entertained by the parties, I enter my protest against such feelings; because, when I came to this country I did not bring these feelings with me. In looking over the Laws, I find your people are obliged, in case of any internal commotion, to be turned out as well as the favored people; and I do not know why they should be excluded from the red-coat and jacket. If you will come forward and bring your people with you, I will, so far as I am concerned, do them justice." I never, Sir, had any ambition to be a soldier, nor have I any partiality for the red jacket. It was unnecessary to say in the mandamus sent to the District which I represent, that my people should not join in this movement; for, they have no enthusiasm in that respect. I believe the general impression is, this force is to be employed in the collection of rents. This may be denied; but there is no use living in a country in which the laws are not respected. Cases have arisen in this country in which the Sheriff has been successfully resisted; and, if the people become victorious in the one case, they may be in others. In such cases it would likely be said to these companies, which of you will volunteer to put down this lawless concern! In Ireland, there used to be repeated applications for the Militia to volunteer for particular services. A Captain on receiving this information, would bring out his men, draw them up with their backs to a wall, and then command all who wanted to volunteer to fall back (Laughter). Then there would be three cheers for the Volunteers (Laughter). It appears to me that the Volunteers here must be of a particular class. A pretty thing to give one set of men—your natural enemies—arms, and refuse them to others! Bearing these things in mind, how can I give one shilling towards this object? It is enough to keep the Legislature from giving anything to men purely one-sided. At the present time, in Ireland, there is great objection on this ground to volunteer companies. But had that Captain never written a letter to me, I would have opposed it; for I do not consider they are necessary for the protection of our wives and daughters. One hon. gentleman would be willing to take £1000 from the Education Fund to give them. In a few days I shall bring up a Petition for a famous bridge at Cassempce, for which we cannot get £100, or £200 to finish it, though it has cost £1300 already, and remains useless for want of

a small sum to complete it. Still a proposal is made to give these young men £1000.

Hon. Mr THORNTON.—Respecting the exclusion of Catholics, I may say I was removed from the Magistracy. Now, I say, if Roman Catholics are to be removed because they are such, it is not a fair Government. The late Government did not do so. I would be sorry to interfere with any man's faith, for every man should be allowed to get to heaven in the best way he can. Never before have I spoken of Catholics in this House. But this Religion! It hangs loosely upon myself sometimes; but on hearing the faith of my forefathers spoken of in this way, I cannot keep quiet. Reference has been made to a Roman Catholic who was left in the Road Commission; but I may state that, I, as a Catholic, and one who took a prominent part in political affairs was discarded; but I stand higher in the estimation of my constituents on account of being so treated.

Hon. SPEAKER.—I am sorry this discussion on the paragraph before us, has arisen. I think it should have been discussed without reference to religious parties. In the part of the country which I have the honor to represent, both parties would be willing to give something to assist the Volunteers. As far as my knowledge extends, feelings such as have been mentioned here do not exist. I consider this to be an improper place to bring up this question. I never heard before that Roman Catholics were excluded from Volunteer corps on account of their religion. Certainly, I do not think they are proscribed on these grounds. If a sum were voted for the purpose of assisting the Volunteers, I do not think the country would complain. On the contrary, I am of opinion their concurrence would be gained.

Hon. Mr MAULAY said he was sorry sectarianism had been dragged into the debate, and was afraid it would not be attended with beneficial results. In his opinion the country should foster the Volunteer movement. In doing so they had illustrious precedents. He thought some error must have crept into the law to which the hon. member from Prince County alluded; and in reference to removals from the Bench, he thought men of strong political bias should never sit upon it; for such a bias would be likely, in spite of the will, to influence the judgment.

Mr MONTGOMERY said he would ask when the House intended to close the debate on the Address. Already seven days had been spent in discussing what could have been settled in as many hours; and in his opinion, the country would derive little benefit from the discussion.

Mr COOPER said he was much pleased with the military appearance of the Volunteers on the occasion of the visit of the Prince of Wales. But when he came to understand a selection had been made—that one party was in the first place suspected, in the next place neglected, and then insulted—he thought they would be likely to trample on the rights of others. He was opposed to anything like partiality; but when the time came for voting, he would not be backward in voting something for their assistance.

Mr HOWAT considered that a Bill brought in for the regulation of the Volunteers should be very mild in its principles; and that any Volunteer should have liberty to resign his gun whenever he wished.

Hon. Mr LONGWORTH.—As we have heard the opinions of hon. members, Mr Chairman, pretty fully upon the point under consideration, it would not be my duty to remain silent. The discussion has taken a wide range, as allusion has been made to subjects remote from the one under consideration. But I may say, I am glad it is so; for had we taken the statements of the hon. Leader of the Opposition the country might have felt disposed to believe the present Government had done an act

of injustice to a large and respectable body of the inhabitants of P. E. Island—the Roman Catholics. This was a prominent point in the arguments of the hon. Leader of the Opposition. We have been told we are not disposed to do justice to all parties; that we are actuated by improper motives; and that our object is to build up the Government by favoring one section of the people, at the expense of the rights and privileges of the other portion of the community. As a member of the Government I repudiate such sentiments; and the hon. member who made these charges is not borne out by facts. Now, it so happens that Roman Catholics are united in sentiment. We see this whether we look at Italy, Ireland, Nova Scotia, or P. E. Island. It does not necessarily follow, however, that they should be opposed to Conservative principles. Here, so far as they supported the existing Government; they were appointed to offices; and if we refer to general support we find they have received more than any Protestant denomination. The hon. member from Cardigan referred to his dismissal. But he must have known that a law had been passed which required the reappointment of persons to fill the office of Commissioner; and, for reasons unnecessary to mention, Mr. Thornton's name did not appear in the list of re-appointments: so in his case there was no dismissal. I would ask the hon. Leader of the Opposition, how they acted when in power. Did they, when filling up these appointments, select gentlemen from the ranks of their political opponents? No;—but because the present Administration pursues the same policy, they are upbraided for so doing. But there are many gentlemen on the Bench in King's County, and in the Road Commission under the new Law who are Catholics; in Prince County also, there is a fair proportion. If the intention of the present Government was to proscribe this class, these men would not have been appointed to office. The same course, too, is adopted in reference to Protestants who are opposed to the Government. As regards the policy of the Government in encouraging the Volunteer movement, it is unnecessary I should go over the ground which has been already travelled, and use the arguments so ably employed by the hon. Leader of the Government, and the hon. member from Georgetown. It seems somewhat strange to me this subject should have been complicated in the manner in which it has, by the hon. Leader of the Opposition, by referring to the Militia law. He would make it appear the Volunteer movement is all moon-shine; that the Militia is all we need. But we know the Militia law was never a popular one, because based upon the principle of compulsion. For this reason it has never been successful; and never was resorted to in these colonies excepting in cases of extreme necessity. It has remained upon our Statute Book nearly a dead letter. The question before us, Mr. Chairman, is a simple one—Is it the intention of this Legislature to stand aloof from the Volunteer movement, and thus make this Province an exception to the other Colonies, and to Great Britain itself?—Or do we wish to see young men from one end of this Island to the other enrolled in the Volunteer corps. Do we desire to see manifestations of public spirit encouraged, and the welfare of this country promoted?—If so, let us encourage and foster the Volunteer movement. In doing so, we follow the example set by Great Britain, Canada, Nova Scotia, and New Brunswick. Why should we suppress feelings of patriotism in our young men? No case, I conceive, has been made out, why this Legislature should not extend a helping hand to the Volunteers.

Hon. Mr. THORNTON.—In reference to the removal of men from the Bench, of strong political bias, alluded to by an hon. member, I would ask if ever that bias induced me to give a verdict against a political opponent? The

hon. member, Mr. M'Avay can answer, for he sat upon the Bench with me. When politics came in the way on these occasions, I always set them aside. But I would ask farther, if the men who now serve as Commissioners are not men of strong political feelings?—Certainly they are. It was said I was not dismissed from the office of Road Commissioner,—no; it was unnecessary; for I informed the Government by letter, that as they had removed me from the judicial office on account of my political views, I had no desire to retain the other office.

Mr. OWEN said that in removing from the Bench men of strong political bias, the present Government was only following the example which was set by the late Government which removed Mr. Goff in 1852 for that reason, and for so doing that they had not even the excuse of an Act.

Hon. Mr. COLES.—I beg the hon. member's pardon, the Act was passed.

Mr. OWEN.—He was the only one who was removed; and a perfect stranger was put in his place. (Hear.) Mr. Thornton was displaced under the new Act.

Adjourned till 3 o'clock.

AFTERNOON SITTING.

Hon. Mr. KELLY said when he endeavored to form a company of Volunteers he was refused permission, and told there were no arms. Since that time he learned that other companies had been provided with arms. He considered his standing in the Militia entitled him to some consideration; for he had the honor of serving as a Captain in the Militia 20 years under Governor Fitz Roy; and also under Sir John Harvey. Taking these things into consideration, he (Mr. Kelly) thought he ought not to have been refused the honor of forming a small company of Volunteers.

Mr. SINCLAIR.—On seeing hon. gentlemen rise one after another who had been officers in the Militia, or were officers in Volunteer corps, and reflecting that I was but a poor civilian, I felt contented to remain silent and allow the military gentlemen to discuss the question. But, though only a civilian, I feel proud of my country, take an interest in my countrymen, and have much confidence in the bravery of its inhabitants. I think the Volunteer movement is a laudable one, if properly carried out; and, looking at the disturbed state of the world at present, this military organization is absolutely necessary. I am of opinion it is our duty to assist and encourage this movement. But, sir, I must say that if this force, which was intended for laudable purposes, is to be converted into an engine of terror to a portion of the community, it will be the worst thing which ever happened our country. I hope, however, such is not the case. What position, I ask, would any people find themselves in, if one portion of the community was armed and the other defenceless? I for one, if in the latter class, would feel myself in a dangerous position. In legislating on this matter, then, we should be cautious. At present I do not feel that I am called upon to pledge myself to pursue any particular course, but I shall wait till I see the complexion of the Bill which will be introduced. I may say I think it is unfair that Companies in Charlottetown should have their drill Sergeants paid for, while others in the country are compelled to pay their own expenses. I understood that the Government were to pay one half of the expense. I would have no objection to vote a small sum for drill Sergeants, but I do not pledge myself. With these remarks I support the amendment, as I see nothing in it to which I can object. It promises to take the subject into consideration when the time comes to legislate upon it.

Hon. Mr. WHELAN having read his own amendment said—This amendment, Mr. Chairman, does not pledge this House to any specified course of action. I am not going to

retain my position in this Legislature and ask the people of P. E. Island to contribute money for the support of an organization which I shall show is entirely unnecessary. From time to time we have been told of the distressed state of this Colony, and of the deficiency of the revenue to meet the expenses of the current year. We have been reminded of our limited resources, and of the amount of the public debt. Since the present session of the Legislature opened, we have been frequently reminded of the distress—to which hon. members cannot close their eyes—among an overwhelming majority of the people of this Island, on account of the leasehold tenure, which the Government expressed so much anxiety to set aside. And, farther, we know it to be a fact which cannot be controverted, that the revenue of 1860 is by no means commensurate to the expenses of that year. By and by we will be told when called upon to vote what is absolutely necessary for roads and bridges, and also a sum for the relief of a large class of our fellow subjects who pass under the name of paupers, and to whose circumstances we must give some consideration, that we must limit the grant for these purposes, to enable us to devote a portion of the revenue to other objects, and that our means are not adequate to all demands. I would like to know, too, what propriety there was in the suggestion of a supporter of the Government who expressed his willingness to take from the hard-earned salaries of Schoolmasters £1000 for the military education of our youth. Is this the kind of patriotism we should expect from the supporters of Her Majesty's Government? For my own part when the Volunteer movement was first proposed, I was not opposed to it; nor would I be opposed to it now were it carried out in the same spirit in which it was commenced. But from the indications given, as I shall soon show, I am positive it was a party, political movement, ever since this Government was organized. On several occasions in this House I voted for a grant in aid of the Volunteer guards which now bear the high sounding title of the Prince of Wales Rifle Company. Now, I would be opposed to voting one sixpence of the public money, in any form, to aid this movement. Look at the disclosures made to-day respecting the partizan character of this organization! And if we want another proof of the partizan character given to the whole of this movement, it is in connection with the attempt made last summer to organize a Company under the name of the "Celtic Volunteers." When His Grace the Duke of Newcastle was here he expressed his views respecting the necessity of making the movement as general as possible. In the presence of many, His Grace said if the Colony had not a sufficient number of rifles to equip additional companies, more would be forwarded from Britain. Sir Fenwick Williams, too, a short time previous, in this very room, expatiated on the necessity of forming Volunteer Companies—saying every inducement should be held out to young men to get them to enrol. Moreover, there was such a desire on the part of Her Majesty's Government, and such an example set by the Lieutenant Governors of the other Provinces, that there could not have been the slightest objection to their formation in this Colony. Then, I ask, why was the application of the Celtic Volunteers rejected by His Excellency and his advisers? Why should 60 young men, of irreproachable character, who were anxious to serve their country, be treated in such a manner? And, yet, hon. members will defend the acts of the Commander-in-Chief. But had he been desirous of carrying out the instructions of the Duke of Newcastle, his superior in command, or the injunctions of General Williams, he would not have rejected the application of the Celtic Volunteers in the manner he did. It showed a desire on his part to favor those only who obey the behests of the Government. Subsequently, at a public meeting, these young men, in resolutions which they passed, justly found fault with the Commander-in-Chief. Though the terms in which they did this may have been strong, yet, had I been in their situation I would have expressed my sense of the injustice in terms much stronger.

They charged him with unjustly and impolitely refusing to accede to their request. Then followed a correspondence between the gentleman proposed as Captain, who also presided at the meeting, and the Adjutant General, which resulted in causing the former to lose his commission as Major in the Militia. Because that gentleman had the manliness to express his views respecting the conduct of the Commander-in-Chief towards him, and in terms not half so strong as I would have employed,—because he had the courage and independence to express his sentiments as a citizen, he was deprived of his standing in the Militia, and of his office as Commissioner of the Peace. Allowance may be made for an ebullition of feeling, but that is no reason why wrongs should have been inflicted on him. The judicial office, too, above all others, should be kept free from party feeling or political bias. But, now, if a man chooses to dissent from the conduct of the Lieut. Governor or his advisers, he is stripped of the paltry office of Justice of the Peace; but, God forbid that this class of men should ever become the subservient tools of the Government. In this transaction I charge the Commander-in-Chief with having committed an unjust, impolitic act. I will go farther than merely repeating the words of their resolution, and say they did an arbitrary act—an act which men of kind feelings would not have perpetrated; they did a most despotic and arbitrary deed, and one contrary to Her Majesty's command, when they removed Major McGill from the Commission of the Peace. I have here an extract from Her Majesty's instructions to the Lieutenant Governor in 1854. Will the gentlemen on the other side say the terms of this clause have been carried out in the case just mentioned? No; and prove this beyond contradiction that guilt attaches to the Lieutenant Governor in reference to the action to which I refer. A man who presumes to exercise his rights as a citizen must be, forsooth, suspended from a Captaincy in the Militia. This is the way to encourage the Volunteer movement by giving vent to petty spleen, as in the instance just noticed! In this manner was Major McGill treated because he resented an indignity offered him. Something was said about Orangeism as being an auxiliary to the Volunteer movement—an organization which was so emphatically rebuked in Canada last summer on the occasion of the Prince's visit. I believe Orange Lodges have afforded more encouragement to this movement than has been derived from any other quarter. Not far from Lot 49, I have been given to understand that meetings of Orange Societies and Volunteer Companies take place simultaneously. Could I, desirous as I am to promote the peace and happiness of this country, give my support to an organization so eminently calculated to disturb the peace of this Island, and break up our social relations? Can I be asked to give my support to it when the strongest partizan feelings are exhibited by the Commander-in-Chief? I regard the Orange organization as the most hellish which ever disgraced God's earth. Asked to support the Volunteer movement when not required by circumstances of a local or extraordinary character! In the address to His Excellency from the people of Belfast, there is a plain intimation that they will, if necessary, employ physical force to put down the tenantry. Are we to put arms in their hands on the pretext of a foreign invasion, but in reality to make them the mercenaries of the Government? I have heard much of a foreign invasion; but, I presume, we are supposed to be men of intelligent minds. Many of us, at least, know what has transpired abroad; and, to hear the hon. leader of the Government threaten us with this bug-bear, as the only excuse for the organization of military companies, is certainly astonishing. He, too, knew right well there was not the slightest occasion for the apprehension of an invasion from a foreign quarter. We are on the eve of a war with France, said he.

Hon. Col. GRAY begged the hon. member's pardon and said he did not say so.

Hon. Mr. WHELAN—But I beg his pardon and say he did.

Hon. Col. GRAY—The hon. member says „he did,” which means—he did not.

Hon. Mr. WHELAN—What did he mean by his allusion to St. Pierre and Miquelon? But I am not to be hounded by such an absurd notion, that even if an invasion came from France, we could be injured by it. Look at the complicated affairs of Italy, and the menacing aspect of the powers of Europe. The French Emperor has quite enough work to perform on the Continent. Even supposing he should attempt to emulate the conduct of the First Napoleon—should he harbor the idea which Napoleon I. did not carry into effect—to land on the shores of Albion,—should he put in requisition those powerful armaments of war—those great military equipments which he has accumulated around him—should he launch these against England—and I trust I shall gain your concurrence in the opinion which I am about to enunciate—England, unaided by any European power, is yet able to compete with France. (Hear.) But, forsooth, when England and France wage war, according to the gloomy apprehensions of the leader of the Government, we are to have a corvette of 16 guns come upon us, bringing destruction to the poor defenceless inhabitants of Charlestown by taking our notes out of the Bank. But supposing such a war should arise, what, I ask, could 1500 or 1600 men do in repelling a foreign invasion? The thing is manifestly absurd. In speaking in this manner I do not cast any reflection on the courage or efficiency of our Volunteers. We know, however, that a line-of-battle ship might come into this port; and in spite of all the efforts of the Volunteers, lay this City in ruins in a few hours. I add no more in reference to this subject, but will remark concerning the exclusion of Roman Catholics from public offices, that since the present Government came into power 152 Magistrates have been appointed, of these only 4 were Roman Catholics; 65 Commissioners of Small Debts, but only 5 Catholics; 33 Road Commissioners, and only 3 Roman Catholics. We can easily understand the propriety of these gentlemen proscribing this class in the community, and then standing up in Parliament and at public meetings and saying it was because they dissent from the principles of the present Government. Had they been actuated by a spirit of fair play they could have found scores and hundreds of Roman Catholics, who never manifested hostile feelings towards the Government, many of whom too, are quite as competent to fill these offices as a great number of the 152, 65 and 33, whom they choose. I am sorry to be obliged to say I believe the Lieutenant Governor has descended from his high position, and sullied the honor entrusted to him, by associating himself with the party feeling of those who surround him, as his advisers.

The amendment was then put, and lost on the same division as the preceding.

When the eleventh paragraph in the Address was read—

Hon. Mr. WHELAN rose and spoke as follows:—I am sure, Mr. Chairman, no gentleman will say for a moment that I have manifested any disposition but that of the most respectful attachment to Her Majesty's person and Government in this Colony, though my acts have been frequently misrepresented by my political enemies; but I care not for that. Notwithstanding the slights cast upon me, and that my fellow-colonists have been dealt with unfairly; still I have only one feeling, and that is, profound attachment both to Her Majesty and Constitution. Yet, while I entertain these feelings, I am not going to manifest any slavish subserviency, nor humble myself in the dust before the Sovereign of England; nor am I going to bow down my head and kiss the dust on which the Prince of Wales walked, or that on which any of Her Majesty's heirs may tread. I shall assert my rights to equal privileges and immunities as any of the Queen's subjects; and I shall do so before her or any of the potentates of the earth. I think the people of this Colony have no great reason to be proud or to boast

that they are a portion of the great British people, since the privileges to which they are entitled have been denied them, and they have been left to be the victims of proprietary despotism. Will you tell me they have any great reason to be proud of the British Government, when they are kicked about like a ball by the proprietary party? Still, I am not sorry we gave expression to our feelings of loyalty on the occasion of the Prince's visit last summer; but, as to the beneficial results to this Colony, which may be derived from that visit, in my opinion, they will be very trifling. The young gentleman himself was respected on account of his mother; for many years may elapse before he ascends the throne of Britain, if indeed, he ever sits on the British throne. The respect shown him was not on account of his own merits, for of these we had no knowledge. It was owing to a knowledge of the private and domestic virtues of his mother—the respect shown the Prince was on account of the virtues which adorned the Queen herself. I may just add that I think those entrusted with the management of affairs in preparing for the reception of the Prince did not very well perform the duties assigned them. For one thing there was not proper accommodation for the people who came from the Country. I think, too, those entrusted with that service neglected their duty in not treating more courteously the gentlemen who were the representatives of the foreign Press. In the public journals other places attracted notice, but scarcely one word was said about us but what was discreditabla.

Hon. Mr. COLES—I may remark upon the subject under discussion, that we put the revenue at the disposal of the Government, to enable them to give a hearty welcome to the Prince of Wales; and I think we did give him a very kind reception. I think the heart of every man, woman and child felt warm on the occasion of the visit of His Royal Highness. So far as Charlestown is concerned, I believe the reception which the Prince received was second to none. So far as our limited resources extended, I heard from good authority it was the best. I did not agree with the hon. member who spoke last, when he gave it as his opinion, that the visit of the Prince of Wales would be of little or no benefit to this Island. I think it will at least have the effect of turning attention to this Colony in such a manner as was never done before. The day on which the Prince visited Her Majesty's Colonial possessions was the proudest the colonists ever saw. There may have been some mismanagement on the part of the managers, but we know they had a great deal to do, and it was not easy to know how it should be done. I think, however, the time when the Prince was to ride out from Government House might have been made known, that the people might have enjoyed the pleasure of seeing him, as it would have been gratifying to those who visited the City on that occasion for that purpose. Respecting the Gentlemen of the Press, I regret very much they wrote as they did. It was certainly a libel upon us to write in such general terms, and it may have originated in the circumstance of our not providing a house for their special accommodation. Upon the whole, however, I think those entrusted with the management of affairs did as well as could reasonably have been expected.

Hon. Mr. LONGWORTH—Mr. Chairman, in reference to the subject of the Prince's visit, I may say, as a member of this House, that I was delighted last Session at seeing the feeling which was manifested; and when the Resolution for a grant was introduced, I was pleased to witness the promptitude of the hon. member the Leader of the Opposition, and the liberality of the House in voting an unlimited sum to make necessary preparations for the reception of His Royal Highness. I give the Leader of the Opposition credit for his conduct then, and for the frank avowal of his opinion now. I think the hon. member from King's Coun-

ty might have put the matter before the House in a somewhat different manner. Though he professes to sanction the reception, still it is evident he does not approve of it very heartily. From the manner in which he has given expression to his sentiments just now, he has shown it was not the spontaneous wish of his heart that the proposed reception to be given to the Prince of Wales should have been so well received by this House last Session, and if he were pleased with the reception, he would not have given that forced assent to it which he has just expressed. In no circumstance would he bow down or humble himself before the Queen of England, or a son of the Queen.

Hon. Mr. WHELAN—I beg the hon. member not to misinterpret my words. I said I would not humble myself in the dust before the Queen of England, but would assert my rights before all the Sovereigns of the world.

Hon. Mr. LONGWORTH—That expression of the hon. member's sentiments was certainly quite uncalled for. There was not the least occasion to bring in that matter by way of contrast to the subject under discussion. I will say that the visit of the son of our Sovereign to our shores was looked forward to, and was fitted, as it did, to gladden the hearts of the subjects of Queen Victoria in these Colonies. His visit, in my opinion, will be productive of much good to this Colony; and in this I agree with the honorable Leader of the Opposition, who, in this whole matter, has been consistent. We know how difficult it is to please all parties. The present Government endeavored to expend the money placed at their disposal to make preparations for the reception of His Royal Highness, in the best possible manner, and in accordance with the wishes of the people generally; and, when the accounts are presented, I think the Government will not be censured for acting parsimoniously. I am happy in being able to say, that both political parties acted in concert on that occasion. I was glad to see, too, that there were counterparts to the statements put forth respecting us, by the correspondent of the *Times*, and some of the American journals. The *New York Herald*, one of the leading papers in America, came out in a quite different strain, and passed some high encomiums on us. As for the Gentlemen of the Press, cards were courteously presented to them to be present at the entertainment prepared for the Prince.

Hon. Mr. WHELAN—At 8 o'clock.

Hon. Mr. LONGWORTH—I am not aware a house was provided for them in Halifax or elsewhere. With us the difficulty was to be forehanded in every respect. I may state, too, that when the Prince rode out in Halifax no one knew of his intention about doing so, but those at Government House, as it is not desirable to distinguish personages to be watched in all their movements. I think the Government is not to blame in this or in any other particular, in connection with the visit of His Royal Highness.

Hon. Mr. HAVILAND—It has been stated, Mr. Chairman, that the Correspondents of the foreign Press did not receive their cards till night; but I may state that on the very afternoon of the day on which the Prince arrived, Thursday, inquiry was made to ascertain where they lodged, and enquiry was especially made to find the Correspondent of the *Times*. Though this was done, still, it so happened they were not found till 4 o'clock in the afternoon of the day on which the entertainment was given, because they took up lodging in private houses. When I met Mr. Woods, the *Times*' Correspondent, in the afternoon, I gave him an explanation of the circumstance, because even for personal reasons I would be the last to offer a slight to the Correspondent of the *Times*. As regards giving them free quarters at an Hotel, such was not done either in Nova Scotia or Canada. These men receive large salaries. Probably Mr. Woods receives not less than £1,000, or £1,200 a year, and so were quite able to pay their own way. I give

the Leader of the Opposition great credit for the straightforward manner in which he has spoken of this matter. It is to be regretted we came under the lash of the *Times*' Correspondent. It shows us, however, one can place very little dependence in what we sometimes read under the head of "Foreign correspondence." It ill became the Correspondent of the *Times* to write in terms so general about these Colonies, considering the hearty reception His Royal Highness received at the hands of the Colonists.

Hon. Col. GRAY—When he had given an explanation about some misunderstanding which arose about the time of the Princes' landing, said—Respecting the ride which the Prince of Wales took into the country, His Royal Highness, before he set out, gave positive instructions to the gentleman who was to be his guide, to take him into the parts of the country where he would not be likely to meet many people, as his object was to see the country. When it was mentioned to the Prince that there was a gentleman who was anxious he should see some of the aborigines of the Colony, His Royal Highness refused to go, saying, there would be too many people standing about. His Royal Highness, however, was pleased to say he was exceedingly gratified with the hospitable reception which he met, and with the loyalty manifested by the people of Prince Edward Island. As regards the articles written by foreign Correspondents, I may state that nothing appeared in the *Illustrated London News*, unfavorable to us. The gist of the malice exhibited by the Correspondent of the *Times*, consisted in his accusing us of drunkenness, which may go for what it is worth. We can afford to be quite indifferent about his accusation. I think the diligence of the Committee appointed to make suitable preparation for the reception of the Prince of Wales, was worthy of all commendation, and that no person can reasonably reflect on the conduct of the Government in reference to the reception given to His Royal Highness.

Hon. the SPEAKER—in reference to the visit of the Prince of Wales, Mr. Chairman, I may state that I never heard any of the people from country districts complain about their reception in this City on the occasion of the visit of His Royal Highness last summer. On the contrary they appeared to be delighted with the manner in which affairs were conducted, and if they were satisfied, I think we should not make any complaints. As regards the manner in which they were received, they spoke in the highest terms; and my impression is that they did not expect to be entertained at the public expense. I think the Committee did all in their power, on that occasion, to make the Prince's reception as creditable to the Colony, as satisfactory to all parties, and as correspondent to the dignity of His Royal Highness, as possible.

Hon. Mr. THORNTON—While speaking about the reception given to the Prince of Wales, I may say I received a ticket to attend the Ball given in honor of His Royal Highness. The Committee sent us tickets at 30s each, but I considered the members of the Legislature should have gone at their own expense. I was under the impression such would have been the case when I, for one, voted a sum sufficient to make suitable preparation for receiving the Heir apparent to the British Throne. When I received a ticket I looked at it and said—"Well, I am not going to be a public beggar." However desirous I might have been to have seen my illustrious namesake, still I concluded not to go to the Ball as a public beggar. On arriving at the door I could have presented my ticket, but if my wife or daughter were with me, my partner would have been accosted—"fifteen shillings, if you please, Madam!" I think, Sir, the £75 spent in furnishing the members of the Legislature with tickets might have been laid out to much better advantage. It would have been much better to have used it in making preparation for the reception of the pub-

lic generally. Another reason why I did not come was this:—I knew only tall men would have the pleasure of seeing the Prince, and that small men like me would not have got a sight of His Royal Highness at all.

Hon. Mr. HAVILAND—The hon. member from Cardigan says he would not come to see the Heir apparent to the British Throne, because he would not come as a "public beggar;" and, also, because his ticket would not admit of him taking a lady. In that event, however, there was another course open for the hon. member,—he might have sent back his ticket, and paid his own way, and not have remained at home in the dumps. Certainly the Committee were quite justified in not presenting the ladies in the families of legislators with free tickets. Such a course was not adopted in Nova Scotia, nor in Canada, and it is not done in England. As legislators we hold a certain position in which we have been placed by the people; but that is no reason why our wives and daughters should receive more attention than the members of the families of those who do not stand in the same relation to the people. Had they been invited, then, no doubt, the cry would have been "you crammed the Ball-room full of the wives and daughters of the Legislators." It is impossible to please all parties, as is well shown in the fable of the "old man and his ass." I, for one, came and enjoyed myself and was well pleased with the entertainment.

Hon. Mr. PERRY.—When the accounts shall be presented, Mr. Chairman, I presume it will appear evident that the amount expended in making preparations for giving a reception to the Prince of Wales, suited to the dignity of that personage, will not be beyond that to which we can reasonably object. In reference to this matter I do not see that the Government are to be blamed. The revenue of the Colony was placed at their disposal on that occasion, for the purpose of making suitable preparations, and the services of the Committee of management were performed, not merely for one side of the House, but for both. (Hear.)

The eleventh paragraph was now read and agreed to. The twelfth paragraph was then read and agreed to also; after which the Speaker took the chair, and the Chairman reported the Address agreed to without amendment. Upon the question being then put on the several paragraphs in the Address, those from the first to the fifth inclusive were passed without amendment. When the question was severally put on the paragraphs between the sixth and tenth inclusive, Mr. Whelan proposed the several amendments which were moved in Committee, and which were lost on the same division as in Committee—11 to 14, by interchanging the name of the Chairman for that of the Speaker. It was next agreed that the Address be presented to His Excellency by the whole House.

The following members then received leave of absence—Hon. Mr. Thornton, till Monday next. Hons. Messrs. Wightman and Whelan, till Tuesday next. Messrs. Owen and McNeill, till Wednesday next.

Adjourned till 10 o'clock on Monday.

MONDAY, March 4.

The following petitions were presented to the House, viz.—By Hon. Col. Gray, from John M'Dougall, Lot 60, praying an allowance for his services as an unlicensed teacher in that locality. By Mr Conroy, from Thomas O'Brian, praying an allowance for a similar service at West Point, Lot 8. By Mr Doyle, a petition of John G. Murphy, teacher, Kildare, for a similar object. By Mr J. Yeo, a petition of trustees of School at Lot 10, praying remuneration to Isabella Forsyth for her services as teacher of said school. These petitions were referred to the Special Committee on Teacher's petitions.

Mr DAVIES from the Committee appointed to wait on His Excellency to know his pleasure when he will be at-

tended by the House, reported that His Excellency had been pleased to appoint this day at one o'clock, in the Legislative Library.

The following petitions were then presented, viz.—By Mr J. Yeo, from inhabitants of Lot 11, &c., praying a grant to complete the Bridge over Lot 10 River; and from inhabitants of Lot 11, praying a grant to render passable the road from Main Post Road on that Township to Western Road. By Mr Sutherland, 2 petitions of inhabitants of Lots 51, 38, and 39,—both praying aid to improve their road communications. By Hon. Mr Haviland, a petition of Hugh Logan, praying compensation in consideration of his prolonged services as Jailer of King's County Jail. By Hon. Mr Longworth a petition of John Hunter, Hornewood, Prince County, praying an Act to enable him to take the additional name of Duvar. By Hon. Mr Perry, a petition of Ewen Morrison, praying remuneration for ferrying Mail Carrier across Ellis River Ferry.

The House then went to wait on His Excellency with their Address in answer to his Speech, and having returned, His Excellency's reply was read, and the House adjourned.

TUESDAY, March 5.

The following petitions were presented, viz.—By Mr Cooper, from Lot 47, praying a grant in aid of building a bridge across the mouth of Surveyor's Inlet. By Mr Howat, from George M'Williams, praying a grant of £38—balance due on contract for building two abutments to the wharf on the West side of Tryon River. By Hon. Mr Perry, from Ninian Paterson, setting forth that he was a seaman on board the schooner *Kate*, which was wrecked at Cape George, N. S., on the 4th of January last, where-by he lost all his effects, and praying relief.

Hon. Col. GRAY, having obtained leave, introduced a Bill for taking the Census of Prince Edward Island.

JURY BILL.

Hon. Mr HAVILAND moved that the House go into the order of the day, viz., the second reading of the Bill to consolidate and amend the Laws relating to Grand and Petit Jurors in this Island. He explained that the Bill contained no new principle,—it was introduced in accordance with the report of the Commissioners appointed to revise the laws, which recommended that several of the laws scattered through the Statute Books be collected together and condensed. The only difference in the Bill from the existing laws relating to Jurors was, that the section which required the Act to be read at every opening of the Court was omitted. This reading was only a waste of time, as the duties of Jurors were always on such occasions explained by the Court.

The Bill was then read a second time and committed to a Committee of the whole House.

When the section was read relating to the selection of Jurymen,

Hon. Mr COLES said he did not intend to enter into the details of the Bill, but wished to make a remark on one point. He knew that it was difficult for the Sheriff to select jurymen from all parts of the County, and considered that some persons ought to be authorized to furnish him with a general list of those qualified to serve as such. He thought the Commissioners of Small Debt courts would be proper persons to furnish lists of this kind.

Hon. Mr LONGWORTH said the suggestion of the hon. member was reasonable. The only difficulty he saw with respect to it was, in regard to which of the Commissioners should be called upon to make out the list, as there were so many in each County. It would be invidious to select any particular one of their number to perform the duty.

Hon. Mr COLES remarked that he only meant that the Small Debt Commissioners should furnish the names of persons in different parts of the Counties to assist the Sheriffs in making out their lists, for it could not be expected that the latter would be acquainted with people all over the country.

Hon. Mr HAVILAND had often observed this difficulty in respect to the present method of selecting jurymen, and thought it would be well if it could be avoided. It was frequently the case that the Sheriff chose a number of persons for jurymen just around the part of the County where he himself was acquainted. He (Mr Haviland) thought that some such plan as that suggested by the hon. leader of the Opposition would remedy the evil.

Hon. Mr LAIRD said that this proposed plan might be a little improvement, but as long as the jurymen were chosen by ballot, all the County would seldom be found to be represented; for though there were persons from all parts of it on the list made out by the Sheriff, those drawn by ballot might be all from one part. He thought the Sheriffs might take the road returns, and make out their lists from them.

Hon. Mr LONGWORTH was of opinion that the ballot could not be dispensed with, as suspicion would immediately arise that the jury was packed. There should be a representation from all the parts of a County; but the plan suggested would be very cumbersome, as there were eight Commissioners' Courts in Queen's County, and six or seven in each of the other two Counties. If two or three persons in each County were named to make out lists for the Sheriffs to select from, it would be an advantage.

Hon. Mr KELLY thought the Magistrates would be the most proper persons to make out lists for the Sheriffs. In some cases the Commissioners of Small Debts lived all in one part of the district.

The Committee then rose, and progress was reported.

Hon. Mr LONGWORTH introduced a Bill to protect the Herring and Alewives' fisheries in this island.

The House then adjourned for one hour.

AFTERNOON SITTING.

Mr MONTGOMERY presented a petition from School Trustees and heads of families, at Graham's Road, New London, in behalf of a Teacher, which was referred to Committee.

Hon. Mr THORNTON requested leave of absence for Hon. Mr Whelan till he recovered from his present indisposition, which was granted.

The House then adjourned.

WEDNESDAY, March 6.

Hon. Col. GRAY.—My attention has been called to a paragraph in the *Examiner* newspaper of this week, in which the hon. member for Tignish (Mr Conroy) is represented to have accused the Government, in the debate on the Address in answer to the Lieut. Governor's Speech, of complicity in regard to the opposition to Roman Catholics entering Volunteer corps. I was under the impression that the hon. member did not impute any blame to the Government in the matter, and I believe that the statement which he made in reference to the Volunteers in his district, is distorted in the newspaper paragraph in question. As I see the hon. member in his place, I would ask him if he meant in the remarks which he offered on that occasion to implicate the Government in the opposition shown to Roman Catholics entering Volunteer Corps, and if he will give the name of the Captain who wrote the letter to which he referred?

Mr CONROY.—I fancied that I had made myself quite intelligible on that occasion. I gave as nearly as I could

remember what was contained in the letter to a gentleman in my district by the Captain of a Volunteer Company. [The hon. member here repeated the words of the letter from memory, nearly as given in the published report of the debate in question.] I never intended to accuse the Government in the matter, for I believe that the feelings or prejudices alluded to in the letter, travelled, with the desire to take part in the Volunteer movement, to Cascumpec from Lot 49, or wherever it originated. This is not the first time I have been misrepresented in the newspapers. I stated on the hustings before I was elected to this Assembly, that I took part with the Government of that day, because I thought they were more likely than the other party to benefit the country; but in the newspapers it was represented that I said I would support the Government because they were favorable to Roman Catholics. It is the habit of newspapers on both sides of politics to distort the expressions of individuals to suit their own purposes. I made no such statement as that the present Government were implicated in the opposition given to Roman Catholics entering Volunteer corps. As I have been asked to give the name of the person who wrote the letter in question I may state that it was Captain John Hunter; (hear, hear!) and that it was put into my hands by the postman, Mr Archibald McLellan. That a Captain living amongst us should say that the intention was to exclude us from entering these corps, is what I am unable to understand. I cannot see what we have done that we should be denied the opportunity of taking part in this movement. I do not say that this opposition originates with the Government; but from whatever quarter it comes, it is highly dishonorable to the parties concerned.

Hon. Col. GRAY.—Nothing can be more creditable than the explanation of the hon. member. There is another matter to which I wish to refer, and I hope the explanation will be equally satisfactory. In the same paper as the paragraph already alluded to appeared, is published a correspondence between the hon. leader of the Opposition and one of the Reporters of this House, who gives an extract from his speech on the evening of the 26th of February. I would ask that hon. member if by the expression, "such a course as that Her Majesty's Representative should pen a falsehood to the Colonial Office, is dishonorable to one holding his high position. But the Lieut. Governor is not so much to be blamed" &c., he means to refer to Governor Dundas personally, or does he mean to implicate the Government with him?

Hon. Mr COLES.—The question is a very modest one. The Government can take what meaning they like out of the expression. I wrote to the Reporter, and received his reply, one letter of which I did not alter, but just sent it as it was to the *Examiner* office for publication. The Reporter's statement I believe to be substantially correct. I will neither retrench nor retract what I have stated. The hon. member may put that in his pipe and smoke it.

The following petitions were then presented:—By Hon. Mr Yeo, from divers inhabitants of Miminigash, praying for the establishment of a Post Office at Mr Richard Costin's; and from Caroline Campbell, praying payment of her salary as Teacher at Lot 17, for 3 months; and from Lot 14, praying a grant to repair a road. By Mr Howat, from John Townsend, and others praying a grant to build a bridge across Raynor's Mill Pond; and from Lot 27, praying the House to enact that proprietors shall not be allowed to distrain for rent, until the award of the Land Commissioners be made known. By Mr Conroy, from Lots One and Two, with a similar prayer. By Mr Perry a road petition for Lot 15.

Hon. Mr HAVILAND presented to the House, the Treasurer's, Road Correspondent's, and other accounts

for the past year, which were referred to the Committee on the Public Accounts.

JURY BILL.

The House then resolved itself into Committee to further consider the Jury Bill, and the debate on the mode in which jurymen should be selected was resumed.

Hon. Mr LONGWORTH said the more he considered the plan of having persons in different parts of the Counties directed to make outlists for the Sheriffs, the more difficult it appeared. He thought if a clause was inserted in the Bill instructing the Sheriff to select some of the jurymen from each Township of the County, it would be sufficient.

Hon. SPEAKER thought it important that all the jurymen should be able to read and write. Where so much was involved—sometimes complicated accounts having to be settled, those who were called upon to decide in the matter ought at least to possess this qualification. He had seen a jury in which two or three of the number could neither read nor write. He also considered the restriction in the Act was unnecessary, that a person who had once served in a Grand jury could not again be chosen to serve as a Petit jurymen. This was not the case in New Brunswick, and he thought properly so, for it required as intelligent men on the Petit as on the Grand jury.

Mr MONTGOMERY was of opinion that the choice of jurymen should be left to the discretion of the Sheriffs. They would not select any but intelligent and respectable persons.

Hon. Mr LONGWORTH considered the wording of the Bill was sufficiently clear on this point, as it said that the jurymen must be men of "standing and intelligence." The term "standing," meant a great deal. A person of this description must have stake in the country; a laborer off the streets, or a person having no interest in the community could not be chosen. He would, however, move that the section be amended by inserting a clause somewhat to this effect—"One or more of such jurymen to be selected from each Township in said County."

This amendment was agreed to.

Hon. Mr COLES believed that in the Nova Scotia Act it was provided that the Sheriff should give each political party a fair representation on the jury. He (Mr Coles) thought there could be no objection to insert something to that effect in this Bill. The hon. member for Georgetown said last year that he would not like to trust himself altogether to a jury composed of his political opponents.

Hon. Mr LONGWORTH said it would be well for the hon. member to refer to the Nova Scotia Act and see if it contained such a provision. He (Mr Longworth) thought if it were the case, it was something novel in legislation, for he had never seen anything of the kind in any English statute. It made little difference in most cases brought before a jury, what shade of politics an individual might be; and when political questions came up, there was generally the protection of a special jury.

Hon. Mr COLES said he had been examining the Canadian Act, and though it did not state that jurymen should be taken from different political parties, yet it provided that a return should be made of all persons qualified to serve as jurymen to the prothonotary, and they could see in his office if their names were on the list. The law was very stringent, for it also required that the ballot box should be shaken every time a name was drawn. In this Colony more than most any place else there was opportunity for partisan Sheriffs choosing jurymen of their own party. In Canada there could be no dissatisfaction in regard to parties, for every person qualified was returned; and he (Mr Coles) hoped the day was not

far distant when a similar system of selecting jurymen would be adopted here. In the absence of this he would move that a clause be inserted in the Bill requiring the Sheriffs to choose the jurymen so as to give a fair representation to both political parties.

Hon. Mr HAVILAND was opposed to this principle altogether. There might be, and he believed there was more than two political parties in this Island. Some persons said they were opposed to the Conservatives and Liberals, as they both endeavored to carry matters with a too high hand. Such a clause as that moved by the hon. member would necessitate the Sheriff to take down each jurymen as belonging to either of two parties, and the person might be quite offended, saying that he repudiated both parties. Besides this, there was another difficulty; it was well known that the men of yesterday were not always the men of to-day. A person might change his principles, and how could the Sheriff act in such a case?

The amendment proposed by Hon. Mr Coles was also opposed by hon. the Speaker, Mr Howat, Mr McAulay, and Mr Sinclair.

Hon. Mr THORNTON would not support the amendment, because he thought though it were carried, it would be inoperative. He believed there had been political Sheriffs appointed, still as far as King's County was concerned, he had never known a case of a packed jury.

When the question was put on Mr Coles' motion it was lost. The other sections occasioned no discussion, and the Bill was reported agreed to.

House adjourned for one hour.

AFTERNOON SITTING.

Hon. Col. GRAY.—I am directed by His Excellency to transmit to this hon. House the following Message and Documents.

The Lieut. Governor transmits for the information of the House of Assembly copies of the following Despatches.

June 11th.—A Circular transmitting a volume of statistical information, and requesting such official statistics as are published, to be forwarded to the Board of Trade.

June 16th.—Further communication in reference to the Commission on the Land Question.

June 20th.—Sanctioning the Postal Act.

Aug. 7th.—Concerning Volunteer Corps.

Oct. 4th.—About site for Hospital.

Oct. 22d.—Circular on removal of Beacons.

Jan. 24, 1861.—On the subject of two Acts of the local Legislature, submitted for the approval of Her Majesty.

Aug. 14th 1860.—Circular on Census.

Feb. 1st, 1861.—Circular on Great Exhibition.

Jan. 11th, 1861.—Letter of the Commissioners on the subject of delay in their Award.

Received and read.

Hon. Mr HAVILAND presented a classified Report of the Auditors of Public Accounts, for the financial year ending Jan. 31, 1861. Received and referred to the Special Committee on Public Accounts.

Hon. Mr HAVILAND moved the first order of the day, that the Census Bill be read a second time.

The House then resolved itself into a Committee of the whole to consider the Bill—Mr McNeill in the Chair.

Hon. Mr THORNTON wished to know if it differed from the old Census Bill.

Hon. Mr HAVILAND said it was a transcript of it, but thought several improvements might be made in respect to statistical information obtained under it. Our Bill he thought was in some respects preferable to the Census Act of Nova Scotia, and by combining the two, he considered the scheme would be complete. The various clauses of the Bill were then read in order, of which, some were agreed to without amendment. After some conversation on the others, and a few minor amendments were made, they were passed. The returns are to be made by the 15th June of the present year. It having been moved that the Report be agreed to, the Speaker took the Chair and the Chairman reported accordingly.

Adjourned till 10 o'clock to-morrow.

THURSDAY, March 7, 1861.

Hon. Mr HAVILAND presented to the House a copy of the Warrant Book, commencing Feb. 13th, 1860, and ending Jan. 17th, 1861. Referred to the Special Committee appointed to examine and report on the Public Accounts.

Hon. Mr COLES moved that the copy of a Despatch transmitted to the House yesterday, on the subject of the "Act to authorize grants of the shores of this Island," and the "Act to give effect to the report of the Commissioners to be appointed on the Land Question;" and a copy of the letter from the Land Commissioners to His Excellency on the subject of the delay in their award, be printed in all the newspapers published in Charlottetown,— remarking at the same time, that the more information the people got on these subjects the better. Different constructions were put on the Despatches; but if published they would speak for themselves. Mr Coles said the Despatch gave a piece of information of which he was not before aware. According to the Royal instructions all Bills were to be sent Home within three months after they were passed; but it appeared by one of these that five months had expired before it was sent Home. He also thought the Duke of Newcastle did not understand the Bill about the regulation of the shore fronts, as His Grace seems to think it referred to the Fishery Reserves, with which it had nothing to do. Mr Coles also said that a report showing the necessity of the Bill should have accompanied the Bill when sent Home.

Hon. Col GRAY.—The Despatch to which the hon. the Leader of the Opposition has referred is quite at variance with charges he brought against the Government—that the Commission on the Land Question proceeded without accomplishing anything. It certainly disproves these extraordinary assertions most completely. As regards the Shore Bill, I may state, the Attorney General gave his opinion, as upon other Acts, concerning its merits. Respecting the delay the Queen's Printer complained he had only a *sheet* of type, and unless he bought more he could not have printed the Acts sooner. They were forwarded as soon as we received them from the Printer. The Attorney General performed his part of the service as soon as he possibly could; and if any one is to be censured, it is the printer. If the public department be not supplied more abundantly with machinery, the necessary work cannot be executed more satisfactorily. As regards the time of sending Home the Despatches to which the hon member referred, I may state that unless they were sent Home by the first mail which went in June, there would have been no use in sending them immediately afterwards; for the Duke of Newcastle left England for America in July. As for the publication of the Despatches in all the newspapers, I do not see why we should go to that expense. If published in the Gazette, they might be copied by the other papers, if they are of so much consequence as is supposed by the hon member. However, I am anxious the country should receive the fullest information possible on these subjects.

Hon. Mr COLES.—I think the Despatch goes farther in condemning the Commission than I did, for it contradicts the former Despatch. At first we were informed the Commissioners were not to be tied down by any Despatches, that all questions were open for them; now it appears they are not to refer to Escheat, nor to interfere with proprietors who did not subscribe the Commission. If this be not dictating to the Commissioners I know not what would be. As to the printing of the Acts, I find they were nearly all published in the *Royal Gazette* by the first of August; so they might have been transmitted at an earlier date. The whole might have been printed by the 1st of August, and sent home then, if the Government so required. If a printer with Mr Ings' establishment cannot publish these Acts in less than five months, how is the business of this country to be carried on?

Hon. Col GRAY.—Respecting the time when the Acts appeared in the *Royal Gazette*, that is not the question. Unless they were printed and in the hands of His Excellency by the first week in June, His Excellency did not consider it necessary to forward documents to the Secretary of State when he would be on his way to this country before they would reach England. But I do not think this is the time to speak on this subject.

Hon. Mr M'AULAY thought it would be sufficient to publish the Despatches in the *Royal Gazette*, and that people would not think of looking for them elsewhere.

Hon. Mr HAVILAND.—I am not opposed to having these documents published, but I consider it unnecessary to put the country to the expense of publishing them in all the papers. If they appear in the official organ, I consider it sufficient. In reference to the Royal instructions about the sending Home of Acts, I think the hon. Leader of the Opposition cannot be so oblivious as not to know that Governor Daly sent home three Despatches in 1855, in October; in 1856, six on the 29th of August; and in 1858 some on the 30th August; and in '58 there could not be much excuse for there were only 16 Acts passed that year.

Hon. Mr COLES explained that the Acts sent Home in 1855 by the Governor of that day were sent without a Certificate, and had to be returned and sent Home officially, which accounted for the delay.

Mr COOPER was for having the Despatches published in all the papers as the *Royal Gazette* was only seen by the officers of the Government.

Mr M'NEILL moved in amendment to Mr Coles' motion to leave out all after the word "printed" and substitute "in the *Royal Gazette* news paper."

For the Amendment—

Hons. Gray, Haviland, Laird, M'Aulay, Yeo; Messrs. M'Neill, Boer, Ramsay, Howat, Holm, Davies—11.

Against it—

Hons. Coles, Thornton, Perry, Kelly; Messrs. Conroy, Cooper, Doyle, Sutherland, Sinclair—9

Hon. Mr COLES asked the Government to lay any documents before the House which proprietors had sent Home against the passing of the Act respecting the award of the Commissioners.

Hon. Mr KELLY presented a petition from inhabitants of Lot 36, praying that the Legislature would take steps to prevent the rigorous exactions of arrears of rent by proprietors, till such time as the Commissioners give in their award; especially as they had heard they were to sit again, and it was uncertain when their decision would be given, which was laid on the table; also one from Lot 36 on the same subject.

Hon. Mr THORNTON presented a petition from inhabitants of Launching Place, Grand River and Cardigan, praying for a grant to repair and extend a wharf at Launching Bay.

Mr M'NEILL presented a petition from James Keefe praying for compensation for a wagon destroyed at Lot 47, while executing his duty as Bailiff.

Mr OWEN presented a petition from James Quinn for compensation for two roads running through his land.

Mr HOWAT presented a petition of Daniel Murphy, praying for payment of £29—the balance of a contract for building a wharf at Tryon River.

At the request of Mr Thornton, leave of absence was extended to Mr Whightman till Wednesday next.

Hon. Mr LONGWORTH moved the order of the day—that the Bill for the better preservation of the Herring and Alewives' Fisheries be read a second time.

Hon. Mr LONGWORTH in explaining the object of the Bill said—In accordance with the suggestion of the Commissioners appointed to revise the Statutes the objects of the Bill are to consolidate the Laws respecting the Alewives' Fisheries; and to confirm in their stations those who were appointed protectors of those Fisheries. At present the number for the whole Island is six. I think it will be found necessary to increase their number; if not now, at least a few years hence, as these Fisheries are becoming more extensive. The nature of the Bill is well understood by hon. members.

The House now resolved itself into a Committee of the whole to consider the Bill—Mr Sinclair in the Chair.

When the first clause was read and discussed it was moved in amendment by Hon. Mr Perry and seconded by Hon. Mr Laird, that the word "Herring" be struck out; thus the Bill would only affect the Alewives' Fisheries. After a short discussion the motion of amendment was put and carried without a division; and the necessary wording of the clause changed to suit the alteration. The three next clauses were then read and agreed to. The next clause having been read.

Mr M'NEILL referred to the practice of setting nets on Saturday night and lifting them on Sabbath morning, or on Mon-

day morning, and thought it would be well to insert a clause to prevent such practices.

Hon. Mr PERLY thought the present Law for the observance of the Sabbath was sufficient to meet these cases, as they were acts of desecration.

The hon. the SPEAKER was in favor of the clause being inserted.

Mr OWEN considered the clause was necessary.

Mr Davies and Hon. Mr Laird thought the general law for the observance of the Sabbath was sufficient, but said the clause proposed would bring the subject more immediately under the notice of fishermen. After a few other hon. members had spoken Mr McNeill read the following amendment:—

Any person or persons setting a net or nets, or taking them up on the Sabbath shall be liable to the penalty imposed by the laws of this Island for violating the Sabbath day.

The amendment was then put and carried without a division.

The next clause having been read Hon. Mr Longworth moved that the number of protectors of the Alewives fisheries for the whole Island be increased to ten, which motion passed. The remaining clauses were next read and passed; after which the Speaker took the chair and the chairman reported the Bill amended agreed to.

Hon. Col. GRAY as a member of the House as well as a member of the Executive, begged leave to submit to the House a letter from Captain Hunter in reply to one addressed to him by the Adjutant General, inquiring whether in any correspondence of his relative to a volunteer company it was stated or implied there was any intention on the part of the Government to exclude Roman Catholics from Volunteer Companies. Captain Hunter stated in reply that nothing of the kind was ever in any correspondence of his; that no orders were given him by superior Officers, nor by the Government, publicly or privately, to exclude any man from these ranks on account of his religious opinions; but, on the contrary, as Captain in the 4th Prince County Regiment, he endeavored to attract to it some of the Acadian French Roman Catholics; that the only letter he wrote on the subject was one addressed to Rev. now, Bishop McIntyre, of which he presented a copy, and in which he stated there appeared some slight disposition if encouraged, to exclude the French and others of your (the Bishop's) people, on grounds which had nothing to do with the bearing of arms; that he did not share in these class prejudices, but liked his French neighbors, and did all in his power to enable them to hold up their heads and assert themselves; that as Captain of Militia, of the District he dare not recognise any distinction of men, in a compulsory calling out of the force, and certainly would not in a voluntary one; and that, knowing the great value of the Bishop's influence he wished him to express himself favorably towards the movement; that the letter was endorsed "private," and a memorandum on the back said—"to this letter no reply." Captain Hunter's letter to Mr McIntyre was dated June 5, 1860. The letters were laid on the table.

Mr CONROY.—There is one broad untruth in the letter just read when he states it was addressed "private;" and there appears to be some aberration from the original. When he states it was marked "private," I am at liberty to say the whole is untrue. Mr Conroy then repeated what he had already stated in reference to this matter, and said great difficulty might arise in procuring the original letter on account of a certain establishment having been broken up in his neighborhood.

Hon. Mr FERRY said the wording of Captain Hunter's letter might not be understood; that it did not go to show he was prevented from enlisting the French, but that the people themselves were under that impression. In fact, he (Mr Perry,) said he was informed that such was the case; and that he in reply, told the people he presumed they were welcome to enroll.

Hon. Mr LONGWORTH said he considered Captain Hunter was free from the charge of bringing any censure on the Government on these grounds; that the Government from the origin of the movement determined not to allow anything like religious matters to mingle with the organization; and endeavored to act in such a manner as not to give offence to any denomination of Her Majesty's subjects. He thought any person who took up the letter and read it dispassionately, would see Captain Hunter referred not to any instructions received from the Government or any superior officer; that he referred entirely to the local disposition of the people themselves.

Hon. Col. Gray and Mr Coles received leave of absence for the remainder of the day.

Adjourned till 3 o'clock.

AFTERNOON SITTING.

After a little farther discussion upon correspondence on the Volunteer Question, Hon. Mr Thornton requested leave of absence till Wednesday next, which was granted, and the House adjourned till 10 o'clock to-morrow.

FRIDAY, March 8, 1861.

Mr HOWAT presented a Road petition from Patrick McCourt; also Hon. Mr Coles from J. M'Adam, in which it was stated a road had been opened by him from the Main Post Road to the celebrated spring recently discovered in the Settlement of Savage Harbor, Lot 38, of which 13 chains run through his land; that at certain seasons the road is almost impassable on account of swamps, and that for the accommodation of invalids who daily visit the spring from all parts of the Island and the surrounding Colonies, it should be improved. For this purpose he prayed for a grant. Mr Coles spoke some time in favor of acceding to the prayer of the petition, stating among other things that last summer when returning from Georgetown with the Commissioner for the tenants, they visited the Spring; and that the Commissioner, who had sore eyes at the time, applied some of the water of the spring to them, and derived much benefit from it, of which he (Mr Coles,) was glad, as it enabled him to see more clearly the sufferings of the tenantry. Petitions laid on the table.

Hon. Mr LONGWORTH moved that the Act to amend and consolidate the Laws relating to Grand and Petit Jurors in this Island, be read a third time, which was done, and the Bill passed.

Hon. Mr LONGWORTH who presented a memorial from John Hunter praying an Act might be passed to authorise him to take an additional name, moved a Committee be appointed to bring in a Bill. He remarked it was customary for persons to make applications of this kind in Britain and other countries. For family and other reasons, parties applied to the Legislature for permission to change their name. He saw nothing which would justify the House in refusing to accede to the request. If the House made an objection on the ground of it being a private Bill, Mr Hunter would require to be prepared to pay the necessary fees. Hon. Mr Longworth, Mr McNeill and Mr Beer were appointed a Committee to bring in a Bill in accordance with the prayer of the petition.

Hon. Mr LONGWORTH, from the last preceding Committee presented to the House the Bill, as prepared by the Committee, to authorise John Hunter to take the additional name of Duvar, which was read a first time, then a second time, and passed.

Adjourned till 3 o'clock.

AFTERNOON SITTING.

Hon. Mr HAVILAND agreeably to notice moved that a supply be granted to Her Majesty, which motion passed.

Hon. Mr HAVILAND proposed that the Resolutions enclosed by the Speaker of the Newfoundland Legislature to the Speaker of the House in P. E. Island relative to the Fisheries, be taken up.

Hon. Mr COLES thought it would be premature to discuss the matter then, and moved it be the order of the day for Tuesday next, which was agreed to.

Hon. Col. GRAY stated he had received a letter signed John Ross which he requested permission to read to the House, which was granted. Mr Ross wished to know whether "Ross's Weekly" was considered one of the four principal papers of the Island. Its circulation, he (Mr Ross) stated, exceeded that of any other paper in the Island; and he considered he was entitled to a sum for publishing the debates of the Legislature as well as the publishers of the other Journals.

Hon. Col. GRAY.—I entertain the same opinion now which I did two years ago; viz., that gentlemen conducting newspapers with a large subscription list ought to be content to receive from the Reporters the authorized reports of the Legislature, and publish them at their own expense. It is for their own interest to furnish their subscribers with a sufficient amount of news. We have now five applications, and may soon have six or seven. When I spoke of the principal papers, I did not wish to disparage the one alluded to just now, for I was not then aware of its circulation.

Mr DAVIES said that in point of circulation, "Ross's Weekly" was entitled to be considered one of the principal papers; but as regarded the amount of matter which it contained, he was not prepared to say. He considered the House should not vote anything to the newspapers for publishing their debates; but since they had promised to do so this year, he thought it would scarcely be fair to exclude Mr Ross.

Mr BEER considered the amount to be voted by the House should be divided among each of the papers according to the proportion of matter each published; but thought it was questionable whether any should receive anything.

Hon. Mr MAITLAND said if he were called upon to give a direct answer to the question submitted to them; viz., whether "Ross's Weekly" was one of the four principal papers or not, he would be at a loss to know how to answer. In other communities, publishers were glad to send reporters at their own cost and charges. When their constituents had to bear their expenses, and pay reporters, and then pay for the papers in which their proceedings were published, it was like paying twice for the same article.

Hon. Mr PERRY spoke to the same effect, and was opposed to the principle of paying the papers for publishing their debates, for publishers made no reduction in the price of their Journals to their subscribers, on account of the sum voted for this purpose.

Mr HOWARD concluded with the views of the last speaker, and remarked that people in the country would not give 6d for the debates which were published towards the middle of the Session.

Hon. Mr HAVILAND was of opinion it was quite enough for the House to pay for reporters, and that if publishers did not choose to launch their debates and their debates it would be their own loss. He considered that the subscription list of those who would not publish the proceedings of the Legislature would soon show how few there were. He considered it was unreasonable to ask the Legislature whether "Ross's Weekly" was one of the four principal papers published in Charlottetown. One publisher might set up his claim to have his paper included among the principal ones on account of the extent of his subscription list; another would plead the low rate at which he published his journal; and another would argue that the literary talent and taste displayed should be the test. He (Mr Haviland) did not wish to depreciate the talent exhibited in leading articles in "Ross's Weekly," but considered it would be better for the proprietor of that paper to publish their debates than the "Bachelors Wooing." In reference to this matter, he was opposed to the principle of subsidizing the newspapers; but as so nothing had been pointed out to the newspaper publishers at the commencement of the Session he would not break faith with them.

After a few other hon. members had expressed their opinions on this subject the House came to the understanding that the sum to be granted for publishing the debates of the Legislature should be divided among the papers according to the amount of matter which each published, "Ross's Weekly" to come in for a share as well as the others.

Hon. Mr LONGWORTH, as a member of the Government, begged leave to present to the House a report of the Commissioners who were appointed last Session to examine and report on the laws preparatory to their being revised and reprinted, and stated that a fair copy of the Statutes passed from 1851 down to the Session of 1861, inclusive were to be deposited in certain specified Offices. Mr Longworth next explained that it was impossible to comply with all the terms of the Act, for, strange to say, the Commissioners were called upon to deposit laws which had never been passed; therefore they thought it better to defer depositing any, till the time should be extended. These and other matters were fully set forth in the report, which was then read and ordered to be committed to a Committee of the whole House to-morrow.

Mr Doyle received leave of absence for one week.

Adjourned.

J. D. GORDON, Reporter.

SATURDAY, March 9.

Three petitions were presented, viz.,—By Hon. Mr Yeo, one from Lot 17, and another from Lot 15. By Mr Holm, a petition from Lot 21—all praying for improvement in road communication.

MESSAGE ON PETITIONS OF PROPRIETORS AGAINST THE LAND COMMISSIONERS' AWARD ACT.

Hon. Col. Gray, by command of His Excellency the Lieut Governor, presented to the House the following message:—

G. DUNDAS, Lieut. Governor.

The Lieutenant Governor transmits, for the information of the House of Assembly, copies of three despatches addressed by him to His Grace the Duke of Newcastle.

In these despatches, were enclosed three petitions, or memorials against the "Act to give effect to the award of the Commissioners to be appointed on the land question." But the memorialists in placing their petitions in the hands of the Lieutenant Governor for transmission to the Colonial Minister, did not furnish him with copies to be laid before the Legislature.

The Lieutenant Governor, however, is enabled to furnish the House with a copy of the prayer of the petition of Charles Wright, Esquire, referred to in the accompanying copy, Despatch No. 61; and also a copy of the prayer of the petition signed by Robert Bruce Stewart, Esquire, and others, referred to in the copy, Despatch No. 62.

The memorialists appear to have petitioned against the Act in question, on the ground, that if it passed into a law, they would be bound by the award of a Commission, while they were not consenting parties to the submission upon which that award was to be founded.

The Lieutenant Governor will, by the first mail, make application to His Grace the Duke of Newcastle, for copies of these memorials, in order to lay them before the Legislature.

Hon. Mr COLES—If I were a member of the Government, I would make no such motion as that they be laid on the table: I would move that they be referred to a Committee of the whole House. That a few proprietors and land agents should petition against an Act passed by both branches of the local Legislature is a bold proceeding. I think a true copy of the documents, with all the names attached to them, ought to have been kept in the Colony. If the Government are prepared to take proper steps to counteract the influence at this Colonial Office, they shall have my support. But I contend that they should have sent a minute of Council along with the petitions in opposition to their prayer. And, Sir, we do not know what statements these petitions may contain against members of this House, and perhaps also against members of the Government. For this reason, I think a copy of them should have been kept, and laid before the House. That two proprietors, Mr Bruce Stewart and Mr Charles Wright, should endeavor to counteract a measure of the Legislature, is a matter that ought not be passed over in silence.

Hon. Col. GRAY—I cannot understand what the hon. member would desire. We are here as the independent representatives of the people, and if Mr Bruce Stewart, or Mr Wright choose to vilify us in documents of this kind, it is a matter with which we have nothing to do. There is perhaps not a person in the Colony who has been more maligned by these individuals than myself, but what do I care for them. His Excellency informs me that it is not in his power—that there is nothing in the Royal instructions to warrant him to give up copies of petitions with which he is intrusted to forward to the Secretary of State, without his consent. But His Excellency has given up what ought to be considered sufficient, his own despatches containing his own remarks on the petitions. Every subject in the Colony has the right of petition, and is perfectly justified in memorializing Her Majesty the Queen, when he considers that his private rights are interfered with. Supposing the Legislature should pass an Act similar to the Maine Liquor Law—a law which has been declared unconstitutional by high authority in the United States—supposing I say the Legislature should pass such a law here, the hon. member might petition

against it and say it was an interference with his private rights. So with the memorialists in question; these proprietors think that as they did not agree to the Commission, they have a right to complain by petition that the Act to give effect to the award of the Commissioners, if passed into law, would be an interference with their private rights. The Lieut. Governor is bound to transmit every petition addressed to the authorities at home, no matter what it contains. But supposing that copies of these petitions had been kept and laid before this House, provided they contained libelous statements, who would publish them? That the Council should have made a minute in opposition to the statements of the petitions, and transmitted it with them, I think was unnecessary. In this, therefore, I do not agree with the hon. Leader of the Opposition. What do the people in England care for these proprietors? One of the landlords referred to said to me last summer, "What have I to do with the Commission?" I replied "You may have nothing to do with the Commission, but it may have something to do with you. That this will be the case, I think is clearly shown by the last despatch of his Grace the Duke of Newcastle laid before the House. It says in effect that if they do not submit to the Commission, they will not receive the consideration of Her Majesty's Government in making future claims. I consider, then, that we need not trouble ourselves much about these petitions. We know very well that these proprietors, if they thought they would gain their point, would write petitions to this time next year. Let them write; what need this House care?"

Mr COOPER.—I understood that those proprietors who made no complaint when the measure for the Land Commission was passed, had agreed to it. If a copy of the petitions had been laid before us, we could have sent home an address to the Queen to counteract their statements. The House should still pass an address to that effect.

Hon. Mr YEO.—The hon. member, Mr Coles, taunted me the other day for saying that I know the Act to give effect to the award of the Commissioners would not pass at Home. I had to vote for the bill, but I knew, and Mr Douse knew that it would not receive the Royal assent, as it interfered with the rights of the proprietors. Every person must look after his own property, and when I was asked to sign the paper agreeing to the Commission, I said I could not do it. Besides, I said it was no use to do it, as the Act to give effect to the award would never become law.

Mr DAVIES.—I cannot agree with the hon. member from Port Hill; I do not think the Commission is any infringement of the rights of the proprietors. I am sorry that a copy of the petitions against the award Act is not before us; but I do not think the late Government kept a copy of the petitions sent Home by the proprietors against the Rent Roll Bill.

Hon. Mr COLES.—They did; they refused to transmit them until they received a copy.

Hon. Col. GRAY.—I rise to explain. If the late Government did so, there is nothing in the Royal instructions to warrant such a procedure.

Hon. Mr COLES.—I may remark that the Governor received the petitions just a little before the mail for England was leaving, and he said he could not send them by that mail unless a copy was given to him.

Hon. Col. GRAY.—The Representative of Her Majesty is bound to forward a petition though he be not furnished with a copy.

Mr DAVIES.—I do not think the House should spend time in discussing the petitions referred to in His Excellency's message, when they are not before us. With respect to those proprietors who have not agreed to the Commission, not being bound by its award, I do not say

that they will, but the despatch of the Duke of Newcastle shows that if they do not submit to the Commission, they may look out for the consequences. The Home Government will perhaps agree that a higher taxation be imposed upon them than on the others.

Hon. Mr HAVILAND.—Copies of the proprietors' petitions sent Home against some of the measures of the late Government may have been kept; but I understand that there was a dispute between Governor Daly and Mr Charles Wright in regard to the necessity of furnishing a copy. I wish that copies of the petitions against the Act relating to the award of the Land Commission were before the House, for if they were, they would go to counteract statements made by hon. members of the Opposition to the effect that none of the members of the Government appeared before the Commission to advocate the cause of the late tenantry. One of the petitions contains strong language against Hon. Col. Gray, and Mr Longworth, saying that they stepped from their high position to take part with the tenantry. I consider there can not be better evidence that the Government have held the scales of justice properly in regard to the Commission, than the fact that they are censured by both parties. I will now give a list of those landholders who signed the petitions in question. Charles Wright and Lady Georgina Fane each sent a separate petition; then there was a joint petition signed by Robert Bruce Stewart, Ellen Stewart, Margaret Stewart, Mary Irving, John A. McDonald for self and family partners, and Charles Wright. This Charles Wright appears to have been determined to be right, for he petitioned both in an individual and collective capacity. None of these parties agreed to the Commission, except John A. McDonald, who certainly has placed himself in a singular position. I am in favor of sending to the Colonial Office for a copy of these petitions, and if they contain anything insulting to the Legislature, those who signed them will not only have one party against them, but the whole House. They should be made to answer for it if they have employed disrespectful language.

Hon. Col. GRAY.—I do not disagree with the opinion of the hon. member for Georgetown that we ought to have a copy of these petitions, but I would ask who is to pay the damages for libel, if they are published?

Hon. Mr HAVILAND.—Nothing which they may contain can be considered as libelous, when passing in the way of official correspondence, but if published in the newspapers some of their statements perhaps might be held as such. I will admit that these landholders has some argument, as they had not signed for the Commission, and they were under the impression that the Act if passed into law, would interfere with their property; and if they have used proper language towards members of this House, not much can be said against them. No compulsory means can properly be employed to bring those under the Commission who have not agreed to it; but in the Duke's despatch they receive a hint—and a very significant hint—that if they do not submit to the Commission, they need expect but little sympathy hereafter from Her Majesty's Government. I would say,—as a member of this House, as a land agent, and as the son of a landlord,—that I consider it would be well for all the proprietors to have agreed to the Commission.

Hon. Mr COLES.—I am surprised at the remarks of the hon. member from Port Hill. He says he voted for the Act in reference to the Commission, and still he would not agree to be bound by it. I contend that since he voted for the Bill, if there is a proprietor in the Island who is bound by it, he is the person. Now, what are we to think of that hon. member saying that he and Mr Douse knew the Act would not receive the Royal assent? There must be strange inconsistency somewhere. The passage in the Duke's despatch in reference to those proprietors who have not signed for the Commission, pro-

ably does not mean so much as some hon. members take from it. In a certain despatch received some years ago, it was stated that the troops should not be called out to collect rents, and other prospects were held out, which never came to anything. We know that the head of the Colonial Office department is very frequently changed, and the views of the present Secretary of State may not be entertained by his successor. I was not aware that so many landholders had signed the petitions against the award Act; and I am not a little surprised at the course pursued by Mr John A. McDonald. I think the petitions must have had some influence with the Duke of Newcastle in withholding the Royal assent from the Bill. This I think is evident from some passages in the despatch. It says that the question of Escheat should not be entertained by the Commission. If the Government are not going to move that the House take up this matter in Committee, I will not attempt to force them.

Mr HOWAT.—I think we ought to have copies of these petitions before us; perhaps, however, it would not be in order to go into Committee on documents which are not here. But the House ought to have been furnished with copies of the petitions; all honest men should not be afraid to make known their assertions. The hon. member, Mr Yeo, says he has nothing to do with the Commission. Why did he come before it, then, to make his statements if he had neither part nor lot in the matter? He is certainly in some measure bound by it, when he voted for the Bill. I am of opinion that it will not be well for those proprietors who have not agreed to the Commission, as there is an agitation abroad on this question, and parties not submitting may find it difficult to collect their rents.

Hon. Mr YEO.—The hon. member asks why did I come before the Commission? I was sent for, and gave a statement to correct assertions made by others before the Court. I said nothing against the tenantry. And even the hon. member, Mr Coles, acknowledged that I made a fair statement.

Mr OWEN.—I am astonished to hear the hon. member for Port Hill, who voted for the Act to give effect to the award of the Commissioners, say that he will not be bound by it. Why did he vote for the measure? was it only to deceive the people?

Hon. Mr LONGWORTH.—In regard to the hon. member, Mr Yeo, appearing before the Commission, that is not exactly the matter to be considered. It was acknowledged, I believe, that he made a very fair statement before that Court. With respect to the subject under consideration, I am of opinion that as the parties who signed the memorials did not furnish His Excellency with copies of them, he could not intercept these documents on their way to the Colonial Office, for the purpose of copying them, as there is nothing in the Royal Instructions to warrant him in so doing. That is the place where they were intended to do their work, and from there we should receive them. The Government had no constitutional right to step in and say we must have copies of these petitions before they are transmitted. The only constitutional course that the Government can take is to send for copies of them to the Secretary of State for the Colonies, and this course we have taken. They can be sent for by the next mail; and when the petitions are laid before the House, we will then have an opportunity to judge of the arguments which they contain. These parties have the right to petition, but the House can take what course they please afterwards.

Hon. Col. GRAY.—Though I have spoken, I have the right to reply. I merely wish to refer to a statement made by the hon. leader of the Opposition in regard to his not being aware that so many parties had signed the memorial. But, Sir, the petition of a person possessing 20,000

acres would be of nearly as much consequence as the memorial of all these, with one exception. Four or five have signed it from one family. The others are chiefly women, who are generally very tenacious of their rights. The only person of much consequence who has signed the memorial, is Mr Bruce Stewart, who owns about 80,000 acres. Some of the others hold only 1000 acres. The hon. member from Tryon says that no person had a right to appear before the Commission if he had neither part nor lot in the matter. I believe if his opinion is correct, I should have taken no part in the Commission. I was asked, before the Court at St. Eleanor's, by Mr Charles Palmer, if I came there as a member of the Government. I replied that I came there in no such capacity, but only as a private citizen seeking the public good. It has been said that I, as a member of the Government, have taken part with the tenantry. Sir, I have taken no such course. I could not do so in my capacity as an Executive Councillor. I believe hon. members press rather hard upon the hon. member, Mr Yeo. The hon. member for Murray Harbor said, the other day, that he believed the people would have been satisfied if the award of the Commissioners had been given, whether it were favorable or unfavorable. This is what is called a *lapsus*. And I think the hon. member from Port Hill made a *lapsus* when he stated that he knew the Bill to give effect to the report of the Commissioners would never pass at Home. The Act, it appears, was so worded that it would have affected every person who holds 50 acres of land, and therefore went too far. I think, however, he should have stated last Session, when the Bill was passing through the House, that he considered it was too sweeping.

Hon. Mr YEO.—So I did.

Mr CONROY.—I believe the hon. member Mr Yeo never concealed his opinion that the Bill would not become law. Both he and Mr Douse stated this at different times. I believe the opinion is general in the country, that the Government, with the exception of hon. Col. Gray, were not sincere in passing this Bill, and therefore not desirous that it should receive the Royal assent. At St. Eleanor's when the Land Commissioners' Court was sitting, the tenants walked erect as if they expected to possess the land on which they were settled, and the proprietors were looking very dejected. I hope that the Commission, though it does not appear to promise much at present, will disappoint the proprietors still more than they were at the time of the sitting of the Court, and revive the hopes of the tenantry.

Hon. Mr LAIRD.—I think the hon. member from Tighish is unable to prove his statement that the Government were not sincere in passing the Bill. I for my part, was quite sincere when I voted, for the Bill that it should become law; and hope that it will yet turn out well.

Mr BEER.—I, too, cannot allow this aspersion to be cast upon the Government. I would never have given them my support if I thought they were not sincere. I cannot believe that the hon. member thinks they were not sincere though he has made the statement.

Mr DAVIES.—I think the hon. member Mr Laird might have gone further, and stated that it is not the general impression in the country that the Government were insincere in passing the Bill. It may be the impression in Tighish, but not so throughout the country.

Hon. Mr LONGWORTH.—The hon. member for Tighish has done no honor to the hon. Col Gray by accepting him in making his charge of insincerity against the Government, for if he has associated with such persons as the other members of the Government are said to be, his conduct must be inconsistent. I am astonished that the hon. member should rise in his place and make this statement against such a body of men, that they were all insincere.

Mr. CONROY.—I am very little acquainted with the opinion in the country beyond my own district, and if I said country, I particularly alluded to the district which I represent. But I am borne out in my statement that the Government were not sincere, by the admission of at least two of their supporters.

Hon. Mr.—PERRY.—Hon. members appear to me to have been fighting shadows for nearly an hour and a-half. If the hon. member Mr Conroy said that the opinion in the country was general that the Government were not sincere in regard to the Land Commission, I believe he has gone too far. I do not think this is the opinion in the district which I represent. There may be one or two members of the Government who were not sincere in supporting the Bill, but that they were all so, I think very few believe.

Hon. Mr WHELAN.—I have not had the opportunity, of examining those documents which were this morning presented to the House, but as it appears that we are not to be afforded the opportunity of discussing them hereafter, I feel called upon to make a few observations. With respect to the motives which induced the Government to bring forward this Bill, I must coincide with the hon. member from Tighish that it is the general opinion they were not sincere. I know it is the opinion not only in Tighish, but generally throughout the Island from the North Cape to the East Point, that the Government are not sincere in their desire to settle this question. This information I have opportunities of obtaining in my position as a public journalist. But we are also aware that one member of the Government said he knew the Bill would never become law; and another gentleman, an hon. member who usually supports the Government, but not at present in his place, stated that he thought the Bill would be set aside. The hon leader of the Government in this end of the building, said that he did not consider it was necessary to pass the Bill, but that the hon. Mr Palmer was of an opposite opinion. This Hon. gentleman however, who is the leader of the Government in the other end of the building expressed himself differently in a speech which he delivered there a few days ago. He said—

"I acknowledge that I had strong misgivings as to the propriety of passing that Act; and I stated at the time that I considered it doubtful whether it was couched in terms which would receive the Royal assent, but I did not hesitate to vote for it."

This does not say much for the legal acumen of the hon. leader of the Government. He comes down and attempts to cover his retreat in regard to the Bill not being recommended to receive the Royal assent, by saying he was doubtful whether it was couched in terms which would procure its passage at the Colonial Office. Copies of all the petitions sent home ought to have been kept; and it was the bounden duty of the Government to have taken notice of them, and counteracted their statements by a full and elaborate minute of Council, to be forwarded with them, and then brought down all the documents for the information of the Legislature. I will not impugn the motives of the advisers of His Excellency, but I cannot avoid thinking that if there was really that disposition on their part which they profess to have had, to see the Bill carried through all its stages, they would have made some effort to obtain for it the Royal assent. We have heard a great deal of their influence at the Colonial office, but we find that two of their measures of last Session have been rejected. Another bill besides the Act in question was refused the Royal allowance. I believe that that Bill was passed to suit the interests of a member in this House.

Hon. Mr HAVILAND.—I, as a member of this House, will not submit to this insinuation. I move that the words be taken down.

The words, "I believe that the Bill was passed to suit the interests of a member in this House," were accord-

ingly taken down by the Clerk, and, the Standing Order having been moved, the House sat with closed doors up to the hour of adjournment.

D. LAIRD, Reporter.

AFTERNOON SITTING.

Mr Whelan having appeared in his place, the following resolution, agreed to in his absence, was read by the Clerk of the House:—

Resolved, That the Hon. Edward Whelan, one of the Members of this House, for the Second District of King's County, having, in debate, with the Speaker in the Chair, upon the Message of His Excellency the Lieutenant Governor, relative to certain petitions of proprietors against the Bill for giving effect to the award of the Commissioners upon the land question, in alluding to the Bill passed by this House during its last Session, to authorize grants of the shores of this Island, asserted: "I believe that the Bill was passed to suit the interests of a member in this House," is guilty of an unwarranted reflection upon this House, and of a breach of the privileges thereof, and that he, the said Hon Edward Whelan be required to withdraw the words so used by him, in the following form:

"I apologize to this House, and withdraw the words so spoken by me."

Mr Whelan then said—"I bow, Mr Speaker, to the dictation of the House."

Mr. Whelan's apology having been accepted, he concluded his speech in the following words:—Mr. Chairman, when the hour for adjourning arrived, I was about saying that I thought if there really were that disposition on the part of the majority which they professed to have, especially on the part of those who have the ear of His Excellency as his advisers, we would not have been brought to the humiliating position in which we are to-day, by having that Bill—perhaps the most important which ever passed this Legislature—in the position in which it is at present. Before the Despatch of the Duke of Newcastle was laid before the House, information was circulated that the Bill was only hung up at the Colonial Office, that the award would be given in by the Royal Commissioners in the course of the ensuing summer, and that then the Bill would go into operation; but now His Grace informs us there must be a new one passed—and that the Bill sent Home can never receive the Royal assent. I said if there really were that disposition on the part of those who professed to be such zealous friends of the tenantry, and of which they boasted in this House, at public meetings, in the organ which represents their views, and elsewhere—if there were that *bona fide* zeal which was professed, they would have used their influence in preventing the disallowance of that Bill. It is notorious that petitions have had the effect of destroying it. I said this morning I believed the impression in the country was general—I do not say whether I share in it or not—that from the North Cape to the East Point the general impression is, that there is no sincerity on the part of this Government to have the land question settled. If the Bill itself was defective, it reflects little credit on its ingenuity and legal ability of those who framed it. Look at the conduct of the Government in relation to this whole matter. When the Commissioners arrived they were left perfectly at ease. They were gentlemen not acquainted with the politics of this country; they were not versed in anything which had reference to the land question; and when they came they had nothing placed in their hands but the resolutions introduced by the hon. Colonel Gray, which were passed by this House. Here was the whole machinery employed to put the Court of the Land-Commissioners in operation. Would it not have been expected that gentlemen of the Government who had access to all the public records would have placed in their hands, and in the hands of the Lawyers retained to vindicate the rights of the tenantry, all the documents which would have rendered them any assistance? Certainly; but they were left to fight the best battle they could. Even members of the Government kept aloof from the Court. The hon. Colonel Gray came, but it was, as he said, in a private capacity. I hold then that it was

clearly the duty of the Government to have placed within their reach all the information which they could afford on the weighty subjects upon which the Royal Commissioners were engaged. But now we are informed by His Grace the Duke of Newcastle that the most important questions—questions which, perhaps, have been nearest the heart of the people of P. E. Island for years—are not to come within the scope of the inquiries of the Commissioners. As I understand it, there is to be nothing about Escheat, arrears of Rent, or the Fishery Reserves. Now it appears the Landlords will not be compelled to sell their lands upon terms disadvantageous to themselves; and, that the award will only bind those who gave their assent to the reference. Such is the great measure of relief which our Government holds out to the people of this Island, notwithstanding the famous Land Commission. That there is a want of sincerity on the part of the Government in reference to this subject, I firmly believe; and from the bottom of my soul I believe that not one thousandth part of the advantage which the people of this Colony expect to result from the Land Commission, will ever be realized.

Hon. Col. GRAY said as new charges had been brought against the Government, he would like to have an opportunity afforded him to reply. After some discussion on a point of order, the Speaker decided that, as the hon. member the leader of the Government had spoken twice on the subject, it would be contrary to a rule of Parliament that he should speak again on the question; that if he did so, all the other members would have the privilege of addressing the House again.

Hon. Col. GRAY then remarked that when he rose to speak the second time to the question, he said that as hon. members had spoken he would reply, and such being his impression he spoke the second time in reply to what had been urged against the Government. The majority then concluded that it would be better to forgo the privilege of replying than to have the time of the House taken up by allowing members again to address the House on the subject which had just been discussed.

Mr. HOLM presented a petition from inhabitants of Straballyn, Lot 67, praying for a grant to aid in building a Temperance Hall,—received and read.

A number of petitions were also presented by hon. Messrs. Coles and Perry, and by Messrs. Owen and Davies, which were laid on the table.

Hon. Mr. HAVILAND moved the third reading of the Census Bill.

Hon. Mr. PERRY moved in amendment that it be referred back to Committee to have it amended in the Schedule by inserting a column in which to place the number of Acadian French individuals in each family.

Hon. Mr. COLES suggested that a column be also provided in which to insert the number of Volunteers.

Hon. Mr. HAVILAND said he had no objection to offer to Mr. Coles's suggestion, but thought the best record of the Volunteers was the Muster Rolls in the office of the Adjutant General.

Hon. Mr. COLES then spoke in favor of Mr. Perry's proposal.

Hon. Mr. LONGWORTH spoke against it, and said he considered it would be making an invidious distinction, as the Acadian French enjoyed the same rights and privileges as any other class of Her Majesty's subjects.

Hon. Mr. PERRY said he had seen it stated in a newspaper published in Canada, that the population of the French Acadians in this Colony amounted to 15,000, and he had a desire to know what their number really was.

Hon. Col. GRAY said he was somewhat opposed to the proposal of the hon. Mr. Perry, and hoped he would not press his motion, as he could not foresee that any good would result from Mr. Perry's suggestion if carried out. He was of opin-

ion that we, as a people, should strive to become amalgamated rather than keep up unnecessary distinctions.

A few other hon. members having spoken briefly to the suggestion of Mr. Perry, his amendment was put and lost on the following division:—

Yeas: Hon. Messrs. Perry, Coles and Wightman; Messrs. Conroy, Sutherland, Sinclair and Cooper—7.

Nays: Hon. Messrs. Gray, Haviland, Laird, McAnlay, Longworth and Yeo; Messrs. Owen, McNeill, Bear, Ramsay, Davies, Howat and Holm—13.

The Census Bill was then read a third time and passed.

Hon. Mr. LONGWORTH presented a memorial from the Right Rev. Peter McIntyre, Roman Catholic Bishop of Charlottetown, praying the House to pass an Act to incorporate him as Bishop, with suitable powers to enable him and his successor and successors in office to hold and acquire Real Estate in Prince Edward Island for religious and other necessary purposes, and with the other usual and accustomed corporate powers granted in similar cases for the benefit of the Roman Catholic Church in other British Provinces;

Hon. Messrs. Longworth, Whelan and Mr. Conroy, were appointed a Committee to bring in a Bill in accordance with the prayer of the petition.

Hon. Mr. Longworth and hon. Col. Gray presented a few petitions, which were laid on the table; and hon. Mr. Coles and Mr. McNeill presented each a petition which were referred to special Committees.

Mr. HOWAT, as Chairman of the Committee on Private Bills, reported that the Committee had had under their consideration a Bill to authorize John Hunter to take the additional name of Duvar, and recommended that the House pass the same upon the payment of fees. The Report was agreed to, after which Hon. Mr. Haviland said he considered £5 sterling a sufficient sum to reimburse the House for passing the Bill; and, after a few hon. members made a few remarks on this point, it was agreed that £5 stg. be the sum which Captain Hunter should pay.

Hon. Mr. HAVILAND asked leave to bring in a Bill which would provide for the organization of Volunteer Corps, which was granted, and the Bill was read the first time, and ordered to be read a second time on Wednesday next.

Mr. McNEILL asked leave to introduce a Bill to regulate the Currency, which was read the first time, and ordered to be read a second time on Thursday next.

The following members then received leave of absence—Mr. Holm, till Tuesday next; Hon. Mr. Longworth, till Thursday next; and Hon. Mr. Perry for one week.

The House then adjourned.

J. D. GORDON, Reporter.

MONDAY, March 11.

The following petitions were presented:—By Hon. Col. Gray a petition from Orwell rear; by Mr. Owen one from Lots 55 and 56—both praying for improvement in road communication. By Mr. Davies, a petition of Mary Kelly, widow, for aid to support two idiot children. By Mr. Bear a petition of Hugh McLeod, praying a grant to enable him to proceed to his friends in Canada. By Hon. Col. Gray, a petition of Dennis Desmond, Postmaster, Souris, praying an increase of salary. By Hon. Mr. Yeo, a petition from Grenville, Lot 21, praying for a Post Office in that locality. By Mr. Howat, a petition from back settlement, Tryon, praying for an increased allowance to Henry Lecky, an unlicensed teacher; also a petition from Central Bedeque School district, praying for an Act to prevent the running at large of Swine in that district—referred to a special Committee to report thereon by Bill or otherwise.

MAIL STEAMER.

Mr. DAVIES.—It is rumored in Town that the *Lord Seaforth* instead of the *Westmorland* is to be put on the route, next summer, between Picton, Charlottetown, and Shediac. I wish

to ask the Government, whether or not this can be allowed by the agreement with the contractor?

Hon. Mr HAVILAND.—I cannot answer this question from memory; but shall procure a copy of the contract which will speak for itself.

Hon. Mr. COLES.—It is sufficient for the contract to say that a good and efficient boat be kept on the route. Suppose only a particular boat were specified, and she were wrecked, how would it be then? Notwithstanding all that has been said about the *Westmorland*, she has been a credit to the Island.

Mr DAVIES.—There are few if any persons on the Island qualified to inspect the machinery of the boat. As to the hull, individuals can easily be found competent to inspect that. Last year Mr Coker inspected the *Westmorland*, but he would not undertake to pronounce upon her machinery. This is a matter that should receive attention, in order that the public may have confidence in whatever boat is placed upon the route. I merely asked the question in order that hon. members might have an opportunity of examining the contract.

Hon. Mr. HAVILAND.—I have a copy of the contract now in my hand. It was drawn out in the early part of the summer of 1857, and binds the contractor thus—

“On and from the first week of August next until the close of the navigation in the present year, and also every year for the space of five years thereafter, that is to say, during the years 1858, '59, '60, '61, '62, commencing in the spring of each year, so soon as the navigation is open, and from this to the close of the navigation in the same year, at his and their expense and charges, provide and keep for the purposes set forth in this agreement, a tight, staunch, seaworthy, and in constant repair, a good substantial and sufficient steamship vessel, called the *Westmorland*, or one equally good substantial and sufficient, and shall keep the said steam vessel supplied and furnished with engines of not less than one hundred horse power, having good accommodation for passengers, and properly equipped and manned.”

From the wording of the agreement it is evident that the contractor is not bound to keep the *Westmorland* on the route, but a substantial and sufficient boat. It is perhaps very well that this question has been raised; and I, as one member of the Government, am resolved, whatever boat is on the station, that she shall be examined by as competent a surveyor as is to be found in the Colony.

Hon. Mr COLES.—The boat comes under the laws of New Brunswick, as well as those of this Island, and she may be inspected there, or even at Pictou. The House cannot well come to any resolution on the point; the Government should look after the matter.

MEMBERS OBTAINING LEAVE OF ABSENCE.

A question was raised by Hon. Mr Haviland as to whether an hon. member having obtained leave of absence, could return and take his seat before the time for which his leave was granted had expired. It was decided that if a member should return before his leave of absence had expired, take his seat, and state the circumstance in his place to the Speaker, his leave would be held as forfeited.

EXPIRING LAWS.

Mr Owen from the Committee on expiring Laws presented a report, which stated that the Revenue Act would expire on the first of May; the Act to continue the Act exempting certain Bills of Exchange, Promissory notes, Contracts and Agreements, from the operation of the Laws relating to Usury, at the end of the present Session; and the Act relating to Packets sailing between this Island and the Provinces of New Brunswick and Nova Scotia, also at the end of the present Session.

The House then resolved itself into a Committee of the whole on the report, Mr McAulay in the Chair.

When the paragraph was read in reference to the Act exempting certain Bills of Exchange, &c., from the Laws relating to Usury,

Hon. Mr HAVILAND said, the experiment of leaving money to find its own level in the money market was first made in this Colony in 1854; and in 1857 the Act was continued up to the present time. He had not heard that the Act operated injuriously,—that there were any more complaints than when it was

illegal to charge more than six per cent. interest. This Island was the first of the Colonies to follow in the wake of the Imperial Government in making exemptions to the Usury Laws, but he believed that the other Provinces had since all adopted the same course. In Britain, Usury laws were now done away with altogether. Temporary laws were very well when making an experiment; but as the principle of the Act under consideration had been established, he thought it might now be made permanent to save the expense of passing an Act now and again to continue it. He was of opinion that there could be no objection to continuing the Act, as he did not see that a person should be denied the right to make as much out of £100 in money, as if he were to turn that amount into deals, or other commodities, and speculate upon them. Even under the Jewish economy, the usury law was not universal. In every country, usury laws have been a failure, for when money was much needed, it had to be obtained at any rate of interest. He moved that the Act be continued and amended.

Mr HOWAT was not disposed to make the Act permanent. For the last few years those persons who were commonly called “tight” had made much more than formerly. He thought the Act had retarded the prosperity of the country; men wishing to engage in business enterprises had been prevented from doing so, owing to the high rate of interest which they were required to pay. This was particularly the case in land affairs. On the same principle as this Act was based, millers should be permitted to take as much toll as they pleased.

Mr DAVIES entertained quite a different opinion from the hon. member for Tryon. He thought money ought to be allowed to find its own level. Usury laws prevented persons having money from coming into the country. He did not see that such laws effected any good; the old law was avoided; a person would give so much money, and take a note that a larger amount should be paid back at a certain day. He (Mr Davies) was in favor of continuing the Act.

Hon. Mr YEO believed that by the Act, interest on land securities was restricted, and he thought that there could be no objection to the law being continued. Under the old Act persons found the way to evade it, when money was scarce. He thought the time for bills of exchange, &c., mentioned in the present Act might be extended to more than one year.

Mr CONROY knew cases of people borrowing money who did not appear to understand what they were doing. Some money lenders gave it out in this Island currency and required it to be paid in Halifax currency, with interest.

Hon. Col. GRAY considered that to charge six per cent. interest, and, in addition, to require payment in Nova Scotia currency, was illegal. But the Usury law was violated, and might be said to be a dead letter. A person came to him not long ago, and wished to borrow money. He (Col. Gray) said he could not accommodate him, when the person offered him ten per cent. interest. He (Col. Gray) remarked that if he agreed to take this interest he might lose all. The person then showed him that he had paid not only as high as ten per cent., but even as high as 15 per cent. to another individual. He (Col. Gray) was doubtful whether the clause restricting the interest on securities on land to 6 per cent. did not work injuriously, for though he might be inclined to favor a person who desired to purchase land on this security, yet he could not do so unless at his own disadvantage, provided he was able to procure a higher rate of interest for his money in some other way.

Hon. Mr COLES thought the Act might be safely continued for ten years. He did not agree with the hon. member for Tryon that the interest on money should be restricted in the same manner as millers' toll. If a miller found that a person had very little grain to grind he might exact at the rate of 100 per cent., and in this way the people might starve; but they would not be likely to starve for want of money.

Mr COOPER said it would be well to amend the Act by introducing a clause to prevent fraud upon ignorant persons. He thought the Act might be continued; but it would be well that this should be done.

Hon. Mr HAVILAND remarked that there was no occasion to introduce any clause to meet the case mentioned by the hon. member for Tignish. Fraud vitiated any contract, if it was known the person was imposed upon. But if both parties knew

what they were doing, he could not see that it made much difference in what currency the money was to be paid.

The resolution that the Act should be continued and amended was agreed to, as also a resolution that the Act relating to Packets sailing between this Island and the Provinces of New Brunswick and Nova Scotia, be continued. The Committee then rose, and the Chairman reported two resolutions come to which were agreed to by the House, and a Committee appointed to bring in Bills in accordance therewith.

House adjourned for one hour.

AFTERNOON SITTING.

Mr MONTGOMERY presented a petition from inhabitants of Wigmore road, praying aid for repairing a bridge; also a petition from George B. McKay praying for a balance due him on the contract of a bridge which he built at Richard Found's Mills, which were laid on the table.

Mr HOWAT presented two petitions, one from settlers on Lot 25 praying for a grant to open a road one mile in length on the old County line; and the other from other parties praying that the House would not grant the prayer of the last petition, which were referred to the proper Committee.

Hon. Mr HAVILAND from the Committee appointed to prepare and bring in a Bill in accordance with the first of the Resolutions reported from the Committee of the whole House, on the consideration of the report on expiring laws, presented to the House a Bill to continue the Act to exempt certain Bills of Exchange, promissory notes, contracts and agreements from the operation of the laws relating to Usury, which was read the first time. The 10th rule of the House was then suspended and the Bill was read a second time; after which the House went into Committee on the Bill, Mr Sutherland in the Chair. When the Committee had gone through the Bill without making any amendment, the Speaker resumed the Chair, and the Chairman reported accordingly. The Bill was then ordered to be engrossed.

Hon. Mr HAVILAND as Chairman of the Committee presented to the House a Bill to continue the Act relating to Packets sailing between this Island and the Provinces of Nova Scotia and New Brunswick, which was read the first time, and like the preceding Bill, read a second time, after which the House resolved itself into a Committee of the whole to consider the Bill, Mr Sinclair in the Chair. The Bill was agreed to without amendment.

Mr Sutherland having received leave of absence from the House for one week, the House adjourned until to-morrow at 10 o'clock.

TUESDAY, March 12.

A petition of James Burns, owner of the horse "Saladin" was presented by Hon. Mr Laird, praying that he may be permitted to take the said horse, now twenty years old, to one of the neighboring Provinces; and the same was received and read and referred to a Special Committee to report thereon by Bill or otherwise. Mr Conroy presented a petition of divers inhabitants of the western portion of this Island, praying a grant for a steamer to run between Cascumpec, Shediac, Richibucto, &c.—laid on the table.

Hon. Mr HAVILAND obtained leave to introduce a Bill to change the constitution of the Legislative Council by rendering the same elective. He said it was unnecessary to go into any explanation respecting the Bill, for the arguments which were employed when a similar one was introduced in 1859, were as good still. He would simply state that there was a difference between this Bill, and that introduced by him in 1859. The number of Councillors mentioned in the two Bills was the same, namely 12; but in this Bill they were apportioned 4 for each County, whereas the other provided that there should be 6 for Queen's County, and 3 for each of the other two Counties. By the former Bill, the Candidates were to run for a whole County, but by this measure the Counties were each to be divided into two electoral districts, each district returning two Councillors. Four years after the first election, the Councillors for one district in each County—which of the two districts to be decided by lot—would pass out, and a new election for these districts take place; and at the end of four years more the members of Council for the other districts would pass out, so that when the Act

was fully in operation, there would be an election in each district every eight years. The property qualification of Councillors was set down at £500.

Mr HOWAT from the Committee on the petition of inhabitants of Central Bedeque School district, in reference to the raising at large of Swive, presented a Bill which provided that in any School district of this Island where two-thirds of the householders resident therein might so desire, Hog Reeves should be appointed, who should have power to take up all swive running at large in said district. The Bill was read a first time, and the rule having been suspended in reference to reading bills twice on the same day, it was read a second time, committed to a Committee of the whole House, and reported agreed to.

A number of petitions was then presented, among which was one from divers inhabitants of the north side of King's County, praying for a grant to extend a Breakwater constructed last winter by petitioners, for the improvement of the navigation of the harbor of St. Peter's.

The Bill instituted "an Act to continue the Act exempting certain Bills of Exchange, promissory notes, contracts and agreements from the operation of the laws relating to Usury" was read a third time and passed.

Hon. Mr LAIRD from the Committee on petition of James Burns, presented a Bill to authorize the exportation of the horse "Saladin" from this Island, which was read a first time, and the tenth rule of the House having been suspended, was also read a second time, passed through Committee, and ordered to be engrossed.

House adjourned for one hour.

D. LAIRD, Reporter.

AFTERNOON SITTING.

The Clerk informed the House that he had received the fees payable on the Bill to authorize John Hunter to take the additional name of Duvar, and the House ordered that the said fees £7 10s. be paid into the Treasury. The following petitions were then presented to the House and read.

By Hon. Col. GRAY.—A petition from inhabitants of Lot 49 praying for a grant to rebuild a bridge; also one from inhabitants of Point Prim praying for a grant to complete the road leading from the main road to the shore of Pinette River; and one from inhabitants of Lot 48 praying aid to repair a new road leading from Burnt Hill road to the Baltic road.

By Mr MONTGOMERY.—A petition from inhabitants of Millvale settlement and vicinity, Lots 21 and 22, asking aid to enable them to open a road leading from Millvale to the road to Frye's ferry bridge, and also to erect a bridge on the road.

By Hon. Mr HAVILAND.—A petition from inhabitants of Lots 34 and 35 praying for a special grant to extend Appletree wharf, Lot 34. These 6 petitions were laid on the table.

Hon. Mr LAIRD presented a petition from Laurent Doucet, licensed teacher of the first class, stating that until Nov. 1858 he had received at the rate of £50 annually, for some years, after which period his salary was reduced to £40, with the exception of £5 which the House granted to him last year; and that for six months ending May, 1860, he had received but £20 for his services, and he prayed the House to grant the amount deficient, or any sum which they might deem meet; also one of Charles Fowle praying for a grant of £5 withheld from his salary on account of a deficiency in the daily average attendance, which arose from the prevalence of Scarlet Fever in the School District. These petitions were referred to the Special Committee on Schools and Education.

Hon. Mr HAVILAND as a member of the Executive presented to the House the following papers, addressed to His Excellency the Lieut. Governor in Council, and referred to this House; viz:—

1. Report of Commissioners on a line of Road leading from the present main road to the Gulfshore at Caven-dish.

2. Letter from Postmaster General, transmitting a petition of inhabitants of Lot 43 praying for the removal of their Post Office.

3. Letter from Board of Education requesting to draw £150 for the purpose of procuring books on Agricultural Chemistry for the use of Schools.

4. Letter from the Postmaster General, with enclosure respecting the compulsory prepayment of postage by stamps.

5. Letter from Alex. McDonald, Commissioner of Highways, at East Point, respecting certain bridges in his District.

6. Application of inhabitants of Lot 15 for a road.

7. Letter from Messrs. Ryder and Hubbard, respecting the probable cost of buoys recommended by them for Cascoque Harbor.

8. Letter from Donald McLeod, Commissioner of Highways, Orwell, about a line of road leading from Montague to Newtown.

9. Letter from Donald McNeill and others about the wharf at Ellis River ferry.

10. Letter from John Craig, Light Keeper, Richmond Bay, transmitting names of vessels the masters of which refused to pay Light duty.

11. Report of Joseph Murphy, Commissioner of Highways, regarding the removal of a bridge from Walshtown ferry to Lot 10.

12. Letter from Mr John D. Woodman, Harbor master, Cascoque, respecting the collection of Light and Anchorage duties, and the inadequacy of his remuneration, with a list of vessels which evaded payment of Light dues during the summer of 1860. Some of the preceding papers were referred to their respective Committees, and the others were laid on the table.

Hon Mr HAVILAND also begged leave to present to the House the Accounts of the Committee for the reception of the Prince of Wales, with vouchers of expenditure. Referred to Special Committee. The Bill to authorize John Hunter to take an additional name was then read a second time, and committed to a Committee of the whole House, Mr Sinclair in the Chair. The Committee then went through the Bill; the Speaker resumed the Chair, and the Chairman reported accordingly.

NEWFOUNDLAND FISHERIES.

The House resolved itself into a Committee of the whole to take into consideration the Resolutions of the House of Assembly of Newfoundland, of Jan. 29, 1861, which were transmitted to this Legislature, on the Convention in course of negotiation between Great Britain and France, relative to the Newfoundland Fisheries, Hon. Mr M'Aulay in the Chair. The Resolutions—6 in number—were then read, and are to the following effect:—

1. That this House heard with surprise and alarm, that the Convention in course of Negotiation between Britain and France on the Subject of the Newfoundland Fisheries, is not to be submitted for the assent of the people of this Colony.

2. That such a course of procedure would be a violation of the pledge of Mr Labouchere given in a Despatch dated March 26, 1857.

3. That that pledge aptly styled the Colonial Magna Charta, could not be withdrawn without a breach of faith on the part of the British Government, towards all the North American Colonies.

4. That the Imperial Government be earnestly entreated not to disturb the sacred right of the Colonists in the matter in question; for, besides being unjust it would inflict a stain on the honor of the Imperial name.

5. That an address embodying the Resolutions be transmitted to Her Majesty's Government, and copies sent to the Legislatures of Canada, N. S., N. B., and P. E. Island for their information:

6. That if necessary, the question should be brought before the House of Commons.

The following is a summary of the arguments used by hon. members who spoke on the question relating to the Newfoundland Fisheries:—

Hon. Col. GRAY remarked that the question submitted for the consideration of the House was one which involved interests of grave importance, and was one, in his opinion, upon which, properly speaking, action should have been taken in the first instance by the Legislature of Newfoundland, and afterwards action might have been taken upon it by these North American Colonies, conjointly. In the present stage of the negotiations he did not see that the House of Assembly in P. E. Island could express an opinion on the matter. The question was one in which that Colony took a deep interest, and in his opinion they should fight their own battles. With equal reason, we might call upon the House of Assembly in Newfoundland to second our efforts in reference to the settlement of the Land Tenures of this Island, the settlement of which was of as great consequence to this Colony as the termination of disputes about the Newfoundland Fisheries would be to the people of that Province. As the Legislature of Newfoundland had taken some action in reference to the matter, it would be prudent to wait till such time as the result was made known. As a correspondence had been opened up between Her Majesty's Government and the Emperor of France, on this subject, it would be well not to manifest haste in adopting any specific course of action, in reference to the subject matter in dispute. However much disposed this Legislature might be to sympathize with the people of Newfoundland—and he had no doubt the sympathy throughout this Colony was general—still, the question was one of a character so completely local he could not see what action the House could take, in order to sustain the Newfoundland Legislature in their effort. Under these circumstances, he (Col. Gray) considered it better to wait till such time as the result of the application, on the part of that Colony to the Imperial authorities, was made known.

Hon. Mr YEO, after he had spoken of the commercial intercourse which existed between this Island and Newfoundland, said, he thought a Colony so small as P. E. Island could not render them much assistance in the present instance; that the people of Newfoundland must stand upon their own ground, and that any action which this Legislature might take, would have but little weight with the Home Government.

Hon. SPEAKER said that a few years ago a similar application was made to this House by the Newfoundland Legislature. If the Newfoundland fishing grounds, and certain lands had been granted away in the manner which was stated, the people of P. E. Island would also sustain a loss. As the Newfoundland Legislature merely requested this House to unite with them in addressing the Home Government, he could not foresee any evil results which would be likely to ensue from doing so. If he (the Speaker) remembered rightly the House joined with the House of Newfoundland in an address of a similar nature, to Her Majesty's Government, not many years ago.

Mr BEER thought an address from all the Colonies might have a good effect, but that one from this Island merely, would not accomplish a great deal. The people of this Island were much interested in the welfare of their fellow-colonists in Newfoundland, and he would be

willing if any assistance could be rendered them to unite with them in addressing Her Majesty's Government.

Hon. Mr LAIRD said he considered there was no necessity for depreciating the influence of this Colony; that though it was small, they had only to lend the weight of their influence to the Legislature of Newfoundland, be it ever so trifling. He considered it was the duty of the House to comply with the request, for this Colony did not know but what it might soon need the assistance of Newfoundland for a similar purpose.

Hon. Mr COLES considered that according to the Resolutions transmitted, the House was not requested to join in an address with the Legislature of Newfoundland, to Her Majesty's Government. In 1857 they had invited this Legislature to unite with them in an address to Her Majesty, praying that no action might be taken which had reference to the treaty then pending between Britain and France, without consulting the Legislature of Newfoundland, and a promise to that effect, it appeared, had been given; but since that period affairs had taken a different turn. Her Majesty's Government and the Emperor of France had come to a final decision without consulting them, and on that account they naturally felt aggrieved, just as any people would who considered they were deprived of their just rights. On these grounds they had considered it their duty to communicate to these Provinces that the prayer of their addresses had not been complied with. After all, he (Mr Coles) said he could not see what this House could do to assist them. If the treaty was closed between Britain and France not any action of this Legislature would alter it. The Reciprocity treaty between the United States and England was very different from the old treaty between Britain and France. According to the original treaty, privileges were granted to France on the Newfoundland coast, but these for many years were not looked after by the French nation. British subjects, in ignorance of the treaty settled there, and now France was reviving her old claim. Such measures would be likely to terminate in a federal union of these Provinces, and in their united capacity these Colonies could make their influence be felt. In this case he thought Britain found she could not break faith with France, and at the present juncture he thought the Legislature of P. E. Island would put itself in a false position by interfering in the matter.

Mr COOPER said that when the question was first brought under the notice of the House he was under the impression the object was to save some British subjects who had made settlements on lands which actually belonged to the French, and that, instead of removing them they were willing to allow them to remain, on the consideration of certain concessions being made to the French. If there had been any change made from the former treaty he (Mr Cooper) thought the Colony of Newfoundland would certainly have been consulted, but if that treaty was only being carried out, England was bound to adhere to it independently of the consent of the Colony of Newfoundland.

Hon. Col. GRAY said the whole transaction was a species of squatter right, and that there was a great difference between such a right, and the national rights of two mighty empires. In a country like this, a squatter sat down upon the soil of a proprietor, and after a time acquired certain rights, but great states or nations did not recognise these rights. Long ago one of the Kings of France received certain rights and privileges on the coast of Newfoundland, which for years lay dormant, till, finally the actual occupants regarded them as a dead letter. Sometimes these rights were revived; and in the present instance the people of Newfoundland were greatly astonished when they discovered that rights which they

considered their own, really belonged to another power. He (Col Gray) did not defend the Colonial Minister in writing to the Legislature and making the promise which he had; but it was statesmanship of a description similar to that which resulted in the loss of the North American Colonies many years ago, and might continue till the Colonies united, and then they would have more power and be in a better position to approach the British throne than they are in at present. If the people of Newfoundland had sustained a loss, no doubt compensation would be made on the part of the Home Government; but any action which this Legislature might take would be local and could not contravene what had been resolved upon by Britain and France.

Hon. SPEAKER thought that though the Legislature of Newfoundland had not directly asked this House to join with them in an address to the British throne, still they had left it optional. If the Legislature of P. E. Island could assist them in obtaining their rights he considered it was a duty to extend to them a helping hand. This Island was much interested in the question also, for as matters now stood, none of the British people could throw a line or wet a seine in waters in which, formerly, they had full liberty to fish.

Hon. Mr HAVILAND said he agreed with the hon. the Leader of the Opposition, when he said he considered this House would put itself in a false position by interfering in the dispute in relation to the Newfoundland Fisheries. A great deal depended upon the old treaty between France and England. In ignorance of the treaty it appeared British subjects had settled on lands which in reality belonged to France, and so would be compelled to abide the consequence, but under such circumstances the Government of Great Britain would, in justice, be bound to compensate those parties who had sustained losses on that account. Unless the House had the original treaty, and all the documents and papers bearing on the question, before them, he (Mr Haviland), could not see it would be possible to arrive at a proper decision, and in the absence of such papers they were not in a position to know what course to pursue in reference to the question.

Mr SINCLAIR, considering the circumstances of the case, was in favor of uniting with the people of Newfoundland in an address to the British throne.

Mr MONTGOMERY thought the Legislature should be cautious, and under existing circumstances he thought the House would not be justified in interfering in the matter.

Mr OWEN thought as it was a serious matter, and one which affected the interests not only of Newfoundland, but also of this Colony, that it would be well to ask the Legislature of that Province for more information on the subject; and when received, the House would be in a better position to back them up in their efforts to regain their rights, if this Legislature should then see good to do so.

Hon. Mr COLES expressed himself in favor of applying for more information, after which he alluded to the convention in course of negotiation between France and England, in reference to the giving up of certain rights and privileges by Britain to France, and that a promise had been made to the effect that their decision was to be submitted to the Legislature of Newfoundland for their approval. While these negotiations were pending, France it appeared asserted her claims under the old treaty, which raised new obstacles. They had ordered British subjects off grounds which they claimed under that treaty and the people had unanimously applied to the Home Government for redress. The whole affair was so complicated that he considered that with the amount of information which the House had before them it would be injudicious to take any action in the matter at present.

Hon. Col. GRAY said as the question was one of considerable moment, that hon. members would do well to consider eventualities; for, should the people of Newfoundland remonstrate, war might be the result; and should this Legislature second the efforts of Newfoundland, Her Majesty's Government, in the event of war, would probably call upon this Colony for support. The Government of Newfoundland agreed to a Commission appointed to settle existing disputes relative to the Fisheries, but it appeared so soon as the decision was considered unfavorable to them, they turned round and refused compliance, which, on their part was an extraordinary act. Till further information was received, he thought the House should exercise caution as regarded any action which the Legislature might take in relation to the question at issue; but there could be no objection to the House writing to the Government of Newfoundland, for farther information.

Hon. Mr HAVILAND moved the following Resolution, which passed:—

Resolved, That it is inexpedient for this House to take any action upon the Resolutions adopted by the House of Assembly of Newfoundland, relative to the Convention in course of negotiation between Great Britain and France on the subject of the Newfoundland Fisheries, until the Government of Newfoundland has furnished this House with a copy of the original treaty, and other documents connected with the subject matter in dispute between Great Britain, France and the Colony of Newfoundland.

The Speaker then took the chair, and the Chairman reported the Resolution agreed to. Adjourned till ten o'clock to-morrow.

J. D. GORDON, Reporter.

WEDNESDAY, March 13.

The following petitions were presented, viz:—By Hon. Mr Yeo a petition of inhabitants of Lot 17, praying a grant to the owner of the Steamer *Princess Royal* to induce him to place her on the route from Bedouque to Miramichi via Shediac and Richibucto, and perhaps Cascumpec; also a petition from Summerside and vicinity, praying a grant to repair the public wharf at Summerside. By Hon. Mr Haviland a petition of Emma Sherlock of Cascumpec, praying a grant to compensate for some loss sustained by her late husband, while health officer of that Port, on account of a case of small pox. By Mr Sinclair, a petition from Lots 18 and 19, praying the House to pass such an enactment as would stay proceedings in the collection of arrears of rent, until the award of the Commissioners be made public. By Mr Davies, a petition of T. Heath Haviland, W. W. Lord, and others, praying for the passing of a Bankruptcy law—ordered to be committed to a Committee of the whole House on Tuesday next. By Mr Conroy, a petition from Lots 4 and 5, praying a grant for the erection of Lighthouses on the North Cape and East Point. Several other petitions were presented, praying grants for roads, bridges, and other matters.

Hon. Mr COLES said he would like to see the message of the Lieut. Governor on the petitions of proprietors against the Act to give effect to the award of the Land Commission, published; as it would be some time before they appeared in the Journals of the House. He hoped there would be no objection to publishing the message, and accompanying papers in the *Royal Gazette*.

The suggestion was agreed to, and it was ordered accordingly. Hon. Mr COLES was uncertain whether the hon. leader of the Government understood him the other day when he asked if there were any documents, such as affidavits respecting the evidence before the Land Commission sent home with the petitions of the proprietors. If there were any such documents, he thought they should be laid before the House.

Hon. Col. GRAY was not aware of the existence of any such documents. He understood that His Excellency had furnished an account of all that had been transmitted. No such documents, at least ever came before the Government.

Two Bills were read a third time and passed, viz: the Bill to authorize John Hunter to take the additional name of Davar,

and the Bill to authorize the exportation of the horse "Saladin" from the Island.

Mr BEER introduced a Bill for the punishment of persons who shall be guilty of the trespasses therein mentioned, which was read a first and second time, and then committed to a Committee of the whole House, Mr Sinclair in the chair.

Hon. Mr COLES did not see that there was any necessity for an Act of this kind. The present laws were sufficiently stringent for the punishment of offenders.

Mr BEER said that there was a general complaint throughout the Colony respecting the difficulty of keeping orchards, on account of the disposition on the part of young persons to plunder them; and as there was no law which could be brought to operate against such offenders except the common trespass Act, it was found difficult to punish them. It was gratifying to observe that there was a growing disposition on the part of the people of the Colony to raise orchards, and he thought it should be encouraged by every means.

Hon. Mr COLES thought the existing law was sufficiently stringent. To steal an apple was as much a theft as to steal a sheep, and could be punished in like manner according to the extent of the offence. He did not see the necessity of filling up the Statute Book with more laws of this kind.

Hon. Mr HAVILAND said the principal object of the Bill was to increase the penalty for such offences. Under the present law, it was so trifling that it was scarcely worth prosecuting an offender.

The Committee then rose, and the Chairman reported progress. A message was received from the Legislative Council stating that that House had passed the Census Bill, and the Alewives' fishery Bill, with amendments.

The amendments to the Census Bill were then read a first and second time, and committed to a Committee of the whole House. The principal amendments were, to insert a column headed "Number who have not been vaccinated or had the small pox in each family," and a column headed "Number of Acadian French, or persons of French descent in each family." The first of these two amendments was agreed to, the last was disagreed to on the following division—

Yeas—Hon. Speaker, Messrs. Montgomery, Beer, McNeill, Haviland, Laird, Howat, Holm—8.

Nays—Messrs. Whelan, Conroy, Coles, Kelly, Sinclair, Yeo—6.

A number of petitions were then presented, one of which was from W. C. Bourke praying a continued grant to encourage him to run his steam ferry boat between Charlottetown and Mount Stewart Bridge, during the ensuing summer.

Hon. Mr HAVILAND presented the residue of the vouchers accompanying accounts of Committee for the reception of the Prince of Wales—referred to Committee on Public accounts.

Adjourned.

D. LAIRD, Reporter.

AFTERNOON SITTING.

Hon. Mr HAVILAND presented a petition from Benjamin Davies and others, the Executive Committee of the Charlottetown Debating Club and Reading Room, praying for a grant from the Legislature. Mr Haviland stated that the association was established on a wide basis, and that it had taken the place of the *Mechanic's Institute*, to which, Session after Session, the Legislature was accustomed to grant a sum of money. As stated in the petition the members belonged to different political parties and denominations, and as the hon. Leader of the Opposition was a member of the Debating Society, he hoped to have the weight of his influence in supporting the prayer of the petition. Mr Haviland then enumerated some of the principal foreign Journals received at the Reading Room, and of the assistance which the association gave to kindred societies in different parts of the Island, numbering 18 in all. One or more of these were in the constituency of the hon. member from Tryon, and he (Mr Haviland) trusted he would have his support.

Mr HOWAT said if the hon. member expected his support to the petition, he would be mistaken, for he had received orders to have nothing to do with the affair, as it was only a trap; that the Club expected to draw a large sum of money from the Treasury because they assisted societies in country districts; but,

that all the associations in the country received were a few old worn-out newspapers.

The petition was then received and read. The number of members, it was stated in the petition, was 120 including men of various sects, and differing in their political views; that for general improvement the Club was extending the list of its newspapers at a cost of £20; and that on the arrival of each mail the Association transmitted to various institutions 50 newspapers, free.

Mr OWEN presented a petition of Henry Mooney, praying for a balance of £7, on the building of a bridge at Morell River; also from the same, a petition praying the payment of £1 13s. for repairing Peake's Road, Lot 51.

Hon. Col. GRAY presented a petition from Lots 61 and 62, praying for a grant to repair the road leading from Montague Bridge to Wood Islands; also another from inhabitants of Douce's Road, for aid to improve the County line road and Douce's road; also one from Uigg praying aid to repair a road leading to that settlement.

Mr MONTGOMERY presented a petition from Lot 67, and its vicinity requesting aid to improve Haslam's Mill road, and to build two small bridges; another from people of Grenville settlement and Millvale, and others asking aid to repair the Millvale and Murray Harbor Road, and one from Norman Campbell and other School Trustees, Johnston's Road, Lot 22, praying aid, as their school house had been destroyed by fire.

Mr HOLM presented a petition of Rev. Donald Morrison, and inhabitants of Strathalbyn, in which it was stated that much Sabbath desecration resulted from the Saturday market, and they prayed the House to lend its influence to have Tuesdays and Fridays appointed as market days, instead of Wednesdays and Saturdays, according to the present arrangement.

Mr HOWAT presented a petition from inhabitants of Tryon, praying aid for the widening and repairing of a road leading through Tryon to the wharf at Crapaud.

Hon. Mr COLES presented a petition of Donald Stewart and others of St. Peter's Road and vicinity, Lot 34, praying a grant to repair the road leading from St. Peter's Road, near the 7 Mile Post, to the Hillsborough river; also, one from Michael Doyle and others, Lot 37, praying aid to repair a road from Point de Roche road to the Gulf Shore.

Hon. Mr KELLY presented a petition of John Kelly and others of Lots 36 and 37 praying for a grant to provide a scow or horse boat at Cranberry Point wharf, for the conveyance of passengers, &c., across the Hillsborough river; another of John McNally, asking for a grant to enable him to keep up a light at Battery Point for the guidance of benighted travellers on the ice; also, one from inhabitants of Battery Point, French Fort, and St. Peter's road, for aid in extending a wharf at Battery Point; and one from James M'Donald and other inhabitants of Lot 37, asking aid for repairing a road leading from Savage Harbor to the North Shore.

Mr BEER presented a petition of Robert Rennie and others of Kent Street school district concerning the re-opening of a School.

Hon. Mr WIGHTMAN presented a petition from Lot 61 praying aid to erect 3 bridges on the St. Mary's road, and to improve a road leading from St. Mary's road to Whim road; another from settlers on Lots 59, 61, and 63, praying for the establishment of a Ferry from the South side of Montague to Georgetown; also, one of James Dewar and others of Brudenell River for a wharf at that River.

Hon. Mr LAIRD presented a petition of John Tremere and others, praying aid for a road called "Ward's Road," and for four bridges on it.

Mr McNELL presented a petition of inhabitants of Murray River and Toronto, for aid to open a road between the two settlements; another from High Bank and Little Sands for aid to finish a road; and one of D. C. Campbell, land waiter and preventive officer, praying for an alteration of the Act of 1855, 55th section. The foregoing petitions were laid on the table.

Mr MONTGOMERY presented a petition of C. H. Young, Lot 67, praying for a Post Office.

Hon. Mr WIGHTMAN presented a petition from White Road, praying for a sum to open a road.

Hon. Mr KELLY presented a petition of Jane Green, praying for an allowance as a primary teacher. The preceding petitions were referred to their proper Committees.
Adjourned.

THURSDAY, March 14.

Mr JOHN YEO presented a petition of Robert M' Donald, Strang Hart, and others, praying for £1000 to erect a wharf on the south side of the West Point.

Hon. Mr YEO presented a petition from Lots 13, 14 and 16, praying for a grant to erect a wharf at Ellis River ferry.

Mr ROWAT presented a petition of Donald Palmer, and others, praying that the grant of £250 made last Session for building a Dredging machine for Crapaud, be given to the "Crapaud Dredging machine Company," to enable them to hire a machine, on condition of petitioners subscribing \$501 for the same purpose; or otherwise to grant the Corporation of Crapaud the privilege of taxing produce shipped from the said port; for the purpose of raising a sum sufficient to hire a machine to deepen the Harbor. Petitions laid on the table.

Mr J. YEO presented a petition of John Hopgood, Postmaster, Port Hill, praying for an increase of his salary. Referred to Committee.

Hon. Mr KELLY presented a petition from Lots 35 and 36, praying for the appointment of a Commission for opening a road through Malcolm M'Connell's farm. Referred to Committee.

Hon. Col. GRAY in answer to a question previously asked by the hon. Leader of the Opposition, stated that there were no other petitions or documents sent Home by the proprietors but those sent down to the House by His Excellency.

On motion of Hon. Mr Coles, next Thursday was appointed for taking into consideration petitions lying on the table, praying the House to take some action in preventing proprietors from distraining for arrears of rent till the award of the Commissioners be made known. It was then ordered that there be a Call of the House on Thursday next.

Hon. Mr HAVILAND as a member of the Government presented the Writ of Election for the election of a member for the first District of King's County. The hon. Mr Hensley who was returned in the room of John Knight, Esq., who had resigned, was, after the reading of the Return, introduced to the Speaker by hon. Messrs. Thornton and Wightman. Mr Hensley then took the oath and his seat in the Assembly.

Hon. Mr HAVILAND—the 13th rule of the House having been suspended—began leave to introduce a Bill to give summary protection to persons employed in the publication of Parliamentary papers. Mr Haviland then remarked that it was a Bill which should have been passed years ago; that as the law of Parliament then stood, any individual thinking himself censured by anything published in the reports or journals could commence an action against the printer; and that so soon as they appeared in print, the publisher was liable to be prosecuted. He (Mr Haviland) then gave as an instance, a case which arose in the Imperial Parliament some years ago, which was brought before the Court of Queen's Bench, and the trial and other proceedings connected therewith lasted 10 or 12 years. Mr Stockdale, who thought his character had been injured by the publication of certain reports, brought an action against the printer of the House of Commons. In consequence of the proceedings, Parliament imprisoned the two Sheriffs of London during the whole Session of Parliament, and the Court of Queen's Bench used to imprison the Sergeant-at-arms of the House of Commons, and thus a regular warfare was kept up. In the third year of Her present Majesty's reign, an Act was passed to the effect that it would be a sufficient justification if the Printer produced a certificate from the Speaker of the House of Commons, or from the Lord Chancellor of the House of Lords, certifying that the reports were ordered to be printed. The Bill just presented was a copy of the Imperial Act so framed as to suit the circumstances of this Colony.

The Bill was received and read, and ordered to be read a second time to-morrow.

Hon. Mr HAVILAND as a member of the Government, presented to the House a plan and specification of a proposed wharf at Red Point, Lot 46, which was laid on the table.
Adjourned.

AFTERNOON SITTING.

Mr HOWAT moved that the Bill to authorise the appointment of Hog Reeves be read a third time. The Bill was then read a third time and passed.

The House then resumed the consideration of the Bill to punish persons guilty of trespassing on orchards and gardens. After several amendments were made to the Bill the Speaker took the Chair and the Chairman reported the Bill agreed to as amended.

Hon. Mr WHELAN presented a petition of Alexander McDonald, Harbor master and inhabitants of Lot 56, praying for a grant of £19, to pay Robert Howlett for the removal of a wreck from the harbor of Grand River, which was received and read and laid on the table.

DECIMAL CURRENCY BILL.

Mr M'NEILL moved the order of the day, that the Bill to regulate the currency and the Decimal System of accounting, be read a second time, which motion passed, and the Bill was read a second time.

Mr M'NEILL said—The Bill merely provides for a change from the present mode of accounting in pounds, shillings and pence; and, that after February first, 1862, accounts shall be kept in dollars and cents. The Bill is similar to the Act of Nova Scotia, which has given general satisfaction. The Decimal system has been adopted in all the North American Colonies, Newfoundland and P. E. Island excepted. If this Legislature would follow the example of these Provinces which have adopted this I am satisfied a great boon would be conferred on this Island, and that its adoption would conduce very much towards the commercial prosperity of this Colony. The trade of this Island with the neighboring Colonies and the United States is now considerable; and, it would be very desirable and be found beneficial to have an assimilation of the currency of P. E. Island to that of Nova Scotia. The Bill makes provision for past contracts, so nothing need be apprehended on that ground. If it be thought the clause for the protection of the tenantry be not sufficiently strong it may be made so in Committee, if it go to Committee. I hope, however, this question will be taken up dispassionately by hon. members on both sides. In Nova Scotia the Currency Bill was introduced by a member of the Minority, and he was cordially supported by both sides of the House.

Hon. Mr YEO said he considered this Island in reference to the question before the House, did not occupy the same position as the sister Colonies, inasmuch as our currency was different. In his opinion, it would operate against the tenantry, for their Leases could not be altered to suit the change. Were we situated as the other Colonies, he, Mr Yeo, would not be opposed to any member bringing in a bill of this kind; but, looking at the rental system which obtained in this Colony, he thought the change would be injurious to the tenantry of P. E. Island.

Hon. Mr HENSLEY said he was pleased to hear the hon. member who had just spoken took so much interest in the tenantry. In reference to the Bill, he would ask whether the sovereign would have the same value in this Province as in Nova Scotia, as it was stated that the currency of the two Colonies would be assimilated! As he understood it, there was a clause in the Bill for rendering the currency of this Colony in dollars and cents, and in that case no injury would accrue to the tenants so far as the rents were concerned. At the same time he could not perceive that the change would materially benefit this Island; and before he, (Mr Hensley,) would feel justified in voting for the Bill, he would like to see that some permanent advantage would be likely to result from the adoption of the Decimal system of accounting.

Mr DAVIES said he expressed himself in favor of the Bill when it was introduced last year, but was of opinion the country was not prepared for the proposed change.

Since that, it had been adopted in Nova Scotia, and in all probability he thought the system would be adopted here in the course of a few years at least. He thought it would be a great benefit to all these Colonies if their currencies were assimilated. If the Decimal system of accounting were adopted, it would save much labor in making calculations and keeping accounts. All scientific men adopted the Decimal system. Our trade with the United States was increasing, and its adoption in this Colony would only be a question of time. It would no doubt be found inconvenient for a short time, but it would only be for a short period.

Hon. Mr COLES considered it would be better to defer the adoption of the new system till the Land question was settled, for if the rental system was continued the method of accounting in pounds, shillings and pence, had better be retained. Rents were now paid by the addition of one-ninth of the sum mentioned in the Lease, and farmers, he thought, would experience some difficulty in calculating in dollars and cents. Upon the whole, however, he was opposed to a change. It was not a sufficient reason in his opinion, for this Province to change its currency, because the United States and some of the neighboring Colonies chose to reckon in dollars and cents. One argument advanced in favor of the new system was, that it enabled merchants to keep their accounts with less trouble; but he thought many of them had not so much business to transact just now, but what they might very well keep their accounts in the old style. He would ask what was to become of the old coppers when the new system would come into operation!

Mr DAVIES.—Send them to Newfoundland. (Laughter.)

Hon. Mr COLES.—Our notes too, would need to be re-issued, and new plates for that purpose would be very expensive. Further, our money would sink in value, if the currency of this Colony were assimilated to that of Nova Scotia. He (Mr Coles,) thought it preferable to postpone the adoption of the Decimal system, till the rental system be abolished. He opposed the introduction of a change last Session, and would do so this one.

Mr BEER said he was in favor of the Decimal system of accounting. Sooner or later the alteration would be effected. A little inconvenience might be experienced by different parties for a time, till people got into the way of reckoning by dollars and cents, and then it would be acknowledged to be the simplest method of calculating. No one would be injured by the change, for the scale to regulate past contracts and rents, etc., would prevent that. If considered necessary, two years might be allowed to elapse before the new system should come into operation.

Hon. Mr WHELAN said he felt inclined to support the Bill, and that he would have voted for it last year, had he been present. He could see no force in the arguments used by the hon. member from Port Hill, and the hon. member on his left, Mr Coles, that the tenants would be put to some inconvenience by the change, and that it would be better to wait till the Commission on the Land question had given in their decision. If hon. members waited till that time should arrive, he thought they might make up their minds never to have the Decimal system introduced, at least, not during the life of any then present; for in his opinion the leasehold tenure would not be abolished by that Commission. Tenants would, so far as paying their rents were concerned, experience no difficulty in ascertaining the amount to be paid for the rent of their farms, in dollars and cents, for, upon the whole, they possessed as much intelligence as the mercantile portion of the community; neither were they inferior in that respect to their fellow colonists in the neighbouring Provinces. The Decimal method of reckoning was the readiest and easiest in use. An hon. member inquired what was to become of the old coppers, and he, (Mr Whelan)

would say if they were thrown into the sea, the loss would be but trifling, for that species of coin now in circulation would be a disgrace to any country. There could be little objection urged on account of the new plates, for they would not cost much. But the great advantage which would result from the change would be an assimilation of our exchange to that of the other Provinces. Then we would not be under the necessity of seeking from the Bank, notes, or bills, when we wished to make remittances to Nova Scotia or New Brunswick. Our paper money at present, was worthless in the neighbouring Provinces, but, by assimilating the currency to that of N. S., this inconvenience and drawback would be remedied, which would be one of the advantages that would result from the adoption of the Decimal system. He was not then prepared to express his views on the subject at length, but would support the measure.

Hon. Mr HAVILAND said he was happy to say he would vote on the same side; for he thought it would be of essential service to the Government, as well as to private individuals, were the accounts of the Colony kept according to the Decimal system. Our present system was one of the most intricate under the sun. Our trade with Britain was falling off, and the commerce between the neighbouring Colonies and the United States, increasing, which was one reason why the method of accounting by dollars and cents should be adopted. Even in the old country the Decimal system had many advocates. A few years ago a Special Committee was appointed by the House of Commons for the purpose of testing the principle. Were the proposed system introduced in this Island, in the course of two or three years all parties, he had no doubt, would be so well pleased with the change, that they would wonder it had not been made at an earlier period. At present some were under the necessity of keeping their accounts in both systems; but it was time to dispense with the time-wasting method of keeping accounts in pounds, shillings, pence and farthings. Last year he, (Mr Haviland,) voted against the measure, not being skilled in that peculiar branch of Political economy, but from the little knowledge he had since acquired on the subject, and believing the Bill to be a beneficial one, it should receive his support.

Hon. Mr WIGHTMAN made a few remarks in favor of the Bill, shewing how inconvenient it was to make remittances to the United States or the neighbouring Colonies, and how advantageous it would be to this Island to have the currency assimilated to that of Nova Scotia.

Hon. Mr LONGWORTH addressed the House at considerable length, and spoke against the Bill. Mr Longworth said he opposed the measure last Session, for he conceived it was not sufficiently considered by hon. members on either side of the House, and the difficulties which he foresaw last year, likely to result from the passing of the Bill under discussion, were not removed from his mind by the hon. members whom he had just heard speak in its favor. He gave credit to the hon. member who introduced the Bill, for his perseverance, as he had no doubt his object was to facilitate and increase the trade of that Colony; but he rather thought that the Bill in its present form would not accomplish that object. Hon. members should consider what led at first to a depreciation in our currency when compared with that of Nova Scotia and New Brunswick—why an American or Mexican dollar in Halifax passed for 5s 2d; in St. John for 5s; and in Charlottetown for 6s 3d. The sovereign in these respective places passed for 25s, 24s 4d, and 30s. The reason of the relative values of these coins being so different between N. S. or N. B., and P. E. Island, was because the balance of trade was against us; and this being the case it was found necessary to put upon these coins a nominal value, in order to retain a circulating medium in this Is-

land, sufficient for commercial purposes. In all countries where the balance of trade was against them, the currency necessarily bore a higher nominal value than in those countries where it was in their favor; for, were the currency of each country of equal value, the circulating medium would be drained out of those countries which import more than they export. This was the reason why it was found necessary to put a higher nominal value on the currency of P. E. Island, than what it bears either in Nova Scotia or New Brunswick. Such being the case he thought the Bill then before the House, would, if it came into operation, produce an effect different from what some hon. members anticipated. So far as the Decimal system of accounting was concerned, it was no doubt the easiest and best method, and much superior to the pound shilling and pence system. But as the object of the Bill was to assimilate the currency of P. E. Island to that of the neighboring Colonies he could not support it. Looking at the trade of the Colony he thought the Bill would operate against the country. The time would arrive, he hoped, when the resources of the Colony would become more fully developed, and when P. E. Island would be in a better position to adopt the measure now proposed. He (Mr Longworth) was in favor of the Bill going into Committee, and of its being published, that the people might have an opportunity of discussing its merits. If favorably received it would be time enough to pass it next Session. In other Colonies, Bills of this description were never hurried through the Legislature, without having the public fully informed respecting their nature. As regarded past contracts, he thought the Bill was not sufficiently guarded; but that would be considered when in Committee on its details. After all, altering the nominal value of the currency of a country did not, and would not add anything to its wealth. If, however, the objections which he urged against the Bill becoming law, were removed, he for one would give way; but he was not then prepared to give it his support, in its present form.

Hon. Mr THORNTON said he opposed the measure when first introduced, and that he had not yet heard anything advanced in its favor which would induce him to change his opinion, and induce him to support it. The principle argument in its favor was, that it would be an accommodation to traders and merchants; but, in his opinion, it would not be a benefit to the public generally, nor have the effect of facilitating trade were it to become law. It might be necessary for the other Provinces to have such a Bill become law, but the same necessity did not exist in this isolated Colony. Not one dollar more would come to this Island were this Bill to become law, than is received under the existing system of accounting. [Mr Thornton then read from the *Parliamentary Reporter* of last year a part of the speeches made on the Currency Bill, by Messrs. Wightman and Davies, showing that they considered last year that the Bill was unnecessary, and what necessity was there for them changing their views, for there was no more need of a change this year than there was in 1860.] These and other hon. members who spoke last year, expressed their satisfaction with the present system. In his opinion, a change would create a great deal of confusion, and the people of this Island could easily count all their money in pounds shillings and pence. When it was discovered that the people were prepared for the proposed change it would be time enough to adopt the Decimal system. He (Mr Thornton) would oppose the Bill.

Hon. Mr MAULAY said it was patent to every one who had thought upon the question that there was but one reason for the depreciation of the currency of any country. Countries which import largely, have remittances to make, and if these imports exceeded the exports, the con-

sequence was that the importer was obliged to fall upon the circulating medium in order to maintain his credit abroad. When he required to make a remittance he would go to a money changer and ask him for money which he could remit, and this money changer discovering that his money was more valuable, would demand a premium. Thus the currency of a country not negotiable abroad, became of less value than the currency of the country to which remittances were made. He (Mr McAulay) considered it was needless to dwell at any length upon the subject. It was not shown that Nova Scotia had gained anything by the change. The best thing the Colony could do would be to import less and export more; but, so long as the balance of trade remained against this Island, it made little matter what the currency might be. He opposed the measure last year, and would vote against the Bill this Session.

Mr HOWAT entertained the same views on the subject which he did last Session; and he was opposed to the Bill going to Committee. He had spoken to several mercantile men on the question, and they were of opinion the advantages to be gained from the adoption of the Decimal System of accounting would not counterbalance the inconveniences to which many would be subjected by the change.

Adjourned.

J. D. Gordon, Reporter.

Debate on Decimal Currency Bill resumed.

Mr McNEILL said it was surprising that this small Colony should be the only place on this continent, except Newfoundland, that had not adopted the Decimal currency system. The hon. member, Mr Yeo had remarked that he thought the Bill would operate against the tenantry. This, coming from that gentleman, was rather an extraordinary expression of opinion. He (Mr McNeill) for one would be sorry to advocate any measure which might be the means of increasing the burden of the tenantry; but he could not see that the Bill would operate in this way, as a clause might be introduced to guard against difficulties in respect to rent. He believed that if the sense of the people of this Island were taken on the measure, they would be found to be in favor of it from the East Point to the West Cape.

Hon. Mr YEO entertained the same opinion on the question as he did last year. The Bill, if it became law, would cause expense to the Government and to the Bank, as new notes would have to be issued; and it would scarcely be a benefit to any one, for the most of the business of the Colony was with Britain. He believed that it would operate to the injury of the tenantry, though they might not think so.

Mr CONROY did not understand what would be gained by going into Committee on this Bill, and taking up the time of the House with it, as it was fully discussed last year. Notwithstanding the statement of the hon. member, Mr Yeo, he thought he had no sympathy with the tenantry. Sometimes it was convenient for that hon. gentleman to say that he was their friend; but at other times he appeared to care nothing about them. He (Mr Conroy) would support the motion made by the hon. member, Mr Coles, that the House go into Committee on the Bill this day three months.

Mr DAVIES was in favor of going into Committee on the Bill. He had as yet heard nothing to alter the opinion which he had expressed yesterday. The hon. member for Port Hill thought the measure would be a disadvantage to the tenantry, and effect no good to any party; but as had been said by the hon. member who introduced the Bill, a clause could be introduced to guard against any difficulty with respect to rent. Of course, if the decimal system were adopted, it would cost the Gov-

ernment and the Bank a little, as they would have to recall their notes, and issue others in dollars and cents; but he (Mr Davies) could not consider this as an objection if the introduction of the system would be a benefit to the country. The hon. member for Cardigan said that it would benefit no class of the community, except the merchants; even though it should not, this ought to be considered a sufficient reason for passing the Bill. That hon. member also read extracts from speeches made last year by several parties in this House, and endeavored to show that they considered such a measure unnecessary then; and said there could be no more need of a change this year. He (Mr Davies) was among the number to whom he alluded; but he could assure the hon. member for Cardigan that he had not changed his opinion in regard to the advantage of the decimal system; the only difference in his views was that last session he thought the time had not arrived for the change; but now he believed it had arrived, as the system had been adopted in Nova Scotia. In the neighboring Provinces, the people did not know what value to set upon our notes at present, but if our currency was in dollars and cents, they would be able to tell, and might buy up our bills though at a small discount. Notwithstanding all that had been said respecting the balance of trade being against us, he thought if a fair calculation was made it would be ascertained to be very little now. [The hon. member here read an extract from the report of the Committee on Public accounts to corroborate his statement.] He was not aware of any single interest that would suffer by the introduction of the system. It would not injure the agricultural market, for it was not the currency that regulated the price of produce, but the state of the market abroad.

Hon. Mr HENSLEY said when he spoke to the Bill last evening, he was not acquainted with its details. On looking over it, he observed that it was not so sweeping a measure as he was at first led to believe; all that it provided was that the Government officials be required to keep their accounts in dollars and cents. This being the case it would not interfere with private individuals. He was of opinion that the Treasury notes would not require to be called in; they might be allowed to pass, their value in dollars and cents being fixed. He thought the Government ought to have been consulted before the measure was introduced, as to whether they would be willing to carry it out in the public offices. He might vote for the Bill to go into Committee, but would not be prepared to vote for it altogether unless the Government expressed their willingness to carry it out.

Mr COOPER thought that no alteration should be made in the currency until the Land question was settled.

Mr SINCLAIR had listened attentively to the remarks made on the subject under consideration, but could not fully decide as to the advantage that would be gained by the Bill. Whether the currency of the Island was changed to dollars and cents, or allowed to remain as at present, he thought it would be very difficult to get our notes to pass in the neighboring provinces. He considered the measure premature, and thought it would bring confusion into the country without any corresponding advantage. He would vote for the amendment that the House go into committee on the Bill this day three months.

Hon. Mr LAIRD was opposed to the adoption of the decimal system at present: it would be an inconvenience to the country people for a considerable time. There was nothing to hinder any person to keep his accounts as he pleased; let the merchants, if they thought the system an advantage, keep their accounts in dollars and cents, and this course might be the means of training up the people to understand this method of accounting.

After several hon. members who had expressed their views on the measure yesterday, had spoken—chiefly reiterating their former arguments—the question was put on Hon. Mr. COLES' motion of amendment that the House go into Committee on the Bill this day three months, when there appeared, For *vs* Hon. Messrs Coles, Thornton, Yee, Laird, Kelly; Messrs Sinclair, Owen, Cooper, Montgomery, Holm, Conroy, Howat—13,

Against it—Messrs M'Neill, Davies, J. Yee, Beer; Hon. Messrs Haviland, Wightman, M'Aluay, Longworth, Gray, Hensley—10.

Hon. Mr. COLES asked if the Government, would have any objections, to furnish the House with a copy of the Attorney General's statements forwarded with the two Bills which had been refused the Royal assent, namely the Shore's Bill, and the Land Commissioners' award Bill; as also of the despatches which accompanied them to the Colonial Office.

Hon. Col. GRAY was not aware of any objections to furnish them. He had the statement of the Attorney General on the Shore's Bill in his possession for the information of the House, and would procure the other documents.

The Bill to give summary protection to persons employed in the publication of Parliamentary papers was, according to order, read a second time, and passed through committee.

Adjourned for one hour.

D. LAIRD, Reporter.

AFTERNOON SITTING.

ROAD SERVICE.

Hon. Mr. HAVILAND, by command of His Excellency, presented to the House the Estimates of the expenditure of the Government for the current year. The House then resolved itself into a Committee of Supply—Mr. McNeill in the Chair. After making a few remarks, Mr. Haviland moved the following resolution:

Resolved, That the sum of £6,000 be granted for the service of roads, bridges and wharfs, for the present year, including all special grants, and that the same be appropriated to each County in the following order:—

Queen's County, including Charlottetown and			
Royalty,	£1300	0	0
Prince County,	1100	0	0
King's County,	1100	0	0
Special grants for Queen's County,	800	0	0
Do. Prince County,	650	0	0
Do. King's County,	650	0	0
Roads opened under the Compensation Act,	100	0	0
Contingent expenses of roads, bridges and wharfs, to be equally divided between the three Counties,	300	0	0

Hon. Mr. COLES said he thought the amount was not sufficient; that there was scarcely a sum sufficient voted to fill up ruts in the roads. He then referred to the number of petitions before the House, which prayed for grants for bridges, some of which were falling down, and remarked that if they were allowed to go down, it would take the revenue of one year to put them up again; and he considered, it would be better to dispense with some other expenditures that a larger amount might be appropriated to the service of roads, bridges and wharfs. The sum proposed, when divided among thirty or forty districts, would give but a small portion to each, and if no more could be obtained he would prefer expending the whole amount on bridges and wharfs, as these large public works should not be allowed to go down. Mr. Coles then asked what had been done in reference to the Main Post roads which last year were to have been let by contract.

Hon. Mr. LONGWORTH said he agreed with the hon. member who had just sat down, when he spoke of the propriety of keeping up the public works of the Colony; but they should be just before they were generous. Before putting their hands in the public purse they should ascertain how much money they had at their disposal. The sum voted last year for the services just mentioned, was £3000, and the roads and bridges were kept in as good a state of repair as during former years when thousands of pounds more were granted for these purposes than the sum proposed this year. In reference to the Main Post roads, Mr. Longworth then stated that tenders were advertised for, but that the Lieut. Governor and Council were expressly directed not to enter into any contracts unless they considered it expedient to do so; and that tenders were received, but that they were so extravagant that the Governor and Council could not think of allowing the Statute to go into operation. No Government having the well-being of the country at heart would have acted otherwise. As regarded the state of the roads throughout the Island last year, he heard no complaints, so there was good ground to presume, or fairly to assume, that they were kept in good repair. Considering the large amount which was granted for Education—and the Educational grant was increasing—he thought a much larger sum could not be appropriated to roads and bridges. For various purposes large sums were necessarily drawn from the Treasury during the present year. The purchase of Proprietors Estates and the visit of the Prince were two of these which might be noticed.

Hon. Mr. THORNTON next addressed the Committee and complained of the amount placed at the disposal of the Legislature for the service of roads, bridges and wharfs, being too small. He then referred to two or three very important bridges in his District, one of which would require £150; and they had commenced a very important work which it would be impossible to complete with the small sum which would be apportioned to the District. He thought it would be far better to curtail expenses in other respects—such, for example, as giving £800 for Government Houses—than to allow important public works to go down by giving such a small sum to keep them in repair, and which was quite inadequate to what was required.

Mr. CONROY spoke to the same effect, and alluded to the bridge at Cascumpec, saying he would prefer having that bridge finished before having a Steamer calling at Cascumpec, much as he desired the latter. It would be of no special interest to himself, but the bridge was absolutely necessary for a large District. £1200 or £1300 had been already expended upon it, and for want of £200 more it was lying useless from year to year.

Hon. Mr. HENSLEY next spoke against the inadequacy of the amount, and in answer to what fell from the hon. member from Queen's County about complaints being made in reference to the state of the roads, would say that he (Mr. Hensley) himself complained in writing about the matter; for tho' he had only travelled two or three times on the public roads during the summer, he met with a mishap on each occasion on account of bad bridges. One occasion was when going to Georgetown; when crossing a bridge it gave way, and had it gone down all the Lawyers in Charlottetown he believed would have been killed—not excepting the hon. member from Queen's County, (Mr. Longworth,) which would have been a great loss to the Island. (Laughter.) On another occasion, and shortly afterwards, when going to St. Eleanor's in company with Mr. Thomson, while they and other important persons belonging to the Commission were crossing a bridge, the horses fell through it, and three miles farther on they were compelled to take the horses out and to pull the waggon over by hand. Thus the Commission were nearly annihilated thro' bad bridges. On another occasion the Chair-

man of the Commission took a short drive out into the country, and in crossing a bridge it broke; he was thrown out and his legs nearly broken in consequence. These examples showed that the grant last year was not sufficiently large. He was aware, however, that the finances of the country for the present year would not admit of a large sum being appropriated for the service of roads and bridges.

Hon. Mr. HAVILAND said it appeared that from the smallness of the grant last year for the service of roads and bridges the Lawyers in going to Georgetown were nearly all killed, and had such a catastrophe occurred he supposed the country would not have shed many tears if the hon. member from the East Point should have escaped. £6,000 was perhaps an amount too small to grant for this service, but it was necessary for them to adopt the tailor's rule, to cut the garment according to the cloth. According to the Estimates brought down by the Government, no less than £43,000 were required to meet the necessary demands of the current year, and he would defy any hon. member to make a lower estimate. A few pounds might be shaved off a few items, but it would be very trifling. Last year the revenue was about £43,000, and before the present session of the Legislature closed probably they would dispose of the larger part of £50,000. He thought the House could not vote a large sum. If hon. members on both sides would come forward boldly and say it was necessary to increase the taxes, and would support the Government in raising them, then he would have some reason to give way and to go for increasing the vote.

Hon. Mr. THORNTON.—No!

Hon. Mr. HAVILAND.—The hon. member says No!—he is willing to run up down hill full gallop, but when it comes to tugging up hill he prefers slipping his traces and strolling off to fatten in better pastures elsewhere. He rises in his place and would make the country believe if he had the helm of affairs the ship of state would soon be put before a favoring breeze,—he would grant all that was necessary for roads, bridges, wharfs and everything else besides. More than one-third of the revenue of the Colony was devoted to Education, for which amount for such a purpose there was not a parallel in the civilized world; and he (Mr. Haviland) was in favor of fostering education, for an educated people were more easily governed and knew how to cherish their rights, and hon. members should consider the liabilities and resources of the Colony.

Hon. Mr. WIGHTMAN was in favor of placing an additional tax on land, both wilderness and clear. He would go to the extent of 10s. per hundred acres for all lands, and in his opinion that was the only tax of which the people would not complain. Mr. Wightman then spoke of the public works in his District which needed money, and said he thought no less than £7,000 would keep up necessary communications for another year.

Hon. Mr. YEO said he thought £6,000 was a sum quite as large as the country could afford. Petitions were laid before the House from the hon. member's part of the country praying to be relieved from paying rent.

Hon. Mr. WIGHTMAN.—The people would cheerfully pay taxes, but are unwilling to pay rent.

Hon. Mr. YEO—Where are the taxes coming from if rent is not paid! That was very unreasonable. If the sum proposed for the road service was too small, the deficiency would have to be made up by statute labor. Anything put on to raise the revenue, such as an ad valorem duty, was spoken against; and, indeed, it would be not much to the purpose to do so in King's County, where it appeared there was so much smuggling. (Laughter.) But, judging from the Custom House returns, it was just as bad in Prince County. Speaking with justice or reason, the sum voted was as large as could be afforded, unless hon.

members wished to see the country run headlong in debt. He thought the roads were as good last year as they were two or three years before.

Hon. Mr. THORNTON—No! no!

Hon. Mr. YEO—Yes. Yes! yes! from the North Cape to the East Point.

Mr. OWEN said he would have been glad to have had £12,000 voted for the road service, but where it was to come from he could not see. The sum proposed must suffice for the present year. In the District which he had the honor to represent much would be required, as they had a large bridge to finish. Last year they had only their proportion out of £1700, and out of the monies apportioned to three road districts, they saved £126 for the new bridge. The amount this year would be sufficient to enable them to give £100 to each of their districts, after which they would have £650 left for special grants for the County. He thought £6,000 was sufficient for the present year, and that the roads were not in a worse condition than they were in last year.

Hon. Mr. THORNTON said he had no objection to offer to the division of the money, but objected to the amount. He then referred to the ad valorem duty put on some articles last year, and to the decrease made in the pay of Schoolmasters, and said that only for the hon. member from Tryon (Mr. Howat), who proposed £45, their salaries would have been cut down £1000, and the money taken to defray the expenses of the Government. He was opposed to taxation, and the only tax to which he would consent, would be an additional one on wilderness land.

Hon. Mr. COLES addressed the Committee again at some length, and referred to the effects produced by increasing the duty on Spirituous Liquors, to the Educational scheme, and to the financial state of the Colony.

Hon. Mr. HAVILAND spoke again, and referred to the hon. member for Saint Andrew's Point (Mr. Wightman), who was always very anxious for large votes; but who liked to absent himself from Committees of Ways and Means. Mr. Haviland then replied to the remarks just made by Mr. Coles.

Mr. CONROY addressed the Committee. Referring to some items in the Estimates, he mentioned the sum expended in making preparations for the reception of the Prince of Wales, and said he considered it was most lavish, considering the resources of the Colony. He thought, too, that the sum spent on Government House was nearly sufficient to have built a new one. In his opinion the mention of increasing taxation would be most unpopular in the country.

Hon. Col. GRAY said that it was not the proper time just then to take up the items in the Estimates seriatim, and make remarks upon them. He understood the question before the Committee was the amount proposed for Roads and Bridges, and not the accounts of the expenditures occasioned by the visit of the Prince of Wales.

Hon. Mr. HAVILAND said he did not imagine when he moved the resolution in relation to Roads and Bridges, that hon. members were going to enter upon matters connected with the visit of the Prince of Wales. He, however, was under the impression that whatever was spent in that way, there was loyalty enough in hon. members to induce them to concur, and that none would say the expenditure was "most lavish," unless it could be shown there had been something grossly wrong in the manner in which the money was expended. It was humiliating to think that British subjects would complain, and that any one should endeavor to make political stock out of the circumstance of a few pounds, shillings and pence being spent in making suitable preparations for the reception of the heir apparent to the British Throne. He believed the majority of the well-thinking people—of the bone and sinew of this country—would be well satisfied, and that they would not say too much

money was expended for that object. The manner in which he was received was an honor to this small Island, and they had reason to be proud of it. Though nearly £3000 were spent, and though it was a sum large in proportion to the revenue than the £5000 expended by New Brunswick; still, common sense, or common reason would say that they should not have invited His Royal Highness, if they did not purpose to give him a suitable reception. Surely no person expected that the Prince would have been regaled with a potato and herring. Yet because they endeavored to entertain him in a manner which accorded with the dignity of the personage, the expenditure is called "most lavish." On his account £1,300, or £1,400 New Brunswick currency were expended on Government House in Fredericton, N. B., and £1,300, on a house in St. John, that the Prince might sleep in it one night, and £400 to bring the Volunteers to the City, that they might do him honor. It was quite impossible that a smaller sum could have been expended in this Colony. A pity it was that some hon members did not go outside the Bar last year, when a sum was voted for the reception of the Prince of Wales.

Adjourned till 10 o'clock to-morrow.

J. D. GORDON, Reporter.

SATURDAY, March 16.

Mr BEER moved the House again into Committee of Supply. Debate on the road appropriation resumed.

Mr CONROY wished to reply to a personal attack made upon him by the hon. member for Georgetown last evening, for complaining that the sum proposed for the road service was too small, and characterizing the amount spent in making preparations for the reception of the Prince of Wales as a lavish expenditure. That hon. member had remarked that if the large sums continued to be voted which were of late years, there would require to be an increase of taxation, and the sooner that was known the better. He (Mr Conroy) remarked that he thought the duties and land tax were equal to the exigencies of the Colony, that if it were not for such sums as so much for repairing Government House, so much for the Volunteers, and so much for the reception of the Prince of Wales, the revenue would be found sufficient. Because he had spoken of the expenditure on the Prince's reception as being "lavish" he was charged with disloyalty for his sentiments.

Hon. Mr HAVILAND said he did not use the term "disloyalty."

Mr CONROY maintained that he was charged with disloyalty. He considered he had a legitimate right to speak of this expenditure, and call it lavish if he chose, for if the matter was not to be discussed why were the accounts placed on the table. He asked what he had done that he should thus be pointed at with the finger of scorn as being disloyal; he did not know what action of his life could justify such an allusion. He would have received the Prince of Wales with all the enthusiasm of a loyal subject, though he might be of opinion that this small Colony could not afford to expend so much on his reception. When the Government of Great Britain was charged by the members of Parliament with lavish expenditure in the case of the Russian war, were they charged with disloyalty? No; but it served the purpose of the hon. member for Georgetown to charge Nicholas Conroy with disloyalty.

Hon. Mr WIGHTMAN said the hon. member for Georgetown had also made remarks in allusion to him, and he had given him no occasion whatever. When £800 were to be taken to repair Government House—nearly 1-7 of the money proposed in the resolution for roads and bridges, it was high time to speak of the lavish expenditure of the Government.

Hon. Mr HAVILAND supposed that this double attack was made for the purpose of frightening him, but he could assure the two hon. members who had just spoken that he was not so easily scared. If they pursued an inconsistent course, they might expect to be shown up; and if they could not stand this, the sooner they retired from public life the better.

Hon. Col. GRAY said he had given a hint that the proper course to pursue would be to discuss each item of the estimates on its own merits; but the hon. member for Cardigan, and the hon. member for Murray Harbor, appeared to think it would be proper to take a portion of the sum named for Government House, and appropriate it to the road service. This, however, could only be a matter of opinion. If this Colony were independent of the Mother Country, the House might decide this case as they pleased; but he (Col. Gray) found by the Royal instructions that it was required there should be several rooms in Government House for public receptions, to be furnished at the public expense. If the Colony was required to furnish rooms for this purpose, it was evident that it must first provide a house in which the rooms should be. The Governor of this Island was the only Governor in these Colonies whose salary was paid by the Imperial Government; if then, His Excellency were to complain to the authorities at Home that the people here would not keep Government House in repair, a law might be passed there to compel this Colony to pay the Governor's salary—about £2000 annually. Lest the people here should be compelled to pay this amount, he (Col. Gray) thought it would be better to vote £800 at present to keep Government House in repair, than give that sum additional to the amount proposed for roads and bridges. The house at first had been very loosely built, and had not even a proper cellar. In 1856, the sum of £1816 was voted for Government House premises, all of which except £300 appropriated to the purchase of a piece of land, was expended upon the building and outhouses. Whether the hon. member for Tignish would call this a "lavish" expenditure or not, he (Col. Gray) could not say; but it was certainly strange that so soon after another grant should be required. [The hon. member here read a message from Governor Daly to the Legislature a short time before he left the Colony, setting forth the untenable state of Government House.] Soon after this message was written, Mr Daly left the Colony, and the present Lieut. Governor arrived. The building at that time (summer of 1859) was slightly repaired with the small sum voted for that purpose, and in it in this condition, His Excellency struggled through the succeeding winter. In the spring of 1860, it being known that His Royal Highness the Prince of Wales purposed to visit the Colony, it was thought high time to put Government House in a state of repair; and to show that the Government, in taking this step, did nothing unusual or improper, he (Col. Gray) would refer to the expenditure on Government House at Fredericton, New Brunswick, in connection with the Prince's visit to that Colony. "Repairs and improvements on Government House, £1030; fitting up and furnishing rooms occupied by the Prince and his Suite, £2469, &c."—the items in all amounting to £4500.—Besides this, about £1337 were expended in fitting up a house for him at St. John. No doubt, New Brunswick was a wealthier Colony than this, but these were large sums compared with what was spent for a similar purpose here: Government House had been considerably fitted up internally in view of the Prince's visit, but much required to be done to put it and the outhouses in good a state of repair. And how much was asked for this? Only £600, for though £800 were given in the estimates, yet as £200 was the usual appropriation for Government House, the extra asked was only £600. If he (Col. Gray) had his

desired, he would not vote a penny for the present Government House, but go for granting a sum to build a respectable brick house for the Governor's residence. He did not think that the hon. member for Tignish was justified in calling the expenditure in connection with the reception of the Prince of Wales a lavish one. The actual expense would only be about £2000, if all the furniture, &c., on hand was disposed of. This sum was not much to expend to give a reception to the son of their Sovereign. The Colony was bound to receive him in a proper manner, and could not plead that it was too poor to make any demonstration on the occasion. But the time this matter should be brought under consideration was not when the Committee were discussing the vote for roads and bridges. The reason that so small a sum had been set down for the Road Service, however, was chiefly on account of their having expended so much on the Prince's reception.

Hon. Mr COLES.—The Government had done so.

Hon. Col. GRAY said he was glad to take up that expression, the "Government had done so;" if they had not they would have been unfit for the position which they occupied. The sum expended would scarcely amount to 6d. sfg. for each individual in the Colony, and he was sure if a person had been sent to travel the country he could have collected the amount by voluntary subscription without any difficulty. He thought that considering all the advantages which the people of this Colony received from the parent country, they ought not to complain of the amount expended on the reception of His Royal Highness the Prince of Wales. It was through her that we possessed the glorious privileges secured to British subjects by the Bill of Rights, and enjoyed all the liberties and advantages guaranteed under the Constitution of Great Britain.

Hon. Mr THORNTON wished to call attention to the statement of the hon. member who had just sat down, that it was owing to the "lavish,"—yes he (Mr Thornton) would call it the *lavish* expenditure of the Government on the occasion of the Prince's visit, that a larger sum could not be granted this year for roads and bridges.

Hon. Mr M'AULAY said the Government had been assailed by a severe bombardment; it commenced last evening, but it appeared as if the smoke would blow away and leave no damage behind. The hon. member for Murray Harbor, Mr Wightman, suggested that the taxation should be increased to meet the necessary expenditure. With respect to the tax on land, which was the only direct taxation in this country, he (Mr M'Aulay) could not consent that it should be increased. What did not the land support? It supported the merchant, the mechanic was supported by it.

Hon. Mr COLES.—And the parson was supported by it. (Laughter.)

Hon. Mr M'AULAY.—Yes, the parson was supported by it, and the schoolmaster was supported by it. Now, when so much was sustained by the land, was the tiller of the soil to be crushed by increased taxation? He could never consent to this crushing policy. The population of this Island was mixed, being composed of merchants, mechanics, &c., and it was unfair that all the direct taxation should be put upon the farmers. He thought the hon. member was scheming; he saw that the majority of the people in the country were satisfied with the party in power, and wished to deceive the Government into imposing a tax on land, that they might become unpopular. The hon. member for Cardigan, Mr Thornton, also wished to vote a larger sum for the road service, and when other items came up he would vote for them too, that the expenditure might be increased, and the Government rendered unpopular. The hon. member opposite, the new member for King's County, had also spoken on

this question, and expressed his opinion that more should be done for the roads and bridges. With respect to that hon. gentleman, he might say that there was evidently a gale of hope among the ranks of the Opposition when he arrived in this House. He (Mr M'Aulay) had met him before in political life, and judging from the courtesy which had hitherto passed between them, he had no doubt they would still be on friendly terms. This gentleman travelling in the eastern part of the country came to a bridge which he could not pass, but he (Mr M'Aulay) had passed over it on the day following; however, he supposed his life was not so precious as that of a lawyer. The hon. member for East Point further stated that almost everywhere he travelled in that part, he found the bridges unfit to pass. Why, it was a wonder that a special vote of some £500 or £600 had not been asked for to enable the people of King's County to receive him with becoming honor, when he visited that part of the country, as in the case of the Prince of Wales coming to the Island! If the hon. gentleman wished to immortalize himself by his maiden speech in this House, he would advise him to have it printed, and published as an appendix to the next edition of Gulliver's Travels. (Laughter.)

Hon. Mr COLES remarked that he supposed the hon. member for Georgetown wished to indulge in a little humor at the expense of a new member, but he (Mr Coles) had yet to learn that the speech referred to was the maiden speech of the hon. member for East Point. The tax on land alluded to by the hon. member who had just sat down, was for the purpose of Education, and should not be complained of. The hon. leader of the Government appeared to convey the impression that the whole increased expenditure for the past year was on account of the Prince's visit; but this was not the case, for independently of that altogether the expenditure for the year exceeded the revenue, and this too even after the sum paid for land was deducted. He (Mr Coles) believed when the vote for the Prince's reception was made, that it would probably cost between £2000 and £3000. But though the whole affair cost this much, some hon. members might be of opinion that several of the items in the expenditure were extravagant. He thought as good an entertainment could have been got up for less; however, there was a considerable sum expended in improvements on Government House which were much required. He would not complain of the expenditure in connection with the reception, as he believed the preparations gave general satisfaction. But the Government were not going to be allowed to make out that this expenditure was the only reason for the increase of the public debt, as the revenue would not have met the expenses of the year, leaving the reception out of consideration. The hon. leader of the Government referred to the amount voted for Government House and grounds in 1856, and seemed to say that the late Government had not expended the money judiciously. £300 of the sum were spent in the purchase of a piece of land, close to the Government House grounds, which was about to be taken for a purpose for which the Government thought it should not be allowed to be used. The rest of the money was expended in shingling the building, taking gas to it, and building a coach house. The instruction respecting Government House referred to by the hon. member, were not always carried out; Governor Smith lived for some time in the barracks. He (Mr Coles) however agreed with the hon. member for Belfast, that large sums had been expended on the present Government House, and thought with him that perhaps a brick one should be built. In regard to the resolution before the Committee, perhaps £1000 additional as proposed by the hon. member, Mr Wightman, would be too much; however, he (Mr Coles) would support the amendment, and

if it was lost, and £6000 was all that could be obtained for the road service, hon. members would have to use a little more economy than usual in distributing it.

Hon. Mr LONGWORTH did not see that it was necessary to advert to Government House, when discussing the resolution for the road appropriation. A grand mistake was made when that house was built at first; it had been a difficulty to every Government that came into power. He thought the question was very fairly put by his hon. colleague, Col. Gray, in 1859, when he suggested whether it would not be better to apply a torch to the building. He (Mr Longworth) was of opinion that his colleague was correct in saying that the money voted in 1856 was not judiciously expended, for had this been the case, the present Government when they came into power would not have found it in an almost untenable condition. He did not, however, charge the late Government with any design in the matter, but feared that the men employed did not do their duty. There had been no special vote for Government House since 1856, and he thought there was nothing extravagant in the Government now asking £600 to put it in a state of repair. He considered it was a small matter for hon. members on the opposite side of the House to object to necessary appropriations like this. Allusion had also been made to the expenditure in connection with the visit of his Royal Highness the Prince of Wales. He thought if the accounts were examined it would be found that the Committee had acted most economically. As had been remarked by the hon. member, Col. Gray, upwards of £4000 had been spent at Fredericton alone for the Government House there.

Hon. Mr WHELAN.—What was their revenue?

Hon. Mr LONGWORTH.—The revenue had nothing to do with the matter. He believed that the Home Government would scarcely credit the statement, if informed that the whole sum expended on the Prince's reception here, amounted to only £2000. He would repeat again that he thought it unfair for hon. members of the Opposition to object to the amount set down in the estimates for Government House. To keep it in a state of repair, was a duty which they owed to His Excellency, and a duty which they owed to their country. The late Government spent £4000 upon the place while they were in power, and they had very little to show for the money. The present Government had so far only expended the usual appropriation of £200, as it was unfair to include in their amount the sum required to fit up the house at the time of the Prince's visit. There would have been no occasion to refer to these subjects at present, had it not been to reply to statements made by hon. members on the other side of the House.

Mr DAVIES said that in the debate last evening he had expressed his opinion that £6000 would be sufficient for the Road Service, and notwithstanding all that had been said he thought so still. The debate had taken a wide range, and reference had been made to Government House; and as he was a member of the Committee to attend to the fitting up of the building in 1859, he might be permitted to offer a remark on this point. He had said then that he thought it would be better to burn the house, and build another in which Her Majesty's Representative might live with some comfort. He thought it would be a saying to the Colony instead of voting so much every year to keep up the present building, to appropriate at once as much as would be required to erect a new one. Some £700 or £800 had been expended upon it in procuring furniture, &c., in view of the Prince's visit. He believed that the different articles purchased at that time were procured as cheaply as possible; several of them he knew were imported by Mr Brennan and himself, and no commission was charged upon them. About £800 more

it was thought would put the building in a complete state of repair, and as this sum was all that was asked for by the Government, he thought the House should not object to it. It appeared that this Colony was the only one in which the salary of the Governor was paid by the Imperial Government. The people here, then, ought not to be backward in keeping Government House in repair, lest they should be required to pay the Governor's salary.

Mr SINCLAIR was in favor of keeping the expenditure within the revenue. He would be so disposed were he one of the members of the majority, and he considered it his duty to act in the same manner in the position which he occupied. Rather than that the country should be brought to a state of bankruptcy, he would vote for the sum which had come down in the estimates. But though the Government were economical in regard to the Road Service, they were not so with respect to the public offices. He thought also that the House should not be called upon to spend £800 for Government House, when only seven times that sum could be spent for roads and bridges. If more furniture had been procured for Government House at the time of the Prince's visit, than was required there now, let it be sold, and the proceeds be taken to repair the building. He (Mr Sinclair) was not going to object to the sum expended in giving a loyal reception to the son of their Sovereign. It was common when any vote came up for the members of the majority to attempt to show that it did not exceed the expenditure of the late Government. He believed that it was chiefly on account of the extravagance of the late Government, that they became unpopular, and he could not see that their conduct was any argument to support extravagant expenditure on the part of the present Government.

Adjourned till 3 o'clock.

D. LARD, Reporter.

AFTERNOON SITTING.

Hon. Col. GRAY by command of His Excellency, presented to the House the copy of a Despatch of Governor Dundas to the Duke of Newcastle, with enclosures containing statements of the Attorney General in relation to the objects of two Bills, viz: An Act to authorize grants of the shores of this Island;—and an Act to give effect to the Report of the Commissioners to be appointed on the Land Question.

Hon. Mr COLES moved that these papers be committed to a Committee of the whole House on Thursday next, which was agreed to.

Hon. Mr HAVILAND moved the third reading of the Bill to give summary protection to persons engaged in the publication of Parliamentary papers. The Bill was then read and passed.

The House again resolved itself into a Committee of the whole on supply.

Hon. Mr HAVILAND said some hon. members had harped much concerning the amount in which the Government had run the country in debt; but he would take the estimates and read the items seriatim, and tell them that had they been in their places instead of being in the gloomy shades of the Opposition, that the Public debt would have been as large if not larger. The Educational expenditure was increasing, for in 1859, the increase over the previous year was £578 11s 8d; and in 1860 the increase over 1858 was nearly £2000, and he was willing to go to any reasonable constituency and justify their conduct in placing that sum against the Colony. Further, the present Government were charged with £47 for desks for the additional number of members made by the late Government, also balance of interest on the Worrall Estate £333; on Lot 11, £55; also with the balance of £500 on an old account of the late Queen's Printer; expenditure on account of the unfortunate Hughes case, £240;—it

could be shown that they had not wilfully spent the public money, but only expended such sums as were necessary to maintain the credit of the Colony. When the late Government was in power, you would think, to hear some hon. members now, that they had not spent any money on Government House at all; but in 1851, they expended on it £548; in '52, £362; for '53 there are no Journals so the amount is not known; in '53, £567; in '55, £1500 odd, and one would have thought after making these large outlays, nothing would be now needed for that object. In '56, £555 were expended on Government House, and so on to the end of the chapter. He (Mr Haviland) fully agreed with some hon. members that if these sums had been faithfully spent such a large expenditure would not have been required to make extensive repairs last summer. He could not see what was to be seen for the £1500 expended in 1855.

Hon. Mr COLES.—Look at the Gas fittings £300; and the Coach House £500.

Hon. Mr HAVILAND.—The Coach House is a mere shell; any public contractor would put up one as good for £200; and admitting these sums to be correct, they come far short of £1500.

Hon. Mr COLES said the present Government should have given them credit for one half year's revenue. The late Government retired in April, and they gave up all the revenue to the present Government, to January following; that he believed £5000 were paid into the Treasury since the financial year closed. He understood they had received nearly £4000 from the Worrell Estate since they came into power, and £650 from Lot 11. Again, there were many hundreds of pounds paid on jails by the late Government for which they should have received credit. It was very fine to saddle them with the additional pay to members. That was what was called his hon. friend's "Good Friday Bill," to which he (Mr Coles) was somewhat opposed at the time it was introduced. The late Government spent from £8000 to £9000 a year on roads and bridges, when in power. The present Government said they had been saddled with £5000 more for Education, but that was not the fault of the late Administration, but was owing to their own management. The hon. member from Georgetown could not see what they did with the £1500, spent on Government House in 1855, but he mentioned the expenditures for Gas fittings and a Coach House, which amounted to £800, the sum in the Estimates of the present year. In addition, there were carpets purchased, and the drawing room was ornamented with pier-glasses. These items amount to £1000. Other things were mentioned also, the expenditures on the whole making £1500. Farther, the late Government had a Guard stationed at Government House at an expense of £120, or £130—four men doing actual service. The present Government kept one there, and paid him £50.

Hon. Mr WHELAN next addressed the Committee at considerable length, and spoke as follows:—On entering the room, I heard from a stentorian voice "£500 for the Queen's Printer." About the time of the change of Government, April 1859, only half of the Financial year had expired. The present Government may be compelled to retire at the expiration of one-half of the Financial year, and if so, the Government which succeeds will be obliged to pay the debts which were contracted by them when in power. The late Government of which I was a member, came into power in April 1851. At that period, J. D. Hazard was Queen's Printer, and held his office till August following, during which time he received £539 as Queen's Printer, and that amount was charged against the Liberal Government which then came into power; so the one case was a fair set off against the other. Allusion was made to the Bill which I introduced, called the

"Good Friday Bill," the object of which was to change the number of Representatives in the Assembly from 24 to 30, and in introducing the measure, I may say that I was not under the control of any, but spoke in its favor in opposition to the views of my hon. friend, Mr Coles. He frequently expressed himself to the effect that the time had not arrived for making the change which the Bill contemplated. I must coincide with hon. members who have spoken on this side of the House, respecting the inadequacy of the amount voted for the road service for the current year. In the years '56, '57, and '58, when the Revenue was not so large as at present, and when the resources of the country were not so fully developed, we find from the Journals that much larger sums were voted for this particular service. Within the last four or five years too, the number of important public works has been augmented, which require a larger, and increasing annual expenditure. Our population, too, is increasing, and the extension of commerce demands a larger outlay to afford greater facilities for travelling. The sum which was sufficient ten years ago is not now adequate for this particular service. It will not do to offer the excuse that there are no means, that it is impossible to give more. It was your duty to have provided means to meet the public requirements. If the public debt is too large, the majority, not the minority, are responsible for its increase. They may tell us they have practised economy but the records furnish a damning refutation to that statement. Some observations fell from my friend from Tignish in reference to this subject, and some remarks came from the other side of the House about his being out of order, in bringing in matters considered irrelevant. If he sinned in doing so, his sin was not half so great as that of some hon. members who have followed since. I not only coincide with his observations in reference to the branch of the subject which he characterized as lavish in the extreme, but I will go farther, and say it was excessively so, and leaves not the slightest ground for justification. I may be visited by a supposed castigation similar to that which was inflicted by the hon. member from Georgetown on my friend from Tignish, when he indulged in a species of frenzy declamation—which sometimes comes upon him like a fit—during which time he endeavored to overwhelm him; but I am used to his thunder, and shall not be under any apprehension on that ground. Let me ask that hon. member a question:—supposing his constituents came with an application addressed to the House for the construction of a new bridge, would that hon. member or his colleagues venture to rise and say—"We cannot give you the money for that object, for we had to spend £1000 on Government House last year, and we want £800 more this year to make farther repairs for the convenience of Her Majesty's representative?"—Dare they make an excuse of that kind? I fancy a smile of scorn would appear on the lip of any intelligent constituent, if asked to listen to any such excuse. Neither wharfs nor bridges can be built because we spent so much on the occasion of the visit of the Prince of Wales. Our resources were so diminished in regaling a few hundred individuals, chiefly from Queen's County, who happened to flock to this small city on the occasion of the visit of His Royal Highness, that not one pound more can be voted for the service of roads and bridges. Allow me to say first that I fully endorse the remarks made by the hon. member from Tignish, and repeat his words and say the expenditure was most lavish.

Hon. Mr HAVILAND.—I have no doubt you will use the same words.

Hon. Mr WHELAN.—Yes, and if the hon. member from Georgetown will supply me with stronger words I will use them.

Hon. Mr HAVILAND.—They are sufficiently strong.

Hon. Mr WHELAN.—The details will prove the justice of his observation. Much of the £3000 expended on the occasion of the visit of the Prince was unnecessary, as I trust I shall prove satisfactorily. The hon. member from Georgetown referred to Prince County as being the only one to raise objections to this expenditure. I look upon that as an indication of the manly spirit and daring of the people, who, through one of their representatives, stand up here and censure the Government, and say the outlay was lavish. Let the details be submitted to the other Counties and they will lift their voices as strongly against the extravagance as did the hon. member from Tignish. I may be told by the hon. member from Georgetown that all this is a poor indication of being animated by a loyal spirit. No doubt I am open to the same imputation, for he hinted in his reply to the hon. member from Tignish, that his loyalty was of a doubtful character because he did not justify the expenditure occasioned by the visit of the Prince of Wales. But such imputations cast upon me would not alter the convictions of my mind. Loyalty with me is not a blind sentiment. I regard it as a sentiment of duty due by the subject to his Sovereign for services done by that Sovereign. Nor would any man of ordinary intelligence, who possess this sentiment, bow down in the dust to any earthly potentate. The sentiment which springs from a mutual return of advantages is the loyalty which should animate the breast of every man. It is that which we owe to that Sovereign who rules over us, and other people in Her vast dominions, with so much acceptance. And on this occasion I will pay a slight tribute to the loyalty of the people of P. E. Island. I believe there is not any portion of Her Majesty's dominions where the spirit of more genuine loyalty animates the breasts of Her subjects. We have many proofs of this in the spirit of contentment manifested by the people in times past, and exhibited through Her Majesty's Representative in this Colony, in the ready obedience always given to the dictates of the Sovereign whom he represented,—in the ready submission to the decrees pronounced from time to time by that Sovereign,—and in the sympathy evinced in that important struggle which agitated the public mind throughout the world a few years ago, when our fellow countrymen of the British Isles, and our fellow colonists, too, went to the bleak shores of the Crimea in defence of universal liberty of which England is supposed to be the guiding spirit. We remember that momentous struggle, the result of which brought so much honor to the British name, when many of our fellow countrymen died in the contest, and left their bones on the bleak shores of the Crimea. We remember, too, the conduct of the Legislature when, a suffering humanity appealed to our sympathizing hearts for relief, that relief was granted to our fellow countrymen, and fellow country women who survived that momentous struggle. The people of this Island responded, and spontaneously contributed of their means for the relief of those who survived the conflict; and the House of Assembly did not disown the appeal, for out of their limited resources no less a sum than £2000 was voted for the same praiseworthy object, on which occasion I had the honor of recording my vote in its favor. I said on that occasion there was an opportunity afforded for evoking the spirit of loyalty if it really existed in any man's breast. But it is a far different thing to be called upon to waste the public money in entertaining, not the Sovereign herself, but her son. I say, Sir, P. E. Island has generally exhibited much more loyalty than, under the circumstances of the case, she was, perhaps justified in showing. I do not mean now to disparage or diminish the respect which is due to our illustrious Queen; far from it. But in showing that respect I am not to be called upon to bow down my head in submission to his Royal Highness the Prince of Wales. I think the people of this country have showed feelings much more loyal than all the circumstances of the case called upon them to exhibit. (Hear, hear.) Yes! I will tell him so and his hon. colleague who descanted on the glorious privileges of British subjects on the Bill of Rights, and the Constitution of Great Britain. I will not join issue with the gallant Colonel on this point, but will ask him, and his hon. colleague from Georgetown, who were eulogizing so highly the Bill of Rights and the British Constitution, if the people of P. E. Island enjoy all the privileges which that Bill of Rights confers, or all the privileges of the British Constitution?—I say we do not. We are little better, I say, than the veriest serfs, under the greatest despot that ever existed.

Hon. Mr HAVILAND.—About equal to the Italians!

Hon. Mr WHELAN.—Far, far worse! (Hear! hear!) No man who ever saw the soil of Italy can go to Downing Street and frustrate the Acts of the Legislature like the absentee proprietors of this Island. Talk about the glorious privileges of the British Constitution! We live under a Constitution of Despatches dictated according to the caprices of absentee Land proprietors. Who can deny we are governed by Despatches from the Colonial Minister. Ask the people of Nova Scotia or New Brunswick if they are governed by a junta around the Colonial Office, who poison the mind of the Colonial Minister, who writes Despatches for the government of this Colony. Ask the people of Canada who enjoy the privileges of the Bill of Rights if they would submit to be governed by a few paltry individuals in such a manner as this Island is governed by a few such persons, who never saw it, and care not if they never see it, so long as they secure the money claimed for their rented lands,—ask any of the people of these Colonies if they would submit to the tyranny practised on us, when, at the same time, we are told we live under the shadow of the glorious Bill of Rights and privileges of the British Constitution. It is a mockery,—a sham and a delusion to which I shall never submit. (Hear, hear.)

Hon. Mr HAVILAND.—Did the Duke of York do any injury to Nova Scotia?

Hon. Mr WHELAN.—If he did, that is no reason why the Duke of Newcastle should inflict an injury upon us. The only instance of tyranny being practised against that Province was in monopolizing its mines and minerals.

Hon. Mr HAVILAND.—But you said such instances did not occur in that Province.

Hon. Mr WHELAN.—Not since the introduction of Responsible Government;—it is well known that that injustice was never done to other Provinces as was done to this Colony when the public lands were granted away in one day, yet we are bound to submit because our influence is small. Look at the condition of the tenantry of this Colony!—Who will say they enjoy the privileges which belong to British subjects? True, it may be said they have the right to petition—but what does that mean? If their petitions affect the rights of proprietors, they go for so much waste paper. The leases of the tenantry range from 19 to 999 years; but, if they happen to fall into arrears of rent and are unable to pay, they must leave the results of their years of labor for the benefit of their task-masters. It may be said they have the right of trial by jury, but the opinion is prevalent that a tenant at Court, in opposition to a proprietor, has a small chance of receiving justice. And what other privileges have we, but to be the victims of the land proprietors, to submit to what they please to suggest to the Colonial Minister, and to the laws made by this Legislature, and these, too often inspired by proprietary influence. Concerning the sentiment, already descanted upon, I wish to make one or two remarks. I do not disparage, nor do I derogate from the respect which is due to the Prince of Wales, but I must distinguish between the Queen herself and her son. I think hon. gentlemen on both sides will concur with me, and join with me in giving expression to the hope that many years may elapse before the Prince of Wales ascends the British throne, for we are not yet weary of his illustrious mother. If forty years hence he should be crowned King of Great Britain, it is not likely he will retain very vivid recollections of his hasty visit to this Colony; and, if he should, of what avail would they be to the inhabitants of this Province, or how could they conduce to the interests of our children? Like the predecessors of His illustrious mother, he will be under the control of a Ministry altogether unknown to us. The fact that he is the Prince of Wales, is not a sufficient reason why the interests of the people in doing him honor should have been sacrificed. We know some of the Sovereigns of Britain were the greatest fools and despots who ever disgraced a throne; and the Prince of Wales has no patent right—no claim superior to any other British subject, and he is as likely to become as great a fool or despot as any of his predecessors, the Princes of Wales, that ever existed. I do not now speak thus of the young gentleman who visited us last summer; but, because he happens to be the Prince of Wales, that is no reason why we should be taunted with a want of loyalty, because we did not concur with what my hon. friend from Tignish characterized as a lavish expenditure. My ideas of loyalty does not depend on a display of flags, fireworks, or any

fanfare of this description. These may do in times of peace; but, if an army from France or the United States appeared to take possession of this Island, we would not see, very likely, so much display or enthusiasm. The loyalty of many gentlemen who exhibited themselves to the gaze of the admiring multitude on that occasion, was I doubt not, much like the Champagne which made a very fine appearance on the supper table, fizzing and bubbling, like the enthusiasm of the moment, but after standing a moment it becomes quite tame.

Hon. Mr HAVILAND.—Like loyalty!

Hon. Mr WHELAN.—Yes; the loyalty which like Champagne, springs to the head, but leaves no impression on the heart.

Mr Whelan closed his remarks by referring to the dilapidated state of Government House when the late Government came into power, to the purchase of Lot 54, and to the inadequacy of the grant of the current year to meet the requirements of the Road Service.

Mr HOWAT said he had listened patiently to hon. members on both sides of the House, but he was actually tired out. With proper economy he thought the sum proposed for the service of roads, bridges and wharfs would be sufficient for the current year.

Hon. Col. GRAY inquired of the hon. and learned member from the First District, King's County, where the bridge was of which he spoke as being dangerous to cross.

Hon. Mr HENSLEY said it was between Summerside and St. Eleanor's, and said, farther, that when he spoke about it, it was not with the intention of throwing blame on the Government; that the letter he wrote on the subject was a friendly one to the Leader of the Government. He thought the Government could not vote a larger sum this year, but though inadequate, if a different system of expenditure were adopted he thought it might be sufficient for the current year. He considered it would be an improvement to have a practical surveyor employed to superintend all sums of money expended on the road service. Respecting the outlay made on account of the visit of the Prince of Wales, he did not feel disposed to criticize the Government very closely. He viewed it as the next thing to receiving a visit from Her Majesty in person. The Prince came as Her representative. He thought his constituents would not object to the sum spent in making preparations to receive His Royal Highness. Some fault might be found in the details of expenditure, but he was not disposed to fault the Committee, for upon the whole he thought they did well, and of the result of the preparations made to receive the Prince, and of the visit itself, the Colony might feel proud.

Hon. Col. GRAY gave a satisfactory explanation about the bridge between Summerside and St. Eleanor's, and of the accident which happened the Chairman of the Commission, and showed it was occasioned by a cow being

Hon. Mr LONGWORTH.—The discussion on this question has been greatly prolonged; and I think hon. gentlemen on both sides have travelled far out of the road. I refer now more particularly to the hon. member from St. Peter's, who gave us a very lengthy dissertation on the subject of loyalty. I must say, too, that I did not envy him his position, nor shall I envy him the notoriety which he will probably derive from the discussion of that subject. If his speech goes forth to the country, and one who reads it can judge for himself. I admit that his address was eloquent and carefully prepared; yet, notwithstanding all his eloquence and the beauty of his sentences, and the rounding of his periods,—beneath the glare in which his sentiments were clothed, hon. members on both sides of the House, I think, could not fail to perceive the barb,—they could not fail to perceive his real sentiments. In referring to the recent war in the Crimea, he did not go so far as to admit that it was the real spirit of liberty and loyalty which was manifested by the troops who went from Britain, and who fought on that memorable occasion. To use his own language, England is only supposed to be the guiding spirit of liberty. Then the principle of liberty and loyalty is only supposed to be manifested in Britain! But I need not follow him through his long and labored dissertation on loyalty. In attempting to contrast the people of this Island with those of England, he endeavored to draw inferences unfavorable to the inhabitants of this Colony, inasmuch as we, in his opinion, do not live under a Government which metes out common justice to all the people. But he goes too far in making this charge, and

is unable to refer to any authority to bear him out. According to his description, the people of this Colony are in a state of serfdom, and live under a Government of Despatches issued from the Colonial Office. He complains of living under an Oligarchy, and of the privilege conferred by living under the shadow of the Bill of Rights, as being only a phantom. Would the people of Canada, Nova Scotia, or New Brunswick, he inquired, submit to this?—Submit to what, I ask?—Submit to live in a state of dependence on the British Crown—under a Government of Despatches, as the hon. member styled it?

Hon. Mr WHELAN.—Will the hon. member allow me to offer a word of explanation?—I asked if they would submit to be governed by a proscriptory clique.

Hon. Mr LONGWORTH.—He said we lived under a Government of Despatches, and that we were not admitted to the same privileges which the people of Canada and the neighboring Provinces enjoy. But I would ask the hon. member what remedy he would propose? how we can be relieved from our allegiance to Great Britain, if he desires to be severed from the parent Country? Have not the other Provinces submitted to the rule of Britain? The evils which, in the hon. member's view, he deplored, are sometimes experienced in Canada, as well as in P. E. Island, viz., in having Bills rejected at the Colonial Office. A currency Bill which they sent Home, was disallowed; and they were obliged to ask permission to introduce a Bill affecting their Legislative Council, and the Bill itself was framed by the Imperial Parliament. Why then attempt to draw a contrast between this Colony and Canada? And every three months or so the same thing occurs in Nova Scotia. The most important Bills are sometimes sent back for revision or alteration. I might refer, too, to the Writ of Habeas Corpus sent out from the Queen's Bench, London, a short time ago, for the apprehension of Anderson. That was a question which affected the Bench in Canada; but Britain, we see is entitled to the power of interfering in all such matters. In reference to the hon. member's remarks concerning the Prince of Wales, he need scarcely have gone so far. He might have left, in this respect the hon. member from Fighish, "all alone in his glory," and no one would have envied him his position. But he came to his assistance, and was determined that the glory should not all be enjoyed by one. I believe there is not another member in the minority who would stand up in his place and deliver such a speech as either of those delivered by the hon. member from Fighish, or the hon. member from St. Peter's.

Adjourned till 10 o'clock on Monday.

J. D. GORDON, Reporter.

MONDAY, March 18.

The House again resolved into a Committee of Supply; debate on the grant for the road service resumed.

Hon. Mr LONGWORTH.—On Saturday evening at the hour of adjournment I was reviewing the speech of the hon. member for St. Peter's, Mr Whelan, in reference to the visit of His Royal Highness the Prince of Wales to this Colony. I was inclined to do so, because of the high position that hon. member occupies in the ranks of the Opposition. I do not wish to put any construction upon his language which it is not calculated to bear, but I think there can scarcely be any doubt as to his meaning, when, drawing a comparison between the people of this Colony and those of Great Britain, he said that our position was so low and so degraded, that Her Majesty was not entitled to our respect or to our loyalty,—that in consequence of certain evils with which the Sovereign must be chargeable, we are relieved from the duty of acting as loyal subjects. And what are the evils which he enumerated? The principal complaint appears to be that we are living under the sway of the Colonial Office. I will not advert to our circumstances as a Colony, because they are similar to those of all other Colonies, but I will allude to what that hon. member states is peculiar to us, and which he denominates the improper influence used at that Office to the prejudice of this Colony. He argues that because the proprietors of this Colony have exerted an influence there, we are degraded and down-trodden. Admitting that such influence has been used, is that an argument to be employed by a representative of the people when a question of loyalty is raised between the Sovereign and a portion of her subjects. We know that

monopolies have been granted to individuals in the Mother Country, and that the game laws are still in existence there, though the people have expressed themselves loudly on the subject; but have we ever heard that they rose in rebellion, because the Crown refused to put down these evils? How are we to dispose of the principle of the British Constitution that the Crown can do no wrong, if we are to withdraw our allegiance from Queen Victoria on account of a certain influence being brought to bear against the interests of the Colony? If wrong has been done to us by the exercise of influence at the Colonial Office, I do not stand here for a moment to justify the proprietors in such a course of proceeding. I admit that such conduct on their part is improper, as it tends to thwart our legislation; but if they are permitted to exercise an influence to the prejudice of the Colony, charge not Her Majesty in the matter; the Colonial Minister is the only responsible party.

Hon. Mr COLES.—In Mr Whelan's absence I rise to order. He did not say anything against the Crown.

Hon. Mr LONGWORTH.—His sentiments could not be mistaken. He said he was not going to bow himself through loyalty, to the son of the Queen, as he was not the Sovereign, and therefore the hon. member must have alluded to her Majesty. He said also that the idea of our living under the shadow of the Bill of Rights was a delusion, a mockery and a snare. I would ask that hon. member what he means by such expressions? in what respect are we different from the people of Great Britain? What liberties do the people of the Mother Country enjoy which are not secured to us? Is our criminal code more severe? Are we subjected to heavier taxes? No; then in what respect are we more like serfs? I say that he has not proved his assertion; and I defy him to substantiate his statement that our laws are not as just, and that the people of this Island are not entitled to the same immunities and privileges as are enjoyed in Great Britain. And notwithstanding the imprecation which he threw out that the fountains of justice are polluted in this Island,—that when a poor man comes into the courts of law he seldom obtains his rights—

Hon. Mr COLES.—He said the prevailing opinion was so.

Hon. Mr LONGWORTH.—If he said only that it was the prevailing opinion and not his own, he had no right to give expression to it. But he stated that trial by jury in this Island was a humbug. I have yet to learn that the people of this Island have sacrificed their rights, for the assertion is against the people themselves, as juries are drawn from the people. If these juries have allowed the rights of the people to be frittered away, they themselves are to blame, and not the Queen and her Government. The hon. member said that the Prince of Wales was not entitled to the loyalty due to the Sovereign; but admitting that to be the case, did he come here simply as a private individual, or did he come vested with Royal authority so far as it could be given him? He came here with power to create Peers of the realm, and with power to confer the honor of Knighthood. I say, then, that the language employed respecting His Royal Highness by the hon. member for King's County, was unbecoming in him as a member of this House. He asked why should we be required to show respect to the Prince of Wales, for some of the greatest fools and despots who ever lived possessed this title? There was no occasion for language like this when referring to the present Prince of Wales, for the prudence, the judgment, and the foresight which he displayed whenever he was called upon to meet the public, has been the subject of remark by men of all shades of opinion in the neighboring Colonies, and in the United States. If the Prince of Wales were a person of the description referred to by the hon. member, Mr Whelan, would we have heard of the remarks made respecting His Royal Highness in the British Parliament, by no less a personage than Lord Derby, to the effect that looking at the conduct of the Prince in his course through the Colonies, he (Lord Derby) considered that they would be wanting in duty if they did not recognize it in their answer to the Queen's speech; and there was scarcely one in ten thousand who would have displayed under the circumstances such prudence and strength of mind as His Royal Highness? This coming from the leader of the Opposition in the British Parliament is, I think, at least as high a testimony as that which comes from the Hon. Edward Whelan.

Hon. Mr COLES replied at considerable length, and said that though his hon. friend had alluded to the conduct of former

Princes of Wales, that was not charging anything against the present Prince of Wales. He (Mr Coles) believed that His Royal Highness was everything that could be desired, and that there was not a person in the Colonies or in the United States that would not say so. He maintained that the people here did not enjoy the same privileges as those in Great Britain; and he supposed his loyalty would be called in question. A Bill passes the Parliament there, and it receives the Royal assent; but here bills were passed time and again that were cast out by the Colonial Minister of the day, who might be actuated perhaps by no better principle than that of the one who caused the American Revolution. His hon. friend, Mr Whelan, did not say that we should throw off our allegiance, because our measures were sometimes not allowed to pass into law. The people of Great Britain, however, had not always submitted quietly to what the Government refused. He (Mr Coles) was there at a time when Bristol was set on fire by the populace, and when the Duke of Wellington's house in London was barricaded to prevent them from breaking the windows, on account of the refusal to pass the Reform Bill, yet the people continued to agitate until they gained their point; and he had never heard that for so doing they were called in question for disloyalty. He was surprised to hear the hon. member for Tryon accusing the minority for running the country into debt. This could not be the case, as he and his friends had a large majority in the House. But he supposed that hon. member had forgotten that he (Mr Coles) had assisted him in saving the expenditure on one point not long ago.

Mr MONTGOMERY said that had it not been for an occasional remark made by hon. members now and again, he would have forgotten the subject under consideration. He regretted that the sum named in the estimates for the road service was so small, but he thought, in the present circumstances of the Colony, it was as much as the House was warranted in voting.

Hon. Mr WHELAN addressed the Committee for some time in reply to the hon. member Mr Longworth. He regretted that he was under the necessity of having recourse to the notes of his friend on the left (Hon. Mr Coles,) and said that if he had occasion to answer the remarks of an opponent, he would rather have foregone the paltry gratification of doing so, than to have replied during his absence. Objection had been taken to his (Hon. Mr Whelan's, statement that the people of this Colony were reduced to the condition of serfs, but he would reiterate it and say that they were serfs in the full sense of the term. Even the present Government, with all their boasted influence at home, could not get their bills carried through at the Colonial Office. Even the Act to give effect to the award of the Land Commissioners had been disallowed.

Hon. Col. GRAY rose to correct; it was not disallowed.

Hon. Mr WHELAN.—Did the Duke of Newcastle not say that he could not submit it for Her Majesty's assent.

Hon. Col. GRAY.—For the present.

Hon. Mr WHELAN.—“For the present!” Did the Duke's despatch not state that other bills would require to be passed to give effect to the award? He (Mr. Whelan) would again advert to the people of this Colony being serfs, and would say, though more in sorrow than in anger, that this Legislature was in effect subservient to an absentee proprietary faction. How could the people here be said to enjoy the privileges conferred by the Bill of Rights, when this House could not pass any Act which would receive the Royal assent unless it met the views of the proprietary party. He had said nothing against the present Prince of Wales; he believed he was a young gentleman who reflected the glorious qualities of his mother; but he maintained that the same loyalty was not due to him as was due to the Sovereign. The Prince had no authority when he was here to confer any titles; it was only after he went to Canada; and he (Mr Whelan) believed that some gentlemen from this Island had gone on there with the expectation of receiving the honor of knighthood.

Hon. Mr HAVILAND rose to join issue with the hon. member in the statement which he made on Saturday that some of the Princes of Wales were the greatest fools and despots who ever lived. He (Mr Haviland) commenced with the first Prince of Wales, who afterwards became Edward II., and said that he had yet to learn that he was ever considered a fool. Mr Haviland then referred to the second Prince of Wales, Edward III., and to all the Princes of Wales down to the present time, giving the distinctive trait in the character of each, and endeavoring to prove the incorrectness of Mr Whelan's assertion. He admitted that the intellect of George III. broke down in his later years, but said he was no fool in his early days. George IV. he remarked, might be a profligate, but he was not a fool, nor was he a tyrant to the people of England. Mr Haviland next alluded to the remark made by Mr Whelan that the people of this Island were in a worse position than those in Italy, and said that if the hon. member were to give public expression in that country to sentiments similar to those he had given here on Saturday afternoon, he would soon find gendarmes at his side. He (Mr Haviland) said that though bills passed by the Legislature here were sometimes rejected at the Colonial Office, that was no reason why the people of this Island should be styled serfs. He showed that all the bills passed in the other Colonies did not receive the Royal assent, and stated that even in Canada, though it had a population greater than the United States at the time of the declaration of independence, a bill was passed a few years ago to regulate the currency of that Colony, which did not receive Her Majesty's approval; but still they had not heard of the people there rising up and saying they were serfs. It had been remarked that the proprietors had access to the Colonial Office; if they had, it was owing to that very Bill of Rights respecting which so much had been said. (He concluded by referring to the Rent Roll Bill, and one or two others passed by the opposite party when in power, to which the Royal assent was refused.)

Progress was reported, and the House adjourned until three o'clock.

D. LAIRD, Reporter.

AFTERNOON SITTING.

Mr Owen presented a petition of Patrik Bradley, Cardigan Road, praying relief, on account of his barn having been consumed by fire.

Hon. Col. GRAY presented a petition from Lot 49, praying for a grant of £30, for building two additional blocks to Pownal Bay wharf.

Hon. Mr KELLY presented a petition from Lots 36 and 37, for a grant to build a bridge and open a road; also one from the Fort Augustus Literary Institute for a grant to purchase some standard works.

Hon. Mr MAULAY presented a petition of School trustees, Georgetown praying for the grant of a school site, and for a grant towards building a school-house large enough to contain the Grammar and Female Schools. The preceding petitions were laid on the table.

Hon. Col. GRAY presented a petition, from Cherry Valley &c., which was referred to the special Committee appointed to report on new Post Offices.

Hon. Mr WHELAN presented a petition of Michael Scully, which was referred to the special Committee on Schools and Education.

The House again resolved itself into a Committee of the whole on supply.

Mr COOPER said that during the debate much had been said about the reception of the Prince of Wales. Though the Prince acted well for a young man in his tour, still he never did anything which would entitle him to such a reception as he met in these Colonies. It was in consequence of the exemplary conduct of his

mother Queen Victoria. No page of the future history of British Sovereigns would be fairer than hers. The reception given to the Heir apparent to Her throne was the show our satisfaction with British institutions, so to thought the country would not complain of the expense incurred. Thus the people of these Colonies proved to the Republicans of America, and to the despots of Europe, our satisfaction with British institutions. In America we read of the dissatisfaction under a system of Government which was held up to the world as the most liberal, and which seemed to be breaking up like unpopular forms of Government in Europe. The manner in which the Prince was received would be an inducement to him, when he ascended the throne, to carry out the Government of his illustrious mother, which was so highly approved. (Hear.)

Hon. Mr COLES addressed the Committee and referred to remarks made by the hon. member from Georgetown, in the morning, who, he said had travelled out of the record in discussing the merits of the Princes of Wales, the Fishery Reserves, and the Rent Roll Bill. Mr Coles then remarked that he had been in the Crown Land Office that day and saw on the plan of Lot 54 the name of an important Government officer, down for 1200 acres, and the names of other individuals removed. He thought no man should put his name down till he had paid his deposit. As the principal part of the remarks of the hon. member from Georgetown were intended for his hon. friend on his right, Mr Whelan, the hon. member, he said would, be prepared he had no doubt to answer for himself.

Hon. Col. GRAY said there was such a diversity of subjects discussed it would require a sheet of foolscap to note them down, to know which one was properly before the Committee. He could not understand why the hon. member who had just spoken, should bring forward on the present occasion what he had seen in the Crown Land Office. It would be a foolish thing for any one to put down his name for 1200 acres, knowing he could only purchase 300. If the Commissioner had put down any individual's name for that number of acres, he had exceeded his duty. But he (Hon. Col. Gray) believed the hon. Leader of the Opposition, when he was Leader of the late Government, had himself bought a quantity of land, and a mill.

Hon. Mr COLES said he bought it at public auction and did not go to the Crown Land Office to strike out the name of another person, and put his own in. He did not say that the gentleman himself put his own name down on the plan, but that his name was there, whoever wrote it.

Hon. Mr WHELAN addressed the Committee at considerable length in reply to the hon. member from Georgetown, Mr. Haviland, in reference to his remarks concerning the Princes of Wales, commencing as far back as the reigns of Edward the II. and Edward the III. Mr Whelan then endeavored to prove by historians and poets that there were fools and despots who had rejoiced in the title "Prince of Wales."

A few more remarks having been made the Speaker took the chair and the chairman reported progress, and asked leave to sit again.

J. D. GORDON, Reporter.

House again in Committee of supply. After some further desultory debate on the resolution granting £6000 for the road service, it was agreed to, and reported accordingly.

Mr HOWAT from the Private Bill Committee to whom was referred the Bill to naturalize John George Eckstadt, presented their report thereon, which recommended the House to pass said Bill on payment of fees.

Hon. Mr HAVILAND said it had not been the uniform practice of the House to charge fees for Bills of naturalization. He cited the cases of Searle Mann, Rachel Gibson, and others, and remarked as fees had not been charged in those instances, he, as a member of the Committee, had declined to sign the report.

Hon. Mr COLES was of opinion that fees in this case should not be charged. Mr Hunter had been required to pay fees for a Bill to authorize him to change his name, but this was very different from a case of naturalization.

Mr HOWAT said that most of those who had been naturalized, had remained only a short time on the Island afterwards. He was opposed to filling up the statute books in this manner with laws about individuals who generally very soon after leave the Colony. The House might naturalize this person without charging him fees, and before the end of the year he might be in Jericho. He (Mr Howat) moved that the fees payable on the said Bill be £5.

Hon. Mr HAVILAND moved in amendment that the fees be one shilling, which motion was lost, and the main motion agreed to.

Hon. Mr HAVILAND presented to House account of sales of sundry articles disposed of at public auction, by direction of the Committee for the reception of the Prince of Wales—referred to the Committee on Public Accounts.

PETITION FOR A BANKRUPTCY LAW.

The order of the day for the House in Committee on the petition, presented on Wednesday last, praying for the passing of a Bankruptcy Law, being read, the House accordingly resolved itself into the said Committee, Mr J. Yeo in the chair.

Mr DAVIES said that the necessity of a Bankruptcy Law was admitted in all mercantile communities. It was objected to by some, who said that it opened the door to fraud. Perhaps a few might take advantage of it, but he thought it was high time something was done in this country for unfortunate merchants. A number of those who did business between 1857 and 1859 were in this position, and when they commenced merchandizing again, their creditors came along and swept the goods off their shelves, so that they were unable to support their families. He had been informed that an extension of the Insolvent Debtors' Act would meet the case of such individuals,—that a clause could be introduced into it affording security that creditors should not pounce upon those who came under the operation of the Act. Whether that Act could be so amended as to suit the case was a question for the legal gentlemen in the House to decide; but if it could not, he should go for introducing a Bankruptcy Law.

Hon. Mr COLES did not intend to say much at present, as he had expressed his sentiments on this subject on a former occasion. The House should be very careful in regard to passing a Bankruptcy Law; a debtor's going into a Bankruptcy Court should be left pretty much at his own option, and not in the power of the creditor, for a person in good circumstances might find it difficult at some time to meet a bill of perhaps £100. He (Mr Coles) was not in favor of passing a Bankruptcy Law. He thought an extension of the Insolvent Debtors' Act would answer all the purposes required, but he would be inclined to bow to the opinion of legal gentlemen on both sides of the House, as this was an open question.

Mr COOPER thought that a Bankruptcy Law opened the door to swindling. There were very few creditors so hard-hearted as to treat a debtor harshly. He did not see that there was any necessity for such a law.

Hon. Mr MAULAY said that there was no subject which had come before the House that deserved more consideration. There were two objects to be gained by a Bankruptcy law, first the protection of trade, and secondly the protection of the honest but unfortunate debtor. His conviction was that the House should direct their attention to the matter with the view of passing such a measure as might work for the benefit of the country.

Mr BEER had some misgivings about the passing of such a law. He thought it might affect the credit of the Colony; merchants in the old country were probably more ready to give credit here, knowing that there was no Bankruptcy law in the

Colony, than they would if one were passed. He would like to see some method by which unfortunate individuals could be protected, but there was a difficulty in regard to the matter. It was known that some parties in this community had gone to England to get—as it was called—"whitewashed," and had come out here again with plenty of cash, besides having owned property while they were passing through the process.

Hon. Col. GRAY would refer to one remark made by the hon. member who had just done, which he thought was against his (Mr Beer's) own argument. It was that at present an individual could go home, get "whitewashed," and come out, still having money all the time. Such a course would be prevented by the passing of a Bankruptcy law here; for if such a law had been in force in the Colony, no person could have escaped in the manner described. He thought there ought to be a Bankruptcy law in every country. There might be some inconvenience attending it, but the greater amount of good should be looked to. He was of opinion that the Judges of the Supreme Court might be empowered to grant a discharge from all debts. It was a hardship that a merchant who had failed to meet his engagements, could not recommence business without the risk of being pounced upon by his creditors. Supposing a person had a vessel uninsured, and it were lost, was that man to be ruined? He considered there was no dishonesty in not insuring.

Hon. Mr THORNTON said that the only argument advanced against a Bankruptcy law had been that it would affect the credit of the colony abroad. He thought that such a law would have an opposite effect. Why should the people here be without a law of this kind, when there was such in the neighboring Colonies, and in Great Britain? He had objections to the Insolvent Debtors' Court; he was a member of one for some time, and would hope that those who composed such courts were generally more competent to decide on cases than he was. He considered it worthy of note that the petition before the Committee was signed by nearly all the merchants in Charlottetown.

Mr OWEN did not see with the hon. member for Charlottetown, Mr Beer, that a law of this kind would injure our credit abroad. If a Bankruptcy court were established here, creditors abroad would feel that they would obtain their proper share of a bankrupt's effects. If such a measure as was prayed for in the petition were passed, it would be an encouragement to trade, as those who had been unfortunate would not be under the necessity of doing business in other persons' names.

Hon. Mr LONGWORTH said that in almost every country a Bankruptcy law was considered necessary. The principle had been recognized for a long time in Britain, and also in the United States. The great object of such laws was to obtain for the creditor a just share of the effects of the debtor. It was not the policy of a bankruptcy law to relieve a person from his debts; this was only one of its accidents. A law of this kind had been in existence in Britain for centuries, but up to the present moment it was very defective. Notwithstanding there were so many eminent legal gentlemen in the British Parliament, the law now in force there was found to be very inefficient. During the present session a Bill had been introduced, which if passed, would materially affect the whole law, by doing away with the system of three classes of certificates, which had been first proposed by Lord Brougham. It was thought that second or third class certificates would have conveyed the idea that those who obtained them were suspected of fraud; it was found, however, in practice that they had not this effect, for a person received credit who procured a certificate, no matter whether it was first, second, or third class. Some who obtained such certificates had gone into business and committed greater frauds than before. The Attorney General of England, Sir Richard Bethel, had this session of Parliament brought in a bill to do away with this system, and limit the power of the bankruptcy court to grant one certificate, and one only; and if it were ascertained that an individual having obtained this certificate had not acted honestly, he should be handed over to be tried as a criminal. So the House must see that in England with all the ability which had been brought to bear upon the subject of a bankruptcy law, it was found difficult to apply the proper remedy in the case which such a law was intended to meet. This showed that it was an important matter they were considering, and one which required deliberation. He did not think it would be possible to extend the Insolvent Debtors' Act so that the Judges of the Supreme Court

should have power to grant a person a discharge of all debts. This method would be wanting in all the great advantages of a bankruptcy law. The Judges would have to appoint some person to examine the accounts, for otherwise they would have no guide to determine whether the debtor had acted fairly in his dealings or not, which would be an indirect way of arriving at a conclusion in the matter. In a Colony like Prince Edward Island, they should be careful in regard to passing a Bankruptcy law, and should consider what would be its effect. It would not be so general in its operations as the law in England, but would only effect debts contracted in the Island. So far as debtors who were owing in Great Britain were concerned, it would be a dead letter; and he thought that those who had signed the petition before the Committee, had not taken this into consideration.

Hon. Mr COLES asked why it was that persons who were "whitewashed" under the law in Britain, were relieved from their debts in this Colony?

Hon. Mr LONGWORTH.—Because the Imperial law had force in all the Colonies. But Bankruptcy laws in the neighboring Colonies did not affect debts contracted here. A case of this nature had been tried in this Island. A party who had passed through the bankruptcy court in New Brunswick, and had been relieved from his debts there, thought also to get clear of those he had in this Colony; but it was resisted, and had it not been that the contracts were ascertained to be made in New Brunswick, and not in the Island, he would have been held liable for the amounts which he owed parties here. He (Mr Longworth) considered it his duty to make those statements before the House should take any action with respect to passing a bankruptcy law. It was certainly a hardship that unfortunate merchants could not be discharged from their liabilities; but however desirable it might be to relieve them, this House could pass no measure which would free from any debts but those contracted in the Island.

The Committee rose, progress was reported, and the House adjourned.

D. LAIRD, Reporter.

AFTERNOON SITTING.

The House resolved itself into a Committee of the whole to resume the farther consideration of the petition praying for a Bankruptcy law.

Hon. Mr HENSLEY said he coincided almost entirely with the hon. member from Queen's County, Mr Longworth, in the views which he expressed respecting laws which he laid down. He (Mr Hensley) recognized the justice and propriety of enacting a law to protect honest, though unfortunate debtors, and it would be very desirable to have a law to free them from that restraint which, at present, debt imposes upon them. He was afraid, however, that the great object sought by parties desiring the Bankruptcy Act, would not be secured as it would not afford relief from foreign debts. He thought it would be better to refer the matter to a Special Committee to report, and if he were called upon to assist in framing an Act, he would be happy to render all the assistance in his power. In opposition to the view taken by the hon. Leader of the Government he thought the Judges of the Supreme Court could not undertake to grant a discharge from all debts. He considered a separate officer would be necessary who should have a regular salary. He would be in favor of making the Judges of the Supreme Court Judges of a Bankrupt Court, if it could be done consistently with their office.

Hon. Mr COLES having expressed his full satisfaction with the Judges of the Supreme Court, and the confidence he would repose in them if appointed to carry out a Bankruptcy Law, argued in favor of extending the provisions of the existing Insolvent Debtor's Act, as being the best remedy, in his opinion, to meet the requirements of the case; for a Bankruptcy Law would have only a local effect, and would not even extend to the neighboring Provinces.

Mr DAVIES considered that though such a law would not actually extend to the neighboring Provinces, yet, that virtually it would. If there were a Bankruptcy Law passed in this Colony, it would, he thought, have the effect of inducing all creditors, present and absent, to make application for an equitable share of a debtor's property, when he became insolvent, and

if any one refused to give adhesion to the law, that person would not receive anything. He thought creditors generally would be glad to come in and participate. If the power, suggested, by an hon. member, was vested in the Judges of the Supreme Court, he thought it would be difficult for them to ascertain whether or not there had not been some fraudulent dealings on the part of debtors in relation to their property. It could scarcely be expected that the Judges of the Supreme Court could devote as much time to the consideration of the various cases which would come before them as they would require. He could not agree with the hon. Leader of the Government, who stated in the morning that if a merchant sent away property without insuring it, he would not act dishonestly though that property should be lost; for in his opinion it would be dishonest in such a case to risk the property belonging to other individuals, and this was the view he thought which was taken of it by mercantile men. The benefit derived from a Bankrupt law was that all creditors shared alike. He (Mr Davies) himself, had sometimes held back, being unwilling to pounce upon an unfortunate debtor who had fallen behind, and in the mean time other creditors came in, took all, and he received nothing.

This question having been discussed a little farther, the Speaker took the Chair, and the Chairman reported progress, and asked leave to sit again.

Adjourned at 4½ o'clock.

J. D. GORDON, Reporter.

WEDNESDAY, March 20.

House again in Committee on the Petition praying for a Bankruptcy Law.

Hon. Mr HAVILAND said the question under consideration was one of great moment to the mercantile portion of the community. This was not the first time it had been before the House; a Committee was once appointed to consider the subject, and their report was brought in during the Session of 1852, but it produced no result. Nothing more was heard of a Bankruptcy Bill until last Session, and this year again the question had come up. He was in favor of such a measure if it were properly guarded. It would be well if some means could be adopted so that unfortunate debtors might come out as new men, and be able to re-enter business. He who had failed in business, and could not obtain the benefit of a Bankruptcy Law, was in effect a mere serf, for he had no hope of improving his circumstances. But this House must take into consideration that a Bankruptcy Law passed in this Colony would not have the effect of a Law passed in Britain. In looking over the signatures to the petition, he thought that some of those whose names were there entertained the opinion that it would; but as a lawyer he must inform them that such a law passed here would only benefit those who became indebted in the Island, and therefore would only be an advantage to the small dealer, while the large trader who became involved in Britain or the neighboring Colonies, would be in no better position than at present. To prove this, he would quote from perhaps the ablest writer on commercial matters that ever expounded law in the old world or in the new, namely, Judge Story of the United States. [The hon. member here read several extracts from "Story on the Conflict of Laws."] He (Mr Haviland) did not see that there should be any distinction between a bankrupt and an insolvent debtor, for why should not a farmer or a mechanic be relieved from debt as well as a merchant? By Sir Richard Bethel's new bill it was intended to do away with the distinction between commercial and other debtors, and it was believed that this proposal would meet with the views of a large majority in the House of Commons. Bankruptcy Laws had heretofore proved a failure, as they had given room for fraud. A law of this kind ought to afford as great protection to a creditor as to a debtor. The first Bankruptcy Act was passed in Britain more than 200 years ago, and still the law there was very imperfect; therefore he considered that this House should not rush into the matter. He would move this resolution:—

Resolved, That a Special Committee be appointed to draw up a Bankruptcy Bill during the recess of this House, and the same be reported at the next Session thereof.

His object was that the House should not only have the benefit of examining the bills recently introduced into the Nova Scotia and New Brunswick Legislatures, but also the bill brought in

this year into the British Parliament, as well as of learning the views, elicited in debate, of the ablest lawyers and statesmen in England. He hoped, if a Committee were appointed, they would give the subject their careful consideration, so that a bill might be framed which would be a credit to the Colony.

Mr SINCLAIR said as this was a very important subject, he agreed with the hon. member who had just sat down, that it would be better to let it lie over until next Session. He had acquired considerable information from the discussion, and would like to ask two or three questions, one of which was whether a Bankruptcy court would be self-sustaining or not?

Hon. Mr HAVILAND in reply said that it would altogether depend upon the nature of the Act passed whether such a court would be self-sustaining or not; it would have to specify whether the judge, &c., would be paid by the Colony, or altogether by fees. There was one remark made yesterday which he wished to correct, namely, that a debtor's effects, under a bankruptcy law, would be equally divided amongst his creditors. This was not the case, for a mortgagee creditor would come in for the first share. For example, if a mortgagee creditor had a claim of £2000 against an estate, and it were only worth that much, he would be entitled to all.

Mr DAVIES remarked that it was his opinion that a Bankruptcy Law passed here would hold good in any part of Her Majesty's dominions, but the legal gentlemen of the House appeared to think differently; however, though it should not, he thought the British or Colonial merchant would be glad to come in and take his share of the debtor's effects under the local Act. With respect to the expenses of a bankruptcy court, he had always understood that the bankrupt's property had to pay all.

After a few remarks from one or two other hon. members, the question was put on the resolution moved by Hon. Mr Haviland, which was carried unanimously. The resolution was then reported to the House and agreed to; whereupon it was ordered that Hons. Messrs. Haviland, Longworth, Hensley, Wightman; and Mr Davies do compose said Committee.

A few petitions were then presented, and the House adjourned at 1 o'clock until 10 o'clock to-morrow.

THURSDAY, March 21.

Hon. Mr COLES said he had given notice of a motion to-day to take up the consideration of the petitions praying for a measure to prevent the collection of arrears of rent until the award of the Land Commissioners should be given in; and had moved for a call of the House; but as it was impossible owing to the state of the roads that hon. members could be present, he would move that the consideration of the petitions be deferred until Tuesday next, and that the order for the call be discharged.

Hon. Mr HAVILAND thought it was unusual to do away with a call of the House, but it was quite competent to allow the business for which the call was made to lie over. It would be better, he thought, to go through the form of a call, as not to do so, might be establishing a bad precedent. There would be a sufficient excuse for the members who were absent.

The call was then made, when the following members were severally reported absent without leave, viz:—Hons. Messrs. Thornton, Gray, Hensley, Whelan, Perry, Kelly; Messrs. Doyle, Ramsay, and Sutherland. The Hon. Mr Pope and Mr Dones were both reported absent from the Island.

The House in Committee on the petitions above referred to, was made the order of the day for Tuesday next.

Several of the hon. members absent at the call of the House, appeared at the bar and made their excuses, which were received.

Hon. Mr COLES said as the order of the day had been deferred until Tuesday next, and as there was some information which the House might desire to possess, namely, the number of writs issued for the recovery of the arrears of rent, since the first of May last, he would move that a Committee be appointed to procure this information, with power to send for persons, papers and records.

The motion was agreed to, and the following Committee appointed, viz., Messrs. Coles, Thornton, and Sinclair.

Hon. Mr LONGWORTH said the Report of the Commissioners for Revising and Reprinting the laws was on the table, and he rose to move that it be referred to a Committee of the whole

House. It was necessary to refer it to Committee for several reasons. The Act under which the Commissioners were appointed would require to be amended to extend the time for them to deposit the laws already printed in certain public offices. The Committee considered it advisable also that the Act should be amended to authorize them to enter into a contract for the printing of the laws according to the style of the Revised Statutes of New Brunswick, or of the Statutes of Canada, instead of that of the printed laws of this Island as provided in the Act. The report also mentioned several Acts which required consolidation, such as the Education Act, which was divided into four or five different Statutes.

The motion was agreed to, and the House resolved itself into Committee on the said Report, Mr Sinclair in the Chair. Some desultory debate then took place in the manner in which the Commissioners had advertised for tenders for the reprinting of the laws, Hons. Messrs. Coles, Hensley and Whelan advocating that new tenders should be called for, if an alteration was made in the Act to the effect that they should be printed in the style of the New Brunswick, Nova Scotia or Canadian laws.

Hon. Mr LONGWORTH said it was stated in the advertisement that specifications would be seen at the office of Mr Edward Palmer, and those who applied were shown a copy of the printed volume of the laws of this Island, and of the Revised Statutes of New Brunswick and Nova Scotia; and tenders had been received for the printing according to the style of the latter, but the Commissioners had no power to accept any but such as were according to the specification of the Island laws, therefore they had referred the whole matter to the House.

Hon. Mr COLES thought there was no occasion to print the Private Acts with the general Statutes of the Island; it would be better to print them in a small volume by themselves, as he believed was commonly done in the neighboring Provinces. This method would be a considerable saving of expense, as a few copies of the private Acts would be sufficient.

Hon. Mr LONGWORTH remarked that the Commissioners had thought of what had been suggested by the hon. Leader of the Opposition, but they had no power to carry it out. However, if the Charlottetown incorporation Act, the Bank Act, and the Church incorporation Acts had to be printed with the general laws, the other Acts of this nature would scarcely make a volume worth printing by itself.

Hon. Mr HENSLEY said that in Nova Scotia and New Brunswick the local Acts were printed along with the private Acts in a separate volume. If the course were adopted of printing all Acts of this nature in a volume by themselves, it would effect a considerable saving, as he did not see that it was necessary to furnish these laws to the Magistrates in the country.

Mr DAVIES entertained the same opinion. He hoped the expense of reprinting the laws would be reduced as much as possible. Two or three hundred copies of the private Acts would be sufficient.

Hon. Mr COLES said another consideration was that these private Acts did not require to be renewed so often as the general Statutes, and might remain, if in a separate volume, though the other laws had to be republished.

Hon. Mr LONGWORTH moved two or three resolutions, one of which was as follows:—

“Resolved, That the Act of the 23 Vic. cap. 10, intitled “An Act to provide for the revising and reprinting of the laws of this Island,” be amended so as to authorize the Commissioners appointed thereunder, to deposit the laws therein referred to, being the laws printed by the Government Printer in the year 1852, and the Acts passed by the Legislature since that period down to the present Session, inclusive, in certain public Offices in this Island, within a certain limited time after the close of the present Session; also to enable the said Commissioners to enter into a contract for the printing of the laws of this Island, according to the style of the Revised Statutes of New Brunswick or Nova Scotia, or of the Statutes at large, of Canada, instead of that of the printed volumes of the laws of this Island; the said Commissioners being empowered to omit from the volumes of the General Statutes, all local and private Acts, (including Acts of incorporation) and to cause two hundred copies of such private and local Acts to be printed separately; and also to enable the said Commissioners to contract for the binding of the new

volucres in a more suitable style than that specified in the Act as it now stands; and also, that the said Commissioners be authorized and directed to call for new tenders for the publishing and binding of said laws."

The resolutions were agreed to, after which the Committee rose and the Chairman reported progress.
House adjourned for one hour.

D. LAIRD, Reporter.

AFTERNOON SITTING.

Hon. Mr HAVILAND, by command of His Excellency presented to the House the following message:—

The Lieut. Governor transmits for the information of the House of Assembly, copies of the following Despatches:—

Jan. 23, 1861.—On subject of an Act for better apprehension of certain offenders.

Feb. 23.—Transmitting an order in Council, specially confirming an Act of the local Legislature.

Feb. 23.—Transmitting an order in Council, leaving 35 Acts of the Legislature to their operation.

Feb. 23.—Transmitting an order in Council disallowing an Act of the Legislature for the better apprehension of certain offenders.

Circular.—Feb. 5.—Enclosing a copy of a letter from Lord Elcho on subject of National Rifle Association.

Circular.—Jan. 31.—Announcing peace with China.

Hon. Mr HAVILAND begged leave to present a letter of the Post Master General, with enclosures having reference to the Post Office department, which were received and read.

The Post Master General stated that during the last year six new Offices were established, and one closed, making at present, in all, 82 Post Offices in the Island.

The receipts for the year from some of these were small. The Office at Skinner's Pond, Lot 1, is maintained at an expense to the Colony of £10 10d., less amount of postage collected £1 4s. 11d. The Postmasters at Casumpee and Port Hill were entitled to a small grant in addition to their salaries. The Postmaster General of Nova Scotia recommended that the compulsory prepayment of postage by stamp be adopted in Canada, Nova Scotia, New Brunswick and P. E. Island. The Postmaster General here recommended the system in so far as it related to the other Provinces, but thought its adoption on Correspondence posted in, and addressed to places within this Island, would at present cause much inconvenience, and dissatisfaction. He recommended that a system be set in operation for the transmission of small parcels by mail, as in the British and Colonial Post Offices, by which a parcel closed at the ends and sides, may be posted at any Office for any other Office within the Island, and prepaid by stamp, at the following rates:—

For anything less than one pound	£0	1	3
More than one pound and less than two	0	2	6
Two, and not exceeding three pounds	0	3	9

The weight of a parcel not to exceed 3 pounds, nor the size one foot in length or six inches in thickness, not to contain any letters or explosive or brittle substance. As the contract for conveying the Mails in summer between Charlottetown and the neighboring Provinces would expire in 1862, or 64, he would recommend that the Government advertise for tenders, that parties, if their tenders were accepted, might have time to purchase or build a suitable steamer to place on the route, at the expiration of the present contract. The Postmaster General thought great advantage would be derived by having one steamer to ply between Shediac and Charlottetown twice a-week, sailing at Summerside on her way up and down the Straits; and another small smart steamer to ply between Charlottetown and Pictou three times in each week.

The letter and enclosures were referred to the Special Committee appointed to report on matter connected with Post Offices.

Hon. Mr HENSLEY presented a Bill to consolidate and amend the laws relating to the conveyance of real Estate by married women, during their coverture, which was read a first time and ordered to be read a second time to-morrow.

ELECTIVE LEGISLATIVE COUNCIL BILL.

Hon. Mr HAVILAND moved the 4th order of the day, that the Bill to render the Legislative Council elective, be read a second time. In doing so, he said—This question, Mr Speaker, has been before this House on former occasions. I introduced the measure when a member in the Opposition, when the late Government was in power; also when the present Government came into power, the Bill was introduced and went through Committee, and was printed for general information. In 1859, it would have been useless to have endeavored to carry it beyond the jurisdiction of the lower branch of the Legislature; and the year following the Legislative Council was in a state of turmoil and confusion till late in the Session, when the celebrated *coup d'etat* occurred, when that body was metamorphosed to a great extent, and made more reasonable than it had hitherto been in reference to measures which originated in this end of the House. It would then have been too late to have attempted to have carried it through this end of the building, for then Her Majesty's Opposition—a: they are pleased to call themselves—would have said "you have willing tools at your command now, to go through with the measure." It is necessary, however, to have a Legislative Council so constructed that it can carry measures necessary for the interests of the country. Under the system on which the second Chamber is now constituted it is morally impossible to carry out Responsible Government in its integrity. We are not now attempting to carry this scheme through because it sounds well in theory: we have experienced the evils which have resulted from nominated Chambers. When we came into power there was a majority in that Council opposed to the principles of the present Government. The Government of the day under the present system are sure to fill up vacancies in that Chamber for their own friends.

Hon. Mr COLES.—We did not.

Hon. Mr HAVILAND.—I beg to differ with the hon. member. When in power, one case occurred in which they put in a proprietor—Mr Forgan—but it was only throwing a sprat to catch a whale,—a sop thrown out to induce Land proprietors to believe they were very liberal in their views. But they took good care to have a handsome majority at the Council Board before that gentleman was nominated. It is open to that abuse, not only here, but in the neighboring Colonies. How, I ask, would the present Council stand as regards the late Government were they to succeed the present? They would, no doubt, prove an obstructive body, as the last Chamber was to us when we came into power. Now, unless we altered the principle on which that Chamber is at present constituted what would be the result? The result would be that they would be obliged to infuse new blood into the upper Chamber—in other words, to put men there to enable the lower House to carry their measures. We have heard much of a contemplated third-party, who are to drive both parties now present out of these Legislative Halls. Saviors of the Country are to arise in their power and majesty, to advocate the interests of the country. Then both sides now existing will be compelled to hide their diminished heads;—and when they come into power, under the existing system, there must be of necessity a

great increase made in the Legislative Chamber. There are only two principles on which the upper Chamber can be properly constituted, that is, to give it stability and to enable it to exercise its functions and powers as a conservative body. These are either on the principle of Hereditary succession, like the House of Lords, or Election. In all countries, nominated Chambers have proved failures. It was discovered in Canada years ago that it was impossible to carry on the Government of the Province on that principle, and in 1853 a petition was sent from the House of Assembly to the Queen, praying for an alteration in the Constitution of that Chamber, and an address on the subject, was carried by a majority of four-fifths of the lower House. The idea of an hereditary upper Chamber in any of these Colonies, cannot be entertained for a moment. When we consider the peculiar construction of the House of Lords, we find it is not the mere creation of yesterday but the result of two or three centuries; for, its power and influence have grown with the growth of the British Constitution. An elective Chamber then appears to be the only alternative. This Chamber is elective in Australia, the Cape of Good Hope and Canada, and, if I mistake not a Bill for this purpose was introduced this Session in the Legislature of New Brunswick. Hon. members opposed to this Bill may state that in Canada the principle has not worked well. In that Colony, a few years ago, they experienced some difficulty because the upper Chamber there is a mongrel institution. They did not do as we purpose to do, to sweep the whole body out of existence and put in another entirely new. They used a little of what is called *trimming*; they only elected a certain number, and left at the Council Board the nominated members who were put there when the Colonies were united in 1841. A schoolboy might have forgotten there would have been a lack of harmony in any body so constituted. How could there be unanimity between those who only hold parchment titles, and those elected by the votes, and according to the wishes of the people? But this difficulty did not arise in the other Colonies where the elective principle was properly carried out. In Canada their system was neither elective nor nominative, hence the difficulty which arose. I may refer to the elective system which has been in operation in a kingdom in Europe since 1831 till the present time. It is a limited Monarchy with an elective upper Chamber which is not composed of Peers though there are Peers in the body: I allude to Belgium. This kingdom has a population of about 6,000,000, and a Constitution as nearly assimilated to that of Britain as is possible. This principle has been fully tested there and has given entire satisfaction. In Britain all statesmen of any note—Whigs, Tories, Conservatives and Radicals—leading men in these four classes have concluded that the days of nominated Chambers are numbered. This is the opinion of the present leader of the Opposition in the House of Lords, who, so to speak, is the quintessence of Toryism and Conservatism, Lord Derby, and the last man one would have thought who would have assented to the elective principle. The nominative system has been tried in France, Spain, Portugal and in the Republic of America in its earlier history, and failed. It may be said a Chamber constituted on the elective principle would be liable to be influenced by the popular feeling of the day; but we know the popular breeze sometimes blows to the detriment of those who fan it. Some may imagine it would save trouble and expense not to have a second Chamber at all; but I trust no gentleman in this House is tinged with any such notion. We know that men frequently pass measures, which, had they but time to reflect they would not have passed, and that is one reason why we should have a second branch to revise measures adopted in the lower branch of the Legislature. Bills sometimes pass through the House of

Commons full of errors, notwithstanding all the able men there are in that body. Lord Brougham argued on the necessity of a second Chamber two or three years subsequent to the passing of the Reform Bill. The House of Commons stood out firmly for their privileges under that Bill, and considered the House of Lords almost a nonentity. On one occasion a Criminal Law was passed in Commons, which, when it went to the upper House was found to contain errors of a character so extraordinary, that, had the Bill passed the House of Lords, it would have paralyzed the Criminal Justices of England for twelve months. The House of Commons would not give in, but no injury was done as the law was not passed that year. This is one instance, out of many which might be cited, to show the necessity of having a second Chamber. This question has been before the House so frequently, that hon. members must have their minds made up. As regards the details of the Bill I may state the Government are not wedded to them. They may be altered in Committee. It is somewhat different from the one introduced by me in 1859, which was founded upon sound principles, at least upon principles considered sound; viz., that representation be governed according to wealth and population. The Bill of last year proposed to give 3 members to Prince, 3 to King's, and 6 to Queen's County. In political matter statesmen are not always able to carry out their views. As in private matters, so in public affairs, there must be a system of giving and taking adopted. If in political matters, each statesman resolved upon having his own way, Legislation would soon come to an end. As regards wealth, Queen's County has about double that of either of the other two Counties, and its population is double also, and upon these principles the Bill of 1859 was based. The present Bill proposes to give an equal number—four—to each County. Charlottetown and Royalty, however, considering the commercial position of the Capital is certainly entitled to one member of their own. Alterations may be made in the Bill in Committee. The Reform Bill was materially altered in Committee; several Boroughs were thrown out, and many, which the framers of the Bill and its supporters wished to throw out, were retained. I hope hon. members on both sides, whatever be the fate of this Bill, will so far conclude that we have not used this measure as a stalking-horse on which to ride into power. I hope they will view it as an indication of our sincerity, and of our desire to pass it, that it may prove a benefit to our successors—to those who shall sit in these Halls when their present occupants are under the sod,—that they may have the satisfaction of living under laws calculated to promote the independence, wealth, prosperity and happiness of this Colony.

Hon. Mr COLES.—Allow me to ask if this Bill is introduced as a Government measure?

Hon. Mr HAVILAND.—It is.

Hon. Mr COLES.—I am happy to say, then, that it shall receive my support. The hon. member closed his remarks by saying he trusted it would prove a blessing to those who shall succeed us; but I hope the hon. member is satisfied that it will receive the Royal allowance. I agree with him in all points respecting the necessity of having an elective upper Chamber. Though I introduced no measure of this kind, when in the Government, still there was one brought in by an hon. member in the Opposition, and I then advocated a change in the constitution of the Legislative Council. The present Bill comes so near an amendment which I then introduced that I do not know that I shall trouble the House with many remarks at present. I proposed an amendment to the Bill introduced in 1859, but which was carried against me. I must say this one breathes a liberal spirit. With one or two exceptions, it is one which is in accordance with my views. I think it would be better to have the Councillors

ran for the whole County, as it would give more independence to the body. A man might run for a District and gain his election, whereas if he ran the whole County he might be unsuccessful. I do not see how we can make an exception of Charlottetown. The wealth of the City will always command a great influence independent of any other circumstance.

Hon. Col. GRAY.—I intend, Mr Speaker, to offer but a few observations on the Bill in its present stage. I spoke on this subject, in my place when the Bill was introduced in 1859, and my views on this question have not undergone any change since that period. I have not changed one iota in my opinions which were expressed on this question in 1859, and 1860. On these occasions, I stated that, judging from private information which I received from England from persons in authority, and in high places, I thought the Bill to render the Legislative Council elective, would not gain the Royal assent. I think there will be great difficulty in getting what is sought by this Bill, accorded to this small Colony, though my hon. colleagues think differently on this point. I trust, however, that the efforts of hon. members on both sides who are anxious to get this Bill passed, may be successful. My hon. colleague who introduced this measure, alluded to the satisfactory working of the elective system in the Cape of Good Hope, and Australia; but we should bear in mind the disparity which exists between these two countries and this Colony. I agree with the principles of the Bill, and approve of having an equal division of Councillors in each County. As regards the property qualifications, I stated on former occasions that I thought this Island did not possess sufficient wealth to make a proper distinction. In other Colonies they amounted to £4000, or £5000, but here the sum was reduced to as many hundreds. I still think that this small Province will not receive that encouragement from Home which some hon. members anticipate.

FRIDAY, March 22

The House resumed the consideration of the Elective Council Bill; and Hon. Mr. Whelan, who had the floor when the House adjourned, not being in his place when the House met, nor for some time after, hon. members present were allowed, in the mean time, to express their views on the Bill.

Mr. BEER said he fully coincided with the principles of the Bill, and thought if it became law, the country would repose more confidence in the upper branch of the Legislature than they would as it was at present constituted. In conjunction with the hon. member for the City, Mr. Davies, he certainly considered Charlottetown was entitled to a representative in the upper Chamber. If the City were attached to either the eastern or western division it would give a great preponderance to that division; but by giving them one member of their own, he considered the Bill would be as fairly carried out as it could be. He approved of the principle of the Bill and would support it.

Hon. Mr. HENSLEY said as he had had the honor of having a seat in the upper Chamber, he would be considered as having an affectionate regard for that branch of the Legislature; however, he would vote for the Bill then before the House. It was impossible for any one in these Colonies not to perceive that upon a change occurring in the Government, there were difficulties experienced by having a majority in the Council opposed to the policy of the lower House. It could not for a moment be supposed a course similar to the one adopted last year could be pursued, viz. of swamping the opposition in that body, in order that the Council might be made to meet the views of the lower House. I approve of the elective principle, at

the same time I think there may be as much clashing of opinions as was experienced under the old system.

Hon. Mr. WHIPMAN spoke in favor of the Bill, and said he considered it was before the House in a better form than it ever was before. It coincided with the views which he entertained on the question, and he felt in duty bound to support it, whatever the result of its operation might be. He thought the country would approve of the proposed change in the constitution of the Legislative Council.

Mr. MONTGOMERY and Hon. Mr. McLAULAY spoke briefly in favor of the Bill.

Hon. Mr. LONGWORTH said he did not intend to extend his remarks to any great length, but as hon. members had expressed their views on the Bill, as a member of the Government it would not become him to remain silent when a Bill so important as the one they were considering—which proposed a change so important in the constitution of the Legislative Council—was before the House. The nominative system had not worked well, and was adopted in this Colony in conformity with a usage previously established. In the history of the North American Colonies, it was found impracticable to elect a Legislative Council, on account of their being but sparsely settled; therefore the Imperial Government was obliged to grant them a constitution which they were capable of working, and which was adapted to the wealth, population and circumstances of the Colonies in other respects. The Imperial Government, therefore, saw the necessity of granting them a nominative Council. Since that time, however, we were furnished with instances of the elective system being adopted in some British Colonies, and giving more satisfaction than the nominative did. Under the nominative system the difficulties attendant upon it have been frequently experienced in all the Colonies in which it was adopted, on the occurrence of a change of Government. When the Government came down with a measure of this description, and the majority in the upper branch of the Legislature voluntarily give up their right to retain their positions in that Chamber, and submit the question for the decision of this House, he hoped the Government would receive credit for acting uprightly in this matter. Two or three objections were raised to the Bill, one by the hon. member from the East Point. But if the plan he proposed were adopted, of vesting the power of election in the lower House by giving them a two-third or a three-fourth vote, they would be reduced to the same difficulty as was occasionally experienced in the United States in the election of a President. They might be in session for seven weeks before they would get a two-third vote in favor of a man to be a member in Council. In point of practice he thought the plan, if adopted, would be a nullity. He could not see that the suggestion of the hon. member from Princetown, who thought one Chamber was sufficient, would ever answer. If he could prove his position to be correct, they would adopt his principle, for it would obviate the difficulties experienced upon a change of Government. If the pruning knife could be applied in that manner to that branch of the Legislature, a great point would certainly be gained. He (Mr. Longworth) thought that the principle of the hon. member, however fair in appearance, was nevertheless unsound; for, taking it upon no higher ground, it was admitted on all hands that that branch of the Legislature served as a salutary protection. Such a Chamber was necessary to secure good Government, and the harmonious working of the Legislature.

Hon. Mr. WHELAN resumed. He commenced by replying to some remarks made by the hon. member who had last spoken, during which time there was considerable interruption. Mr. Whelan then argued that the Government were pledged to carry out the measure then before the House; that the liberal character of the Bill was to be ascribed to the fact that the Government knew it would not receive the

Royal allowance; and that they considered under the circumstances that it would be as well to bring a good measure before the country as an inferior one. These things were denied by the advocates of the Bill. Mr. Whelan then said there was a great clamour raised the first year the present Government were in power, against the majority in the Council, because they were the nominees of the late Government, and because it was supposed they would not carry out the measures of the Government, whereas they had only rejected one Bill which originated with the Government. From that instance they argued all their measures would be thwarted. The general feeling and intention of the upper Chamber of that day was, he said, to give a fair constitutional support to the measures introduced and passed in the lower House. As it was, he would place more confidence in a constitutional support being given to measures originating in the lower House, than he would in an elective Chamber. Again, he questioned the right of the House to make a change so important in the constitution of the upper Chamber, as was contemplated by the Bill. If the Councillors accepted it, and sealed their own annihilation, he would consider them the most subservient tools under the heavens. He opposed the Bill, as he considered it but a sham, and concluded his remarks by moving that it be read a second time that day three months.

Hon. Mr. HAVILAND said he would like to reply to a few observations made during the debate, but would not speak at any length. In reply to the arguments advanced by the hon. member from Princetown, who said he advanced no arguments in favor of a double Chamber, he thought he had mentioned some places which had tried one Chamber and resorted to two. Pennsylvania and Georgia tried one, but all the States which had only one resorted to two. California also, when they drew up the articles of their constitution, had, by mistake, omitted to name a second Chamber; but the people assembled, and were almost unanimous in voting for a second Chamber. Scenes of confusion and turmoil ensued in those States, in which there were only one Chamber. Laws were made one day which were resisted by blood the next. The single Chamber was tried in Spain, Naples, Portugal, and failed in all these countries. One was tried even in England in the reign of Charles the 1., and the military despotism which followed, he believed, was the consequence. The greatest philosophers and statesmen of the day were unanimous in their opposition to one Chamber only. It was curious to listen to the various arguments used against the second Chamber becoming elective. The hon. member from St. Peter's appeared to entertain the idea that the Bill would be thrown out in the Council. Perhaps he aimed at arousing the *esprit du corps* of that body, thinking some of their number would be present. The Colonial Minister said when the elective privilege was granted to Canada, that if the other Colonies asked for the same, it would not be refused. He did not suspect the Duke of Newcastle would put his veto on the Bill.

Hon. Mr. LONGWORTH said, in reference to a charge made by the hon. member from St. Peter's, that he would defy any hon. member to prove that they acted unconstitutionally when they appointed additional members to sit at the Council Board. If they had, Her Majesty's Government would never have sanctioned or confirmed the appointments which they made.

After a few more remarks had been made, the Speaker put Mr. Whelan's amendment, which was lost—2 voting for it, honrs. Messrs. Whelan and Kelly, and 25 against it. The House then resolved itself into a Committee of the whole to consider the Bill farther, Mr. John Yeo in the Chair. The Chairman then reported progress and asked leave to sit again.

Adjourned for one hour.

J. D. GORDON, Reporter.

AFTERNOON SITTING.

House again in Committee on the Elective Legislative Council Bill.

When the clause was read in reference to the method of electing the Councillors.

Mr COOPER said the less deviation that was made from the present method of choosing Councillors, the more likely would it be that the Bill should receive the royal assent. He thought if they were chosen by a two-third vote of this House it would make sufficient difference from the present system, and would give the minority a voice in their election. The election of the Councillors by the same body of electors as returned members to this House would work mischief, and he did not think the British Government would ever assent to it.

Hon. SPEAKER was of opinion that the method proposed by the hon. member, Mr Cooper, would not work well, because if a two-third vote were required, the minority of the House could obstruct the business of the majority. He (the Speaker) had no opportunity till now of expressing his opinion on the principle of the Bill, and would state that it met with his approval. He thought the business of the country could not be well carried on, with the Council constituted as at present. It had been said that the elective system was not obtained in the neighboring Colonies; but in the New Brunswick House of Assembly there was an address passed praying the Home Government for a Elective Legislative Council, and it was agreed to be granted; however, when the bill authorizing the change came to be passed, it was thrown out by the Council itself. He observed that a similar bill was brought into the Legislature there this year, and had passed a first and second reading without a division. It had been said that the Government were not sincere in introducing this Bill,—that they expected it to be baulked either in the Council or at Home; but he thought it would pass both, and become the law of the land.

The clause was agreed to. The next read was that in relation to the number of Councillors.

Mr DAVIES said he agreed with the Bill so far as that there should be four Councillors for each County; but he thought Charlottetown was entitled to one besides. He hoped that hon. members would not look upon this subject as they did on those relating to mere money matters, for it was one affecting the constitution of the Colony. Charlottetown had now a population, but little short of 7000, and it contained a great many intelligent people, and a good deal of wealth; therefore he thought it would be unfair not to give it one member in the Council. It was true that Charlottetown had no greater advantage in this House than Georgetown and Princetown; but when that regulation was first made the three towns were pretty much on a par, now, however, Charlottetown had much overgrown even Georgetown, and being also the capital of the Colony, it was certainly in fairness entitled to some voice in the Council. He would move that Charlottetown be represented by one member in the Council, and if the motion was agreed to, the rest of the Bill could be altered to suit. One argument in favor of the motion was, that if the City was connected with a County district, it would probably possess sufficient influence to return both of the members for the district.

Hon. Mr HENSLEY said the hon. member for Charlottetown need not be alarmed about it being able to return two members. The Bill was very well as it stood.

Mr BEER believed it would be ascertained on a reference to the Census returns, that the population of Charlottetown numbered 1-13th of that of the whole Island. This being the case, to give one member to Charlottetown would be nothing more than a fair representation. It was certainly entitled to be represented separately; he would therefore support the motion of his hon. colleague.

Mr SINCLAIR knew that the members for Charlottetown would do their duty to their constituents; but he thought it would have sufficient influence in the Council without a separate representation. This was evident from the fact that seven or eight of the members of this House were residents in Charlottetown.

Hon. Mr LONGWORTH said that though this Bill was introduced by his hon. friend, Mr Haviland, and was a Government measure, still they were not pledged to its details. He did not see why Charlottetown, considering its population, should not have a representative in the Council. The mere fact of its having a population of 7000 gave it no additional weight in that body. Some hon. members objected that if a Councillor were given to Charlottetown there would be a difficulty in working the Bill, as it provided that half the members should go out at one time. This, however, could be easily remedied by allowing six to go out at one time, and seven at another.

Hon. Mr COLES said the hon. member who had just sat down might have no objections to Charlottetown having one representative in the Council, nor would he, if the Council was a body that represented sectional interests; but as the Councillors were supposed to consider every measure apart from such influence, he saw no necessity for giving the City a separate representation. One objection which he had to the motion was, that it would raise the number of Councillors to 13, and thus in that body there might be an equal division, placing the President under the necessity of giving a casting vote. If this motion was carried, probably the hon. member for Georgetown, Mr M'Aulay, would next be moving for one to that important borough; and if a certain hon. member were here, he would no doubt be proposing that one be given to Summerside.

Hon. Mr M'AULAY said he had no intention of proposing such a motion as that to which the hon. member alluded. In a legislative body, every interest should be represented, and as Charlottetown was the great emporium of trade in the Colony, he thought it should at least have one member in the Council. It had been remarked that Charlottetown owing to its wealth and population, possessed sufficient influence without being represented in the Council; but could the hon. member who made the statement show reason why wealth and population should not be represented. He (Mr M'Aulay) did not like to show partiality, but he thought it would display partiality on the part of this House did they not give a voice to Charlottetown in the Council. He would give his support to the resolution before the Committee.

Hon. Mr YEO thought that the members for Queen's County should not object to giving Charlottetown a voice in the Council, if the members from the other Counties did not oppose it. Though he was from Prince County, he thought it nothing but fair that Charlottetown should have a representative in that body.

Hon. Mr THORNTON was satisfied with the Bill as it was introduced by the Government. Why should the House give five representatives in the Council to Queen's County when the Government only asked for four. The upper Branch of the Legislature should be a calm deliberative body, and therefore there was no necessity that sectional interests should be represented. He was surprised to hear the hon. member for Georgetown say that Charlottetown ought to have one member in the Council. The proposal came very well from the members for Charlottetown, as they thought it must have its share of everything. He was disposed to give the Government what they asked for in the Bill.

Mr BEER said that though Queen's County should have 5 members in the Council, it would not give that County greater influence than it ought to have. King's County

and Prince County had together a population of about 40,000, and for these 40,000, they would, by the Bill, return 8 members, while Queen's County with nearly an equal population to the other two, would, though one were given to Charlottetown, only return 5.

Mr DOYLE remarked that when a Bill for an Elective Council was introduced in 1859, he voted against it, because too many members were proposed to be given to Queen's County, and the qualification of members was too high. He, however, had made up his mind to support this Bill; but when he heard that a Councillor was to be given to Charlottetown, he supposed he would be compelled to vote against the measure altogether. He was satisfied with the Bill as it was introduced.

Hon. Mr LAIRD was in favor of the resolution proposed by the hon. member for Charlottetown. It had been remarked that the Councillors should not merely represent sectional interests; but he thought it highly probable that the representative for Charlottetown would be just as capable of considering general interests as those for the Counties.

Hon. Mr COLES understood that the Bill was a Government measure, and here they were now repudiating their own handling. Two or three of the members of the Government had risen in their places and objected to it.

Hon. Mr LONGWORTH.—They were not pledged to details.

Hon. Mr COLES.—The Government brought in the measure, and they should support it throughout.

Mr DAVIES said he had not proposed the amendment merely because he was a member for Charlottetown; he would have done the same thing though he had been a representative from some other part of the Island. The Council surely represented something, and if so, Charlottetown had certainly a right to its share. He was pleased to hear the remarks of the hon. member from Georgetown; they were worthy of him.

After some further discussion, the question was put on the resolution moved by Mr Davies, that Charlottetown be represented by one member in the Council, when there appeared.

For it—Mr Davies, Hon. Speaker, M'Aulay, Laird, Haviland, Longworth, Gray, Yeo; Messrs. Owen, Holm, McNeill, Beer, Montgomery, Ramsay—14.

Against it—Hons. Messrs. Wightman, Hensley, Kelly, Coles, Whelan, Thornton; Messrs. Conroy, Doyle, Sinclair, Cooper—10.

When the clause relating to the qualification of Councillors was read,

Hon. Mr THORNTON said this was another main feature of the Bill. When the members of this House were only required to have a qualification of £50, he thought they should not fix the qualification of members to the Council at £500. When this Bill was first brought in, the qualification was set down at £700; which was too high, and £500, he thought was too high as well. In his opinion £300 would be sufficient, but he supposed it would be useless to propose this sum; he, however, was disposed to ask the Government to make the qualification lower than £500.

The clause was agreed to as read. When the section was read providing that it should not be in the power of the Governor to dissolve the Council.

Mr SINCLAIR said, that before the question was put on this clause, he would like to hear it discussed. It might be that the Council when elected would consider themselves as much the embodiment of public opinion as this Branch of the Legislature, and some remedy should be provided in case of a lock. He thought if some important measure were brought forward by the House of Assembly, and rejected by the Council; and the House

were dissolved, and a new election had, and the same measure were brought forward again by the House, again to be rejected by the Council, the Governor then should have power to dissolve the Council. He did not see any provision of this nature in the Canadian Bill; but he observed by a resolution passed in a Committee of the whole House in that Colony that the principle was approved of. He did not know the reason why it was not carried out in the Bill which was afterwards passed, but he thought the principle was a very good one.

Hon. Mr HAVILAND was aware that the resolution referred to by the hon. member for Princetown had been carried in the Canadian House, but it was afterwards overruled, and the Act was passed without the clause. The question was discussed in the Imperial Parliament, and the unanimous opinion there was that it would never do to empower the Governor to dissolve the Council, as this would make it equal to another House of Assembly. If the amendment suggested by the hon. member for Princetown were introduced into the Bill, he (Mr Haviland) would vote against it altogether.

The Committee, then rose, progress was reported, and the House adjourned.

D. LAIRD, Reporter.

SATURDAY, March 23.

Mr BEER presented a Bill to prevent Congregations being disturbed during the performance of public worship, which was read a first time and ordered to be read a second time to-morrow.

Hon. Mr HAVILAND, agreeably to notice, introduced a Bill for the protection of Copy right, which was read and ordered to be read a second time on Monday next.

ELECTIVE LEGISLATIVE COUNCIL BILL.

The House now resumed the consideration of the Legislative Council Bill. The clause having been read which takes from the Crown the power of dissolving the Council, Mr Sinclair moved in amendment—That the Crown shall not have power to dissolve the Legislative Council except in the event of a rejection by the said Legislative Council in two successive Sessions, of the measure which shall have passed the House of Assembly in the same two successive Sessions, and the said measure after its first rejection having been tested by a dissolution of the House of Assembly.

Mr SINCLAIR supported his amendment on the ground that it was necessary to insure harmonious working between the lower and upper Chambers.

Hon. Mr HAVILAND said he could not support the Bill if the amendment passed. He argued that it was admitted by statesmen in the Lords and Commons on both sides, that the Crown should have no power over the upper Chamber. Under the present system our parliament Lord's could not be dissolved, but more gentlemen could be invited to take a seat at the Council Board. He could not imagine a crisis such as the hon. member anticipated would occur, as one half of the Councillors would go out every four years. They were placed in that position for two purposes, to check extreme views on the part of the people, and also to check any encroachments of the Crown or Ministry of the day on the rights of the people; so the Crown should not have any rod to hold over them. He was confident the Bill would be disallowed, if it contained such a clause.

After a somewhat lengthy discussion on this point the question was put on the amendment, and lost on the following division.

Yeas—Mr Sinclair, Mr Doyle; Hons. Messrs. Coles and Kelly—4. Nays—Hons. Messrs. Haviland, Laird, M'Aulay, Longworth, Yeo, Hensley, Thornton; Messrs.

Ramsay, Sutherland, Montgomery, Cooper, Owen, M'Neill, Bear, Davies, Howat, Conroy, Holm, J. Yeo—19.

The remaining clauses having been read and agreed to the Speaker took the Chair and the Chairman reported the Bill agreed to with certain amendments.

Hon. Mr THORNTON moved the Bill be referred back to Committee to be amended by striking out the part which gave to Charlottetown and Royalty a member in Council.

For Mr Thornton's motion:—Hons. Messrs. Thornton, Coles, Kelly, Housley; Messrs. Cooper, Sinclair, Sutherland, Doyle, Conroy, Howat—10. Against it:—Hons. Messrs. Haviland, M'Aulay, Yeo; Messrs. Owen, M'Neill, Ramsay, J. Yeo, Montgomery, Holm, Davies, Beer—11.

Mr COOPER moved that it be referred back to Committee, to alter the mode of election, by inserting the amendment suggested in Committee. House divided on the question—3 voting for the motion, and 20 against it.

Mr SINCLAIR moved that the Bill be referred back to Committee to have it amended by giving the Crown power to dissolve the Legislative Council. Division as in Committee.

The report of the Committee was then agreed to, and the Bill ordered to be engrossed.

Hon. Mr LONGWORTH introduced a Bill to alter the time for holding one of the terms of the Supreme Court for King's County.

Mr LONGWORTH said the Bill was presented in accordance with the suggestion of the Grand Jurors of the County, who proposed that the Court be held at an earlier period in the season, as it was very inconvenient to attend at the season of the year on which it was then held, owing to the state of the roads, &c. They proposed that the Court be held in February, instead of the second Tuesday of March. Mr Longworth was in favor of having the Court on such a time in February as would admit of the Legislature meeting immediately after, under which arrangement it would be unnecessary to adjourn the Legislature while the Georgetown Court was sitting.

The Bill was received and read and the Tenth rule of the House suspended that it might be read a second time in the afternoon Sitting.

Hon. Mr COLES presented a petition of D. S. Bentley, Teacher, stating that he had been appointed by the School Visitor to inspect six schools in 1860, and having done so at his own expense; he prayed for a grant of £3 to remunerate him, as the Visitor had refused him any compensation.

Mr COLES moved that it lie on the table, and after a short discussion it was moved in amendment, that Mr Coles have leave to withdraw his motion, the Teacher's remedy being elsewhere, which was carried.

Hon. Mr HAVILAND presented a petition of Daniel Hastings Craig, New York, Alex. M'Kenzie, St. John's Newfoundland, and John Hunter, P. E. Island, praying to be incorporated as the "Gulf Express and Telegraph Company," which was received and read, and laid on the table. Mr Haviland received leave to introduce a Bill to incorporate the said Company. The Bill was accordingly presented, read a first time, and referred to the Special Committee appointed to Report on private Bills.

MARRIED WOMEN'S BILL.

Hon. Mr HENSLEY moved that the second order be read, that the Bill to consolidate and amend the laws relating to the conveyance of real estate by married women during their coverture, be read a second time. The Bill was then read and committed to a Committee of the whole House—Mr Sinclair in the Chair.

The Committee then went through the Bill and made some amendments, and the Speaker took the Chair and the Chairman reported accordingly.

Adjourned for one hour

AFTERNOON SITTING.

GEORGETOWN COURT BILL.

The Bill to change the time for the sitting of the Supreme Court in Georgetown was read a second time, and the House then went into Committee on the Bill, Mr Owen in the Chair.

Hon. Mr LONGWORTH said he presumed there would be no objection to the time being changed to the second Tuesday in February, as it was desirable there should be an interval between the sitting of the Court in Georgetown and in Charlottetown.

Other hon. members argued that the time proposed would interfere with the meeting of the Legislature.

Hon. Mr COLES was opposed to making any change.

Hon. Mr HAVILAND said he felt it to be his duty to comply in this instance with the wishes of the people in the County. Both political parties in the County desired a change. The Court seldom lasted longer than three days, but admitting it should prolong its sitting for a period of five or six days, the Legislature could meet on the Monday following—about the 20th of the same month. The Court in Queen's County met for 14 days, and 20 days afterward were allowed for the hearing of arguments, and by adding these days together it would be found that the interval between the sittings of the two Courts would be too short.

Hon. Mr THORNTON advocated the proposed change, and said to refuse compliance to the wishes of the people would be almost tantamount to a denial of the justice to which they were entitled to seek by appealing to the Supreme Court. He argued, too, that instead of retarding, the change would farther the business of the Legislature.

After several hon. members had spoken in favor of a change being made, and different days were proposed, and weeks, on which the Court should be held, the blank in the Bill was filled up by inserting the second Tuesday in February which was agreed to without a division.

Mr DOYLE then proposed that the time for the sitting of the Court in Prince County be on the second Tuesday in June instead of the first as at present, and spoke of the inconvenience to which parties were put in being obliged to attend at that season of the year.

Hon. Mr HAVILAND inquired if the hon. member from Tignish had heard an expression of the sentiments of the people in the County, in reference to the change which he proposed.

Mr DOYLE said he thought the people would be much pleased if the change was made, as it was a great inconvenience to leave home at that season, for at that time people were just finishing their Spring's work.

Hon. Mr YEO, and the Hon. SPEAKER, spoke in favor of the time being altered, were it practicable.

Hon. Mr LONGWORTH showed that the proposed change in the sitting of the Court in Prince County, if carried out, would disarrange the whole machinery of the Courts in all the Counties, especially in Queen's County, which was the most important of the three Counties. Under the circumstances he hoped the motion would not be pressed.

Hon. Mr THORNTON opposed the motion as it was not brought before the House in a regular manner.

After a somewhat lengthy discussion, the question was put on Mr Doyle's motion and carried on the following division:

Yeas—Hons. Messrs. Hensley, Coles, Laird, Yeo; Messrs. Conroy, Doyle, Sinclair, Sutherland, Cooper, Speaker, J. Yeo, Ramsay, Howat—13.

Nays—Hons. Messrs. Longworth, Thornton, Haviland, M'Aulay, Wightman; Messrs Beer, Holm, Davies, Montgomery, McNeill—10.

Hon. Mr HAVILAND said if the proposed arrangement ever became the law of the land it would be to the great detriment of Queen's County.

Hon. Mr LONGWORTH showed the different manner in which the requisition from King's County, and the motion of the hon. member from Tignish was brought before the House, and endeavored to show that it was contrary to the rules of the House; and the subject having been debated for a considerable time, it was moved that the Speaker take the Chair, and that the Chairman report progress and ask leave to sit again—which motion passed.

Mr BEER presented a petition of Bertram Moore and other Trustees of the Hillsborough District School, Charlottetown in relation to a School liable to be closed under the 11th Section of the amended School Act, passed last Session, which was received and read, then laid on the table; also a petition of William C. Trowan, praying for a grant of £6 15s., to compensate him for the loss of rent and fuel supplied to the Kent District School, which was referred to Committee.

Hon. Mr HAVILAND presented a memorandum of rules for the regulation of parcel posts. Referred to Committee.

Hon. Mr LONGWORTH presented to the House a Bill prepared by the Committee appointed to prepare a Bill for the incorporation of the Roman Catholic Bishop of Charlottetown. Referred to Special Committee.

Adjourned.

J. D. GORDON, Reporter.

MONDAY, March 25.

The order of the day for the second reading of the Bill to prevent Congregations being disturbed during public worship was taken up.

Mr BEER said that there was no law on the Island to prevent disturbance of this kind; and he was happy to think that there had been but few cases here which called for the passing of such a law. However, of late he understood there had been some disturbance in a place of worship at Stanhope, and application had been made to a Magistrate to suppress them, but he could find no law on the Statute book which would apply to the case. The Magistrates in this Island were not conversant with the laws of Britain, and therefore it was highly necessary that an Act should be passed here to prevent Congregations being disturbed during the performance of public worship. He would move that the Bill be read a second time.

The motion was agreed to, the Bill read, and afterwards referred to a Committee of the whole House, Mr Holm in the chair. The Bill was agreed to in Committee, and reported accordingly.

Hon. Mr HAVILAND presented to the House a report of G. M. Rider and William Hubbard, Commissioners appointed to inspect the harbor of Cascapec, with a view to the improvement of its navigation—laid on the table.

Mr HOWAT from the Private Bill Committee reported that they had under their consideration a Bill to incorporate the Roman Catholic Bishop of Charlottetown in his diocese, and recommended that inasmuch as the fees upon private Bills relating to Church matters, had not heretofore uniformly been exacted by the House, that the said Bill be exempted from such fees.

On motion of Hon. Mr HAVILAND, the elective Legislative Council Bill was read a third time.

Hon. Mr HAVILAND then moved that the said Bill do now pass.

Hon. Mr COLES moved in amendment that the Bill be referred back to the Committee of the whole House, for the purpose of amending the same by striking out all that relates to a member of Council for Charlottetown and the Common and Royalty thereof.

For the amendment—Hons. Messrs Coles, Thornton, Hensley, Kelly, Wightman; Messrs Cooper, Sinclair, Sutherland, Conroy, Howat—10.

Against it—Hons. Messrs Haviland, Gray, Laird, M'Aulay, Longworth, Messrs Owen, McNeill, Davies, Beer, Ramsay, Montgomery, Hoho—12.

The original motion that the Bill do pass was then put and carried.

Hon. Mr HAVILAND in rising to move the second reading of the Bill to incorporate the Roman Catholic Bishop of Charlottetown remarked that he had only to say it was introduced in accordance with the prayer of the petition before the House in reference to the subject. It was to be understood merely a transcript of one introduced into the Canadian Legislature for a similar object. The design of the Bill was to make the Bishop trustee of the property of the Roman Catholic Church in the Colony. He thought there could be no objection to the principle of the Bill, and would therefore move that it be read a second time.

The motion was agreed to, the Bill read, committed to a Committee of the whole House, and after a short time spent therein the Committee rose, and the Chairman reported progress.

Hon. Mr Thornton presented a petition of certain Trustees of St. Andrew's College, setting forth that the said College has for several years past ceased to be kept as a college for the education of youth; that they have some funds and property belonging to the trust of the said College which they are desirous to be allowed by law to transfer to St. Dunstan's College, and praying the House to adopt such measures in the contemplated Act of incorporation of the latter institution, as will answer the purpose of the petitioners.—Referred to the Committee to whom was referred the petition of the Trustees of St. Dunstan's College.

The order of the day for the second reading of the Bill for the protection of Copyright was then read.

Hon. Mr HAVILAND, in rising to move that the House go into the order of the day, said it never occurred to him that there was not a law for this purpose on our Statute Book until he was asked the other day by a literary gentleman where he would find the Act. It was necessary to have such a law here. For example, the copyright of Mr Cundall's map of the Island—a map which was a credit to the Colony—ought to be protected; and the House did not know how soon a Macaulay might arise to write the History of the Island. Every person should be protected in the production of his pen.

The motion was agreed to, the Bill read, committed to Committee, and reported agreed to without an amendment.

House adjourned for one hour.

AFTERNOON SITTING.

Mr Davies presented a petition of James Malony, the owner of a small house in Charlottetown which was destroyed by fire, praying compensation for said loss.

Hon. Mr HAVILAND moved the second reading of the Bill to incorporate the Gulf Express and Telegraph Company. Some hon. members he said were afraid that the Bill would interfere with the rights and privileges granted by the Legislature to the Newfoundland Telegraph Company, but he had come to the conclusion that, it would be bad policy to refuse to incorporate this new Company, as they purposed to relay the Telegraph Cable, and also to extend the line from Caps Traverse to Summerside and perhaps also to Cascumpee, which would cost about £900. He thought it would be sufficient to insert a clause in the Bill saying that nothing in it should be understood to interfere with the privileges granted to the other Company.

After some desultory debate, the motion was carried on a division, 23 to 2—Messrs Laird and Howat only voting against it.

Hon. Mr COLES said he had put a question to the Government a few days ago in reference to the Blue Books, and had been informed that the Books for 1859 were not made up, on account of the Journals of the House for that year not being yet printed. He stated that there was no information in the Journals required for the Blue Books, but which might be obtained in the several public offices; and that he thought the Government would soon be getting a rap over the knuckles from the Home Government for not sending them to the Colonial Office in time for the authorities there to make up their annual statistics of the Colonies. He complained that he had been censured in 1859, because the Blue Books for 1858 were not prepared within two months after the close of the financial year, though the House had not met, and they were never commenced until

each Session was over, and were generally not sent home until August. He alluded to the Blue Book for that year, which had been prepared by Mr Haszard after that gentleman had resigned the office of Colonial Secretary, and was therefore then no responsible party,—which Book contained a letter or despatch that was never submitted to the Government, in which were reflections against him (Mr Coles) as Colonial Secretary, for not having the Book prepared in two months; still Mr Haszard himself had taken five months to prepare it. The Book, he (Mr Coles) said, contained several incorrect statements, and he read extracts therefrom in reference to the Public lands, &c., and commented upon them as conveying false information. He also said that he thought of moving that the matter be referred to Committee of the whole House, but believed it was scarcely worth while.

Hon. Mr Coles from the Committee appointed to ascertain and report to the House the number of writs issued for the recovery of arrears of rent, since the first of May last, presented to the House the report of the said Committee, which was agreed to, and is as follows:—

Your Committee appointed to enquire and report to the House the number of Writs issued for the recovery of arrears of rent, since the first of May last, have to report that by the annexed return, from the Prothonotary's Office, there appears to have been Seventeen Writs for Rent issued, and Seventy-six common Processes by Proprietors; but Mr Hodgson states that there is no record in his office whereby he can state the cause of action for the latter Processes.

A RETURN of Writs issued out of the Prothonotary's Office for Rent; from the 1st May, 1860, to 22d March, 1861.

PLAINTIFF.	DEFENDANT.	WRIT.
John A. Macdonald and others,	Donald McInnis	Summary Process
Robert Bruce Stewart,	William McVey	Bailable Writ
Same,	Terence McCarragher	Do.
Same,	John Condon	Do.
Same,	James Murray	Do.
A. E. C. Holland and Wife,	David Pigot	Summary Process
Sir Samuel Cunard,	Elisha Weatherbie	Do.
Same,	John T. Wilson	Do.
Same,	Patrick Carr	Do.
Same,	Robert Caldwell	Do.
John Hodges Winsloe,	Joseph Gotia	Do.
Same,	James Gallant	Do.
Same,	Isaac Whitlock	Do.
Same,	William Mallet	Do.
Daniel Hodgson,	Joseph Blaquier	Common Process
Same,	Gilbert D. Doirant	Do.
Same,	William Gallant	Do.

The following named Proprietors have issued Writs of Common Process against parties, but I have no record in my office whereby I can state the cause of action.

Charles Forbes and others, Executors of Roderick McDonald—Two Writs.

Lady Cecily Georgiana Fans—Seven Writs.

Lord Melville—Two Writs.

Sir Samuel Cunard—Five Writs.

John Archibald McDonald and others—Twenty Writs.

John Archibald McDonald—Eight Writs.

John Hodges Winsloe—Ten Writs.

Rev. John McDonald—Three Writs.

David Stewart Rennie—Five Writs.

William Douse—Twelve Writs.

Thomas Heath Haviland—Two Writs.

The following named Proprietors have not issued any Writs within the period above named.

The Right Honorable Laurence Sullivan.

Messrs. Palmer.

The Reverend Doctor Wiggins.

John Roche Bourke.

William Cundall.

James C. Pope.

James Yeo,
Miss Fanning,
Harry B. Cumberland,
Messrs. Montgomery,
Charlottetown, Prothonotary's Office,
22d March, 1861.

D. HODGSON.

The said report was referred to the Committee of the whole House, when in consideration of the petitions on the table, in reference to distrains for arrears of rent.

House adjourned.

TUESDAY, March 26.

Messrs. Hensley and Conroy presented some petitions in reference to Light Houses on the North Cape and East Point.

Mr DAVIES made some remarks in reply to the statements of the hon. Leader of the Opposition on the previous evening in reference to the Blue Books. The principal complaint against Mr Hazzard appeared to be that he had found fault with his predecessor in office for not making up the Books within two months after the close of the financial year, while he himself had taken five months to prepare them. Though it might be five months from the time that Mr Hazzard commenced the Books until he completed them, this did not prove but the work could be done in two months. He (Mr Davies) believed that the Books could be made up within two months after the close of the year, and said that it appeared to him there had always been too much delay in preparing them. He further said that the principal things in the Blue Book prepared by Mr Hazzard to which objection had been taken by the hon. leader of the Opposition, were mere matters of opinion, and not statements which would effect the statistics of the Colony.

Hon. Mr LONGWORTH moved the House into Committee to take into further consideration the report of the Commissioners for revising and reprinting the Laws of this Island. One or two resolutions were agreed to in Committee, which with the resolutions formerly agreed to in the same Committee were reported to the House, and severally put and carried. [The most important of these resolutions have been already published.]

TENANTS' PETITIONS.

The order of the day for the House in Committee on the consideration of the several petitions on the table, praying the House to take such action as will prevent distrains for rent and arrears of rent being made until the award of the Commissioners appointed on the Land Question shall be made known, was then read.

Hon. Mr COLES.—In moving that the House go into the order of the day, I wish to make a few remarks on these petitions. There appears to be seven of them in all, four from King's County, and three from Prince County, with an aggregate of about 1434 signatures. The petitions have all a similar prayer. [The hon. member here read the prayer of the petition from Lot 54, which was in substance as stated above]. Now, Mr Speaker, this petition is no party affair at all. I have looked over it, and find that it is signed by tenants of both political parties—177 in all. It was presented by the hon. member, Col. Gray, and I regret that he did not recommend its prayer. I think it proper to show that this Land Question has been agitated by every House of Assembly in the Colony, and that since the year 1802 the people have been led to believe something would be done for the tenantry. It is no use for one party to say to the other, "You are agitating this question," for each has done the same thing. Some censure my friend on the left (Mr Cooper) for the course which he has taken on this question; but I will show that long before he came to the Island the land agitation had commenced. In 1802, Governor Fanning stated in his

Speech at the opening of the Legislature that he had received a Despatch authorizing the passing of an Escheat Bill. He says:—"But in order to give effect to the measures which have been adopted by His Majesty's Ministers, it will be necessary that the Government here should be prepared to pursue, when circumstances shall render it advisable, the requisite and legal steps for effectually re-vesting in His Majesty such Lands as may be liable to be escheated."

This extract shows that there was agitation in respect to the Land Question at that day, and that the agitators were His Majesty's Ministers. There was a Bill passed in accordance with that despatch, and the Governor gave his assent to it in 1803. This was the first of this great agitation, which political parties are accused of keeping up; but, Sir, every hon. member has to carry out the views of his constituents. Though that Escheat Bill passed here, it had the same influence to contend with as is now at work at the Colonial Office; the proprietors went to work like tigers, and notwithstanding it received the Royal assent—at least so it was thought—it was buried somewhere before it came out here. There was nothing more about the matter until 1805, when the following resolutions were passed by the House in Committee on the state of the Colony:—

"Resolved, That it appears to this Committee, and that they have the strongest reason to believe, that the Royal Assent to the said Act for reinvesting His Majesty with such Lands as are or may be liable to forfeiture within this Island, has been graciously afforded by His Majesty.

"Resolved, That the Committee hath great reason to apprehend, and it appears to them, that such His Majesty's Royal Allowance hath been withheld by means of unforesightful representations of interested individuals in England, which the Assembly of this Island hath no opportunity of answering."

Now, Sir, the obstruction alluded to in those resolutions to the interests of the Island has been felt in the Colony ever since until this day. To show that the agitation was kept up, I have but to state that in 1818 Governor Smith took it upon himself to escheat two Townships,—15 and 55. The names of the jurors who sat on the escheat of Lot 55 were Charles Wright, Donald McKay, John Gardiner, Thomas Robinson, Paul Mabey, Nathan Davis, William Bremner, Ralph Thompson, William Hyde, William Farquharson, Thomas Sims, William Warren, John Howell. The jury on Lot 15 was Charles Wright, Benjamin Evans, Donald McKay, James Cantello, Henry McWilliams, Thomas Sims, Jabez Barard, Paul Mabey, William Bremner, Thomas Robinson, Nathan Davis, John Howell, William Dockenorff. These were the juries that were summoned to escheat the two Lots referred to; but it appears that the proprietors again interfered, for Governor Smith received a rebuke for these proceedings. One of the Townships was escheated in February, and the other in August. It also appears that the proprietors, when they found that Governor Smith was going on with the escheat of the lands, petitioned for, and obtained an indulgence, which is commonly called the indulgence of 1818. There was little more about the matter until the indulgence expired in 1827. For several years the question of titles remained as it was; but the quit rents were a subject of dispute, as the proprietors were continually applying for a remission of them. In fact the proprietors generally never did pay quit rents, though the tenants paid theirs. The question of Escheat was fully gone into during the Session of 1833; a series of resolutions were passed, and I will read the names of those who voted for them, as I wish to show that the tenantry have been kept in agitation since 1802, by men who were really desirous to get the Land Question settled. I will first read two of the resolutions:—

“Resolved, That it is the opinion of this Committee, that there are still large tracts of land liable to forfeiture in this Island; from which circumstance, longer to delay the establishment of a Court of Escheat, similarly constituted with those in the neighboring Provinces, can be regarded in no other light than a denial of justice to the Colony, and would inevitably tend to retard its settlement, cultivation, and general prosperity; and that, were the Lands liable to escheat sold in small tracts to actual settlers, the consequences to the inhabitants would be lasting and beneficial.

“Resolved, that the establishment of a Court of Escheat in this Colony, so far from unsettling the minds of the inhabitants, would have a direct contrary tendency, as all classes would acquiesce in the justice and expediency of such a measure, exempt from any erroneous notion of deriving personal advantages therefrom, otherwise than would accrue to each individual settler from the general settlement and improvement of the Colony.”

These resolutions were passed with only two dissenting voices, the members who voted against them being Mr E. McDonald, and Mr Nelson. Those who supported the resolutions were Messrs. Dalrymple, Brocken—the father of the present Attorney General—Brennan, Willock, Pope—the father of the present Col. Secretary—Cooper (he appears to have been in good company), Hyndman, McNeill, Owen, A. M. Donald, Green, and J. S. McDonald. Such persons taking up the question led the Tenantry to believe that something was about to be done to ameliorate their condition. There was some difference of opinion, however, among those who supported the resolutions of 1833. Mr Cooper thought the Escheat should be general; others considered it should be according to the indulgence of 1818. Mr Cooper agitated his view of the question, and was sustained by the country. This brings the agitation down to 1838 [The hon. member referred to the quit rents, and maintained that Her Majesty's Government had not given up its claim to them as late as 1835] To show you, Sir, the object of the Quit Rents, as well as the difference in the Representatives of Belfast now, from what they were some years ago, I will read a few extracts from the late Dr. McAulay's address to the Electors in 1818:—

“For a course of years I have been honored with your suffrages. The fermentation arising from a heterogeneous combination of Land jobbers, needy officers of Government, petty-fogging attorneys, and plundering agents of Land Proprietors, hath been such for a half century that this colony is still an infant. The necessitous Bankrupts and Gamblers of Ireland, England and Scotland have not been far from admittance to the Bench and Bar, and from their address they mislead their superiors in rank both here and at home. I have learned that convivial and travelling judges crammed their heads and bellies with politics and good cheer, while they left the spiders to peruse their law books upon their shelves, and permitted petty-fogging attorneys to fleece the country. It is your interest now to consider what men you appoint to represent you in the House of Assembly.

“The collision of old tricks and late jarring interests hath produced 2s. per hundred acres of land, Quit rents, to be laid out for the good of the Island. The Quit Rent can be made a spur to our Agriculture and Fisheries, which will redound more to the benefit of our parent country than to allow any pernicious men to swallow it up. * * * Now we can say our property is not sold, since the Prince Regent hath told Gamblers and Land Speculators the terms upon which they stand. These are points, in my opinion, which we ought to consider, and avail ourselves of as early as possible, and if thwarted therein by superior interests, as a Province we ought constitution-

ally to show our wishes to be united to Nova Scotia. My friends will excuse me for such a general address, as during the reaping days I must remain at home.”

Here then we find that those Quit Rents were to be laid out for the benefit of the Colony, whereas the proprietors with few exceptions, have never paid any. If the opposition of the proprietors continued, annexation to Nova Scotia was recommended. At the election in 1842 there was great excitement, as many thought that Cooper had gone too far. I myself went to the hustings entertaining this opinion, and thinking that something should be done to purchase the land from the proprietors. I was returned on this principle, and I endeavored to carry it out until this Government came into power. I believe the country was never so quiet as during that time. But in comes the present Government, and they repudiate the Land Purchase Bill and Loan Bill at first, altogether:

Hon. Mr LONGWORTH.—No, no.

Hon. Mr COLES.—Yes, but they did; even the Purchase Bill which they have since extended, was classed among the “visionary schemes” of the late Government. The country was led to believe that some great benefit was to be received from the Land Commission, and I hope the people will not be disappointed, though I think it will be some time before their expectations be realized. When the famous resolutions were introduced in reference to the Commission, the tenantry were given to understand that something would be done in eight months, but four times eight have since passed, and no relief has yet been afforded them. The first resolutions were repudiated by the Colonial Minister in his Despatch of the 21st March, 1860. After referring to his correspondence with Sir Samuel Cunard and other proprietors he says:

“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 labors 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.”

By “all the questions in dispute” as stated here, the country was led to believe that not only the original grants, but also the quit rents, and the loyalists' claims would be investigated and determined upon. I will now read what I consider the principal part of the Despatch.

“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.”

Here the consent of all the parties—proprietors as well as tenants—is represented, as necessary before the disputes can probably be brought to a determination; but the Duke of Newcastle appears to lay particular stress in regard to the Tenants' accepting as binding the decision of the Commissioners. The despatch goes on to say that—

“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 enquiry, unfettered by any conditions such as were proposed in the Assembly last year. I have therefore, to request that you will as-

certain 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." When the Royal Commissioners held their Court here last summer, I believe there was not a tenant on the Island, who was not satisfied to leave all the matters in dispute in their hands; but the belief was that all the proprietors would be bound by the award of the Commission, and all the questions in dispute would be considered. But the Duke of Newcastle in his despatch of the 2d of January last, says, in reference to the Act to give effect to the award of the Commissioners, which he did not submit for Her Majesty's assent—

"It would be too sweeping if it were found that the referees promulgated decisions respecting lands belonging to persons who have not consented to the reference; or if they made awards respecting questions (like that of Escheat) which did not fall within the scope of the enquiry."

In the despatch to which I have already referred, he says that the Commissioners were to be unfettered, and were to take up all the questions in dispute; but here he says the question of escheat did not fall within the scope of their enquiry. Further on in the despatch the Duke remarks, "Nor do I see that any present legislation could be valuable, except such as may be based upon suggestions to be made by the Commission." Now, we have come to the point at last; this is just what I contend this House should do, and thus carry out the prayer of the petitions under consideration. Let us see then what was the recommendation of the Commissioners. Hon. Commissioner Gray in his Address at the close of the Court, after referring to the delay which would take place before the final decision of the Commissioners could be given, says:—

"In the meantime the Commissioners would enjoin, upon all parties concerned, mutual forbearance and moderation. All may be assured that while the rights of property will be respected, the equities presented by honest labor and the trials of life will be fairly balanced. But in the meantime it would be a great misfortune to the Province if anything should occur to disturb the peace and harmony which ought to prevail, or to create an impression that the laws of the land will be disregarded—equally would it be a misfortune, if the rents and arrears were hastily and harshly collected by the Proprietors, or resisted by the Tenants. The Commissioners, therefore, having no power until their judgment is delivered to control either Proprietors or Tenants, would earnestly urge that wherever Tenancies exist, the year's rent, terminating in last spring may be fairly demanded, and ought to be cheerfully paid, so that all parties may stand relatively to each other in the same position next year as they do now; neither taking advantage of the delay which it is quite apparent has been forced upon the Commission by the wide range of the enquiry and the magnitude of the interests at stake."

The Commissioners saw while they were here, that there was a great deal of excitement in the country, therefore they gave this recommendation, though they admitted they had no power to carry it out. The Colonial Minister says that no legislation would be valuable, except such as was based upon their suggestions, and this is just what the petitioners pray for. They state that they have made great efforts to pay this year's rent, and I believe the statement is true. Many of them sold off their produce to pay their rent, and now their cattle are dying for want of fodder. From the distress now in the country it behoves this House to protect the tenantry all in its power. Since the Commissioners' Court arose, I believe there has been a greater number of writs issued than was for the eight or ten years previously. [The hon. member then gave the number of writs is-

sued by several proprietors, for which see report of Special Committee on this subject already published.] It may be said that these petitions have been got up by parties in Town, but I declare I never saw one of them until after they were going round to be signed. The proprietors have no feeling for the poor tenantry. It was stated before the Commissioners that it was better for the people of the Island, to remain tenants than become freeholders; but, Sir, this is not the case, except it be in some settlements where the tenants are able to pay their rents. I understand that the proprietors of some estates are endeavoring to drive out the poor tenants, and get in others in their places. Another drawback is short leases, such as were given on the Tracadie estate, a number of which will be out in four or five years. A great many cases of hardship have recently taken place, and though probably there is a little restraint upon the proprietors now, while the House is in Session, yet after that is over, they will no doubt go on as they did last autumn, and before the Commissioners have given in their award there may be a large amount of suffering. Now, Sir, I would be sorry to raise any feeling on either side of the House on the subject under consideration. (Laughter from the Government benches.) Hon. members may laugh, but I am sincere in this statement. I do not wish to make any political capital out of these petitions. Now, with respect to it being unconstitutional to pass an Act, without a suspending clause, to prevent distrains for rent, I will refer to an Act that is on our Statute Books, which enacts that the payment of rent shall not be enforced at a certain time of the year; and I never heard that it was thought by any person to be unconstitutional. An Act such as is now prayed for by the tenantry would, in my opinion, be just as reasonable as the one referred to. I believe that hon. members on the other side of the House have expressed themselves unfavorable to the passing of a measure, to prevent distrains for rent, which I regret; for even though it should be considered a stretch of power to enact a law of this kind—which I do not think it is—yet in the circumstances of the case I consider such legislation would be justifiable. I would be happy if the Government would take up the matter, and sorry to see any party feeling manifested on a question of such importance. I will now read the resolution which I intend to submit, should the House go into Committee on the petitions.

"Whereas on the 1st day of October, 1860, at the closing of the Court of Her Majesty's High Commissioners, appointed for the settlement of all differences existing between Landlord and Tenant in this Island, they, the said Commissioners, unanimously recommended the Proprietors of land to abstain from harsh proceedings in the collection of rents, and to practice forbearance and moderation towards their Tenantry; while the latter were enjoined to pay the then accruing year's rent, the Commissioners having, on that occasion, expressed a very decided opinion that it would be a misfortune to the Colony if the rents and arrears were harshly and hastily collected by the Proprietors.

"And whereas it has come to the knowledge of the House of Assembly that the recommendation thus addressed to the Proprietors has been, in many instances, disregarded by them—proceedings at law having been instituted in many cases for the recovery of arrears of rent, by which great hardship and suffering have been brought upon the Tenantry, who were generally disposed to comply with the recommendation of the Commissioners as regards the payment of one year's rent.

"And whereas numerous petitions have been presented to the House of Assembly during the present Session, praying that some measure may be devised by the Legislature of this Island, to prevent further proceedings at law, for the recovery of the arrears of rent pending the award of the Land Commissioners; and it is the opinion of this Committee that a hope has been generally entertained that the award of the Commissioners would be shortly made known, and relief thereby afforded to the Tenantry; but it is evident from the tenor of a Despatch from His Grace the Duke of Newcastle to His Excellency the Lieut. Governor, bearing date 2d January, 1861, published subsequently to the signing of the aforesaid petitions, that the Act passed last Session for giving effect to the award of the Commissioners, will not be submitted for the Royal assent, it being considered too general in its character, in consequence of which objection, it will be necessary for the Legislature to pass another Act in its

most Session, should the award be given in the course of the ensuing Session, and then the settlement of the Land question will be necessarily postponed to a late period of the year 1862, when a second Act may receive the Royal allowance, if the award be such as to meet with the approval of the Crown.

"It is therefore Resolved, That the House of Assembly be recommended to pass a short Act embracing or carrying out the spirit of the recommendation of the Royal Commissioners above referred to, with the view of preventing distraints or executions to ensue for arrears of rents, until the Land Commissioners shall make their award, and the same be ratified by such a law as may receive the assent of Her Majesty the Queen."

Hon. Col. GRAY.—We have heard a great deal from the hon. member (Mr Coles,) the value of which this House and the public will judge. I will confine myself to indisputable facts. I hold in my hand a list of Proprietors who have agreed to be bound by the award of the Commissioners, and Sir, hon. members should draw a distinction—I may almost say a line of demarcation between those who have signed and those who have refused to sign, because the former are bound by the recommendation of the Commissioners, while the latter, although they will hereafter, in deference to public opinion, be compelled to come under the award, at the present time doubtless treat with indifference any such recommendation. In this list are the names of fourteen Proprietors. I will give the names—Sir Samuel Cunard, Mr Edward Cunard, Mr Sullivan, six Messieurs Montgomery, Mr Haviland (the Mayor of the City, Mr Cundall Manager of the Bank, Mr Edward Palmer, Mr Daniel Hodgson, Mr Bourke. The Estates of these gentlemen comprise 340,126 acres, with arrears amounting to £44,528. The number of writs issued against persons who have paid one year's rent, as recommended by the Commissioners, is NIL—none. Of 1450 Tenants on Sir Samuel Cunard's Estates, the leader of the Opposition has shown that nine have been served with writs. One in one Hundred and sixty-one. Of 877 Tenants on the other Estates, who did not pay one shilling of the year's rent, but fourteen were sued—one in sixty-two. We have been told of two cases on the Tracadie Estate; but Sir, are we living in an Utopia? Is this Colony a paradisaical spot? With respect to the Bill proposed by the leader of the Opposition,—Sir, I will assume that this House pass such a measure—and I ask hon. members to weigh well the consequences which in all probability would ensue. We all know that Bills affecting the rights of property are, by Her Majesty's Royal Instructions, required to have a clause suspending their operation until Her Majesty's pleasure shall be signified respecting them; and that such Laws do not usually receive the Royal allowance until near the end of the year. One cause why this suspending clause is required, being to give time to all parties affected by the Bill to enter a caveat, or to show cause why such a Bill, if objectionable, should not become Law. What consequences would ensue from the passing of the Bill in question? Why, Sir, the very day the Bill passed this House—the very day such a declaration of war went forth, we may be assured every Proprietor would issue writs for all arrears, summon their Tenants to the Supreme Court, heap expenses upon them, and then would ensue such scenes of ruin and distress as have never heretofore been seen among us. Where then would be honorable members and their Bill? Could they withstand the storm of execration which would be hurled at them by the unhappy victims? Would the hon. leader of the Opposition pay their expenses? I ask could he look them in the face? Again let us reflect upon further consequences. The day on which such a Bill passed, all our labors for two years would be swept away. Could we reasonably expect that any one Proprietor, after such a flagrant breach of compact on our part, would remain under the Commission? Sir, the Commission would be at an end; and having violated our agreement with the Secretary of State, all hope from that quarter would be vain. But, Sir I would tell the leader of the Opposition that he must know as well as I do that such a Bill would never, if passed by this Legislature, receive the Royal allowance. To allow such an Act would be to violate the solemn oath sworn by Her Majesty at her coronation. The hon. member should know that the enactment of such a measure would be a breach of our compact entered into with the Secretary of State, and would

bring the Legislature into contempt and ridicule. Read the Despatch of His Grace on the "Shore Bill," wherein he so emphatically declares he will not admit of any interference with a question upon which the Commissioners are now arbitrating. Sir, I would lift up my voice and tell the Tenantry that if they suffer themselves to be so misguided as to lend their representatives into acts of hostility against the Proprietors—from the day and the hour on which this House passes such measures—from that day and from that hour they may bid good bye to all hopes from the Proprietors, as well as to all sympathy or interference from the Home Government on their behalf. What did we hear some days ago in debate, from the hon. member for King's County, Mr Whelan, respecting the unbounded influence of the Proprietors? He stated that the people of this Island are no better than serfs in consequence of this influence, and that in fact, this Legislature, whatever party has been in power—mark Mr Speaker, whatever party has been in power—have ever been the slaves of the Proprietary faction. Sir, I agree with the hon. member in attributing very great influence to the Proprietors; and from the first day on which I took my seat in this House, it has been my aim, by acknowledging this influence to abate it—to weaken it—to do away with it—by meeting the great Proprietary body half way. I repeat that hostility is useless. No Legislature which does not meet the Proprietors in a spirit of fairness, will ever succeed in benefitting the Tenantry. If instead of meeting Lord Selkirk in this spirit, we had passed hostile measures, such as the Tenant Compensation Bill—the Landlords' Rent Roll Tax Bill—the people of Belfast would be Tenants to this day. There is such a versatility in the proceedings of the hon. leader of the Opposition, that I am obliged to digress to enable me to remark upon his most extraordinary attacks upon the Government. The hon. member strives to make political capital out of an Act we passed last session, and which the Secretary of State tells us was premature. At different times the hon. member has broadly insinuated that the Act was purposely kept back, and other Acts printed and sent home first; he has also stated that this Act was out of the Printer's hands on the 10th July. Such insinuations are as unworthy as they are unfounded. Sir, this Act was not out of the Printer's hands until the 13th September, and both it and the "Shores Bill" were sent home on the 1st October, while the other forty Acts did not go home until the 26th November. Let us see at what time Acts were sent home when the hon. member was at the head of the Government. By referring to Sir D. Daly's Despatch Book, I find that in

1855	Acts were sent home on the	8th October.
1856	"	" 20th October.
1857	"	" 5th September.
1858	"	" 30th August.

Sir, it was a happy synchronism, that the Act went home on the 1st October, and the petitions of certain Proprietors against it on the 12th November—a rare chance was this for the hon. member. He would have this House to believe—paying a high compliment to its discernment—that if the Act had been sent home post haste, His Grace the Duke of Newcastle would have smuggled it through and obtained Her Majesty's allowance, in a corner I suppose, without giving the other parties time to be heard. Has [such a course occurred since this was a Colony? Never—nor in the history of any other Colony. Sir, it is the duty of the Secretary of State to protect, and not to destroy, the rights of the meanest of Her Majesty's subjects. I would again ask is a suspending clause required to be inserted in all Bills affecting property rights? One of the chief objects is to enable all parties who would be affected thereby, to be heard. I have alluded to the Bill of Rights—one of the most glorious features of that Bill is that which provides that no man shall be condemned unheard. Suppose this Legislature were to pass a Maine Liquor Law, would the hon. leader of the Opposition expect the Secretary of State to advise Her Majesty to confirm it before he and others who would be affected by it had time to petition against it? I think not. Sir, it betokens a weak cause, this harping upon this insignificant Act—which cannot affect the good the Commission will do to the value of one straw. The leader of the Opposition and the hon. member for King's County Mr Whelan, have, from time to time, stated that the Commission could do no good by remitting old arrears, as the Proprietors

had taken good care there should be none to remit. I have shown this day that nearly £45,000 are owing in old arrears. Sir, I did not come into this House making the Commission my stalking horse. I would ask hon. members had I never proposed it what would they have done? What would the leader of the Opposition have brought forward—ESCHEAT. Sir, I am not a not a believer in those delusions. I will state my opinion of Escheat—

“The subject cannot be satiated, I care not what party comes into power. No government could entertain it for a moment; therefore I consider the question apart from anything that will affect the Government. I contend it will affect no Government. I care not what one; therefore, it is better for those hon. members to know that the Government cannot entertain the question. If a measure relating to Escheat were passed by this House, is it likely that it would receive the Royal allowance? It is much better for the hon. member to turn his attention to some other subject that may be of more advantage to the country. After having moved so often in the matter, and having gone to England in connection with the subject, he still seems determined to persist in agitating the question. But the responsibility of the agitation rests upon him. It has been injurious to the peace of the country, many have been injured by it, and find themselves in difficulties. I contend that the people of this Island are satisfied. What is the number of petitions in favor of the question? It is so insignificant and unequal in comparison with the population of the Island as to be scarcely worth notice.”

These are the words of the leader of the Opposition—Mr Coles in this House in 1856. Such was his opinion of Escheat when he had a large majority at his command in this House. Sir, I am well aware that the People are well convinced that Escheat is hopeless, and that we can only hope for any amelioration or their condition by fair dealing, and not by attempting to pass Acts through this Legislature which would rebound upon ourselves and bring us into contempt—not only in the estimation of Her Majesty's Government, but in that of every intelligent man in the Colony.

Mr COOPER.—This matter has been so ably dealt with by the leader on our side, that little more is necessary to be said. I believe that some of the first proprietors did something for the tenantry. Mr McDonald had to mortgage a small estate at home to obtain the means to keep his people from starving. This they had a right to pay. But most of the tenantry who came here, received no benefit from the proprietors. The British Government should not have given way to this method of settlement; but the proprietors made the Government believe that they had done something for the people, and they allowed them to be made tenants and to remain tenants. By the indulgence of 1818 the tenants ought to have been settled in 1826. It is altogether an error to consider that the proprietors received grants of land here to derive a revenue from the settlers. After the manner in which the British Government allowed the proprietors to act, there is only one course which they could pursue to remedy the evil, that is to make the lands of the proprietors Crown lands; and the only manner in which they could effect this was for them to take the matter into their own hands, or to leave it to Commissioners as they have done. These Commissioners have given what may be called a part of their award, viz., that there should be no harsh proceedings on the part of the proprietors until their final decision was made. But the Commissioners said they had no power to enforce their recommendation, though they spoke as if they wished they had the power, and if they had possessed it, they would no doubt have passed such a law as is prayed for by the petitioners. Instead of an Act to prevent distraints for rent going away with the Commission as has been stated, it would only carry out their recommendation. I would have thought that the Government, if they are the friends of the tenantry they profess to be, would have come forward and given effect to the first part of the Commissioners' award that no arrears of rent should be demanded.

After a few remarks from Hon. Mr Coles in reply to Hon. Col. Gray, the House adjourned for one hour.

D. LAIRD, Reporter.

AFTERNOON SITTING.

Debate on Tenants' Petitions resumed.

Mr CONROY referred to the petition which he presented to the House in reference to arrears of rent due proprietors, and said it was almost universally signed by the inhabitants of Lots 1 and 2; and that it was by no means a party petition, for the first persons who signed were those who supported the present Government at the last election. That was sufficient to show that the petition was not got up for a party purpose. He considered the situation of the people called for a law to be passed by the House for the protection of the tenantry; for, since the Commission sat much anxiety was felt by them in reference to the award which they would give in, and so many contradicting statements were in circulation about the reception of the Bill which was sent home, that they had added to their uneasiness. In one of the Lots which he had the honor to represent, several distraints had been made contrary to the recommendation of the Commissioners. Instead of the Commission being a benefit they feared it would prove an injury. For these and other reasons which might be urged he desired the House to take some action in reference to the prayer of their petition.

Mr DAVIES said he could not see that anything would be gained by going into Committee on the petitions, though he would not oppose it. It was to be regretted if there were cases of hardship, but the House could not prevent the occurrence of such things. He could not perceive that they could pass a law to bind the large proprietors, which would not affect the small ones also. It would be an encroachment on the rights of property if it did not affect the man who owned one bore as well as him who possessed 40,000 acres. If it affected the rights of property it would not receive the Royal assent. They would like to see the lands in the hands of the Government, though the occupants would not then receive them for nothing. However anxious he was to see the tenantry dealt leniently with—and such was his desire—still he could not sanction anything which would interfere with the rights of property. The issue would soon be known as the award in all probability would soon be given in; and, if the proprietors did not assist in getting the existing difficulties settled between themselves and their tenants, he considered it would be all the worse for themselves.

Hon. Mr MAULAY said the hon. Leader of the Opposition in a long speech which he made in the morning on the subject before the House, had stated that he had no desire to make political stock out of the petitions; but, for his (Mr Maulay's) part he did not know what capital he could make out of them, unless it were a capital farce. After referring to many Despatches, extending over 50 years—he said the Government of Great Britain could not give fresh grants of the lands of this Island; and as the late Government had many years to affect a settlement of the Land Question, and had failed in their endeavors, they might have courtesy enough to allow the present Government at least two years to try what they could effect. The whole was now in the hands of men competent to judge of the merits of the existing disputes, and it was unreasonable to interfere in such a manner as was proposed, which might have the effect of nullifying the act of the Arbitrators. He believed the Commissioners when here used all diligence to elicit all the facts of the case upon which they were to decide; and, when the award came he had no doubt it would do justice to both proprietors and tenants. In all countries there were rich and poor, and the proprietor was as much dependent upon his rent-roll, in many instances, as was the tenant on his farm; and the one as much entitled to the protection of his just rights as the other. Were he (Mr Maulay) to give his consent to interfere in the manner proposed, he believed he would always have reason to regret having done so, as his desire was to mete out equal justice to all parties. He believed no proprietor had distrained where parties had paid one year's rent. The Commissioners would not stultify themselves, and so would be likely to see that this recommendation in this particular was carried out. If the Legislature at the present juncture stepped in and interfered he thought they would step out of their legitimate course, and probably the result would be the Arbitrators would throw up their Commission. He sincerely hoped the aim and desire of all was to promote the welfare of the people, and as an interfer-

ence on their part would do so good, either might be the consequence; so, with these remarks he would sit down, hoping the House would not take any further action in the matter till the award was given.

Hon. Mr HAVILAND.—I see, Mr Speaker, with great reluctance to speak to the question, for I scarcely know how to grapple with the subject. The hon. Leader of the Opposition entered upon the wordy, unthreadbare question of Escheat, in which he not only took the wind out of the sails of the hon. member from King's County, but also took possession of the ship, and sent him forward to the fore-castle. The manner in which he dealt with the question furnishes a specimen of his *Jm. Crowism*. For several years he assailed it and endeavored to crush the Escheat question, as advocated by the venerable Apostle of Escheat, as he has been termed. At one time he argued it would be folly to entertain that question a moment. It would be wasting the time of the House to refer to the various Despatches which he had quoted from time to time, to prove that the scheme was delusive and visionary. But a change has come over the spirit of his dreams, and all at once he perceives that his political life up to '59 was a delusion, and discovers that Escheat is attainable, which he would soon show if now he only was where he was a few years ago.

Hon. Mr COLES said he quoted Despatches and documents to show that the people were agitated about the question for many years.

Hon. Mr HAVILAND.—He wound up by saying Escheat was attainable.

Hon. Mr COLES.—No.

Hon. Mr HAVILAND said he was happy to hear his recantation.

Hon. Mr COLES said there was no recantation on his part.

Hon. Mr HAVILAND.—Then the hon. member *does not* believe in Escheat.

Hon. Mr COLES said he did not say that.

Hon. Mr HAVILAND.—Then the hon. member *does* believe in Escheat.

Hon. Mr COLES.—No.

Hon. Mr HAVILAND.—Well, he believes in nothing, and is in the unenviable position of being a political infidel. He, however, did not trace the history of Escheat down to the present day, which he should have done, and he should have stated that a Despatch came out with Governor Bannerman in 1851, a few months before he got the Government—in which it was stated by Lord Gray, the Colonial Minister, that a *quietus* was given to the question of Escheat. Our impartial historian, however, did not call attention to this fact, this morning. It is true, that a Despatch of this character was sent out, when Responsible Government was granted to the Colony. But I know his answer will be—"I never saw it;" but it was notwithstanding, published in the Journals of 1851.

Hon. Mr COLES.—Responsible Government was granted before it was made known.

Hon. Mr HAVILAND.—I would ask if Responsible Government was granted on particular conditions? or if those who wrote that despatch will concede that it is a dead letter?

Hon. Mr COLES.—I alluded to the subject of the Land tenures.

Hon. Mr HAVILAND.—Her Majesty's Government feel bound to adhere to the decision of their predecessors in respect to this matter.

Hon. Mr COLES.—They changed their minds on that subject.

Hon. Mr HAVILAND.—That is something new to me. I heard from time to time that the Imperial Government broke faith with the late Government as to guaranteeing a loan, but I never before heard they contemplated putting their hands in the pocket of John Bull. It is a pity he kept the information to himself so long; for, had he made it known it would have changed the face of affairs both in the late and in the present Government. I contend, however, that that Despatch which states that Escheat is impracticable, is a part of our Constitution. According to his account too, the country is in a fearful state—the manner in which tenants have been oppressed during the last twelve months is without a parallel in the history of this Island. Be this as it may, it is still wonderful that from the length and breadth of this Island the signatures to all the petitions

taken together only number 1300, and the most of these names were signed not far from Castletown, viz., on the Tralee and Lotts as they are termed, and that property is not within the scope of the investigation of the Commissioners, with the exception of the undivided fractional interests of John Archibald McDonald, which is very trifling when compared with the rest of the Estates. The hon. member from that District, on the debate on the address in answer to His Excellency's Speech, expressed his horror at the scores and scores of writs which were issued since the recommendation of the Commissioners was given; but in reality these are a mere bugaboo; in any rent-paying country, in ordinary times you would find that a greater number were issued; but these hon. gentlemen were determined to have a tempest in a tea-pot. I firmly believe these petitions did not emanate solely from the back-woods. Could I dive into all the secrets, I believe I would discover that they originated within the bounds of this City. To say that proprietors have been more harsh and grasping since the Commissioners left than heretofore is, I believe, contrary to the fact. The only one, I believe, who broke faith with the Commissioners—of those who assented to the reference—was J. A. McDonald. An hon. member stated there were more rents paid this year than in previous years; if so, such was not the case on the Montgomery Estate, for I never in any year received less. The hon. Leader of the Opposition, with all his knowledge of the wants of the people, only mentioned 3 cases of hardship, and these on an estate which was not bound by the Commission. I believe if this House were to pass such a measure as they are now desired to pass, it would entail misery, ruin and hardship upon the tenantry, for the consequence would likely be that every proprietor would commence and immediately issue writs right and left. I say, too, as a professional man, that any Act passed by this Legislature, of the nature contemplated, before the award is given in, would not receive the Royal allowance. I believe it would have the effect of driving proprietors to commit harsh acts, to which, at present, they are not disposed. It must be remembered, too, that under our land tax Acts, proprietors must pay large sums. The Curards pay £500 a year for taxes on wilderness lands alone, and is it to be supposed they are to authorize their agent to draw upon their private exchequers for this amount, when they have so many tenants on their Estates?—They would naturally expect it should be self-sustaining. Surely the hon. member must suppose these gentlemen have more of the milk of human kindness than himself. The hon. Leader of the Opposition threw out the insinuation that there would be no necessity for a suspending clause to the Act which we are requested to pass, and as an argument in favor of his suggestion, quoted the example of this Legislature in passing an Act, a few years ago, relative to the sale of property levied upon at certain seasons of the year. But I will not go so far as to say that that Act was passed in accordance with the Royal instructions, and Constitution of this Colony. Even in our own Courts that law could be proved to be invalid. If we passed such a Bill without a suspending clause, a proprietor might issue a writ, and commence an action in the Supreme Court, and if the Attorney for the tenant pleaded the Act, the Counsel for the proprietor could state that it was passed in the teeth of the Royal instructions, and was in consequence unconstitutional, and the Judges would feel bound to pronounce it invalid. But it is unnecessary to waste the time of their House by going into this matter. The Colonial Minister from time to time has sent out Despatches refusing to grant a Court of Escheat.

Hon. Mr COLES.—The contradictory Despatches of the Duke of Newcastle have shaken my confidence in despatches.

Hon. Mr HAVILAND.—It is like Satan rebuking sin to hear the hon. member rebuke the Duke for political inconsistency. Take up the Journals of the House, and any one who reads may see that the hon. member was one thing yesterday, another to-day; and it is hard to say what he may be to-morrow. Still he does not want to make political capital out of this question. To hear him talk you would almost imagine there was none of the political fox in him at all. Credulity at a certain age, it is said, is of slow growth. I might have believed him a few years ago, but cannot believe him now. There is one thing however upon which I must congratulate him, and that is the manner in which he handled the statistics respecting the number of writs which were issued, after which he rose as the champion and ad-

vocate of Bruce Stewart, at the expense of Cunard. The number issued by Cunard, however, considering the number of his tenants bears a much smaller ratio than the 4 issued by Stewart, considering the number of his tenants. Then he expatiated on his deeds before the Commissioners' Court, thinking I suppose the country would forget them. He spoke four hours a day, according to his own account, and jumped Jim Crow, many times on this question. It is difficult to hold him. At one time the Court is a delusion; at another, he thinks it will do much to alleviate the tenantry. He says a little on both sides, so that if the Commission turns out well and the difficulties of the tenantry be overcome, and their burdens alleviated, he can say "I was always in favor of the Commission. See how I seconded Col. Gray in all his movements." But if it should happen that the tenantry do not reap all the benefits from it which they anticipate, then he would take the other side, and quote his speeches to prove that he expected such would be the result. It would be much better for his consistency of character if he took one straight forward course, and arranged himself on the one side or the other. He stated this morning that the Government when they came into power repudiated the Loan and Purchase Bills, but in as polite a manner as possible I wish to contradict that assertion. I honestly admit I opposed the Loan Bill, and will from time to time reject such bills, believing we should rely upon our own resources; but the Government as a body did not throw cold water on that measure. As regards the other Bill, the purchase of Lot 54 and Selkirk Estate is the strongest proof that they did not repudiate the Land Purchase Bill. I may now say I have no objection to the House going into Committee on this question, and debating on it for a week, to give that hon. member an opportunity of convincing the House of the necessity of passing a Bill such as he desires; and of satisfying them that it will receive the Royal assent without a suspending clause, and if it does, that the Courts here will act upon it afterward. It would have been better for the hon. member, however, to have kept back some of the arguments on this subject which he employed when on the debate on the Address, till the present occasion, and then they would have had more appearance of originality.

Hon. Mr HENSLEY.—I have not yet, Mr Speaker expressed my opinion on this question, in order that I might gain as much information from the House on the subject, as possible. I have not yet had an opportunity to express my views on the Land Question but I have read the speeches made by hon. members on the subject in an earlier part of the Session. I feel that I cannot give a silent vote on this matter, not only on account of the petitions laid before the House, but also on account of the capacity in which I acted, as a professional man, in relation to the Land Question last year. Had I been present when this matter was debated before, and been asked to express an opinion in reference to the Land Commission, I would have said I approved of it highly; and though politicians do not frequently get credit for sincerity, still I have not any reason to change my views in reference to that Commission. A good deal has been said about the keeping back of the bill passed to give effect to the Land Commission; but I have no wish to charge the Government with having done so for any sinister purpose. At the same time I think the Government is to blame inasmuch as they did not step out of the ordinary course—knowing as they did that the Duke of Newcastle was coming out to these Colonies early in the summer—and forward the bill with the request that it might receive immediate attention; and if that request had been favorably entertained, parties would not have had an opportunity of petitioning against it. I think, too, that it was imprudent in the Government to have allowed the Commission to come here before they knew the fate of the bill. It is to no purpose to say that it was of no consequence whether it had passed or not, for had that Act gone into operation it is evident it would have been much more extensive than if it had been disallowed; in the former case their investigation would have extended to the whole Island, whilst in the latter, it is obvious that they would have been limited simply to the Lands of those who signed the reference;—under these circumstances then, I think they should not have been allowed to have opened their Court here till the fate of the bill was known. It would be absurd to say that they should come here, make investigations

and then give an award which would neither be confirmed by a Statute nor be within the scope of the questions referred to them. The Commissioners came, however, and the Government called upon me, for the purpose of getting one to appear at their Court on behalf of the tenantry; and after conferring with the Leader of the Government—Mr Palmer—I complied. I do not now wish to keep back anything in relation to the Commission favorable or unfavorable to the Government, but shall make an impartial statement. Before I accepted the offer of the Government, I wrote a letter to the Leader saying, I had been requested by the Government to appear before the Commission on behalf of the tenantry, but that I could not assume that responsibility without written instructions from the Government, and I refused to serve till I received them. The letter I wrote to Mr Palmer was as follows:—

CHARLOTTETOWN, August 31st, 1860

Dear Sir;

When you called upon me yesterday to offer me a Retainer on behalf of the Government to act as a Counsel for the Tenantry before the Commissioners, appointed to carry out the provisions of the Statute of last Session relating to the Land question, I requested from you time for consideration of the proposition before accepting the Retainer. A feeling of the responsibility which must necessarily attach to the position of a Counsel for the Tenantry on this occasion, induced me to make this request.

I have since referred to the Statute in question, and observe that a decision of the Commissioners under it will probably be binding and conclusive on the whole Tenantry of this Island on such matters connected with the general question of the Land Tenures as may be submitted to them.

Now "the Tenantry" are not a constituted body, and I can hardly venture (without having some such body to refer to for instructions) to come forward as the exponent of the views and wishes and rights of those with whom I have had little or no communication whatever on the subject of the Commission, much less, on my own uninstructed responsibility, to submit my point to the Judgment of the Commissioners, when their decision upon it might more or less affect every Tenant in the Island.

The House of Assembly may, perhaps, for this purpose, be regarded as the representatives of the Tenantry, and they again are reflected in the Government, who—being the introducers of the Statute in question—must be presumed to be in a position to know the extent of the powers intended to be conferred on the Commissioners, and the points to be brought under their notice.

Therefore, whilst I am willing to accept the Retainer offered by you, and desire, to the best of my ability, to promote the interests of the Tenantry on this occasion, it must be on the clear understanding that I am retained on behalf of the Government, and am so far to consider them as my Charts as to be entitled to look to and receive from them precise *written instructions* as to the course to be pursued by me on this occasion as a Counsel, and the matters to be submitted from time to time to the Commissioners, and the various points on which their Award or Decision is to be sought.

This being a matter of some importance, I have to request the favor of a written answer.

I am, dear Sir,
yours truly,

JOSEPH HENSLEY.

The Hon. Edward Palmer.

To this letter I received the following reply:—

CHARLOTTETOWN, Sept. 3d, 1860.

Dear Sir;

I quite perceive the necessity you have felt in expressing yourself as you have done in your Letter of Friday, in answer to my personal application to engage your professional services, in conjunction with Mr Thomson, of New Brunswick, on behalf of the Tenantry before the Land Commissioners.

I agree with you, that, in consequence of the Tenantry not being a constituted Body, it would be difficult for you to become the exponent of their views, wishes, &c., without having some person to refer to for instructions who fully represented their common interests. The same difficulty would, of course, intervene, if the Government attempted to act or to be guided by the

opinions for views of the Tenantry, without there being any persons properly constituted to represent those opinions or views; and they therefore feel bound by the opinion of the House of Assembly on the subject, as set forth in its address to the Queen, passed on the 9th May, 1859, as well as by what is expressed in the correspondence on the subject of that address which ensued, between the Colonial Minister and the Lieut. Governor of this Island; and which is published in the House of Assembly Journals of the last Session. An occasion requires, I shall be happy to communicate to you such written instructions as the Government may deem necessary for your guidance on those questions which they conceive are within the scope of the jurisdiction conferred on the Commissioners. In the meantime, I beg you will, at your earliest convenience, confer with Mr Thomson, and endeavor to put into some prominent shape those claims which you think it will be most to the interest of the Tenantry to advance.

I remain, dear Sir,

Very truly yours,

EDWARD PALMER.

Hon. Joseph Hensley.

After receipt of this letter I agreed to act, and with Mr Thomson immediately called upon the Commissioners. The Commissioners on that occasion stated to Mr Thomson and myself that they conceived they derived their powers from the Statute, and accordingly, they called our attention to its wording, and remarked that they thought it gave them full power to deal with all parties. I was aware at the time, though I had not made any particular inquiries, that the Act had not as yet received the Royal assent. I afterwards mentioned to one of the Government that much confusion might arise if the Commission sat, and the Act to give effect to their decision should be disallowed. He replied by saying that on account of the Duke being about to visit the Colonies the subject could not receive that attention at home which it would if he were present; but, notwithstanding, he felt assured that it would receive the Royal allowance. The Court was opened and, as is stated in the Report, I appeared for the Government on behalf of the tenantry.

[Mr Hensley then read an extract from the Report, of his remarks made at the opening of the Commissioners' Court respecting the brief which he and Mr Thomson held from the Government.]

Though a delicate matter I must acknowledge that I think the Government showed a good deal of discretion in selecting one not belonging to their political party, to advocate the interests of the tenantry before the Commission. Another question has arisen, respecting the information conveyed to Mr Thomson and myself in relation to the subjects which we brought to the notice of the Commission. It has been stated that information was kept back, but I think the parties stating so are in error. I may state that in any instance in which I applied for information, it was not withheld; and I feel it to be my duty to make this statement publicly, before the House.

Hon. Mr WHELAN.—The information was not volunteered.

Hon. Mr HENSLEY.—I don't know about that, all I say is that I received that for which I asked. With respect to the questions brought before the Commission, I may state that they entered into all points in dispute between proprietors and tenants. At the close of their Court we know they made a recommendation concerning one year's rent, and, since that period the Bill, which was to give effect to their award has been disallowed. The question now arises—What action should be taken in reference to arrears of rents?—But, before passing to that question I may say that in my opinion, it was impossible the Royal assent would be given to the bill; for I state fearlessly that I think no bill ever passed this Legislature which interfered so plainly with the rights of property. It differed from the Tenants' Compensation bill, which was limited to one particular point, and that Bill did not contemplate taking away the rights of the proprietor. It was limited to compelling him to give compensation to a tenant for his improvements, and there was a right of appeal to the Supreme Court. But, on taking up this bill, for the confirmation of the award, I find that certain parties had agreed to a reference; and it goes on to state that it shall bind every one who owns an acre of land; and it was to bind not only those who signed the reference but also all who owned Township lands. This, therefore, was a general Act, and there was no right of appeal to any tribunal; therefore, I say, I am not at all

surprised it did not receive the Royal Assent. At the same time I am satisfied that the Bill was brought in by the Government in accordance, as they thought, with the suggestions of the Duke of Newcastle. It is now a question whether the House will go into Committee and base some measure on the petitions in regard to arrears of rent. I think the only Act which could have been consistently passed last year would have been one to suspend the collection of arrears of rent pending the Commission. That, however, was not done, and the question is—shall it be done now? Had the Commissioners possessed power to have suspended their collection, I believe they would have issued an order accordingly. In passing a Bill, I do not see, under the circumstances, and with any prospect of its passing in England, that we can go further than to make it affect those who signed the reference to the Commission. I think a Bill of this nature would not interfere with the Commissioners, but would rather preserve for them the subject matter of their Commission; and I do not think any proprietor could feel himself aggrieved were such a Bill passed. I am of opinion that the Commissioners when they give in their Report, will go into all questions; and as they are Lawyers and Legislators, and gentlemen of high standing, that Report will no doubt be very valuable, as containing their views on the questions which came under their notice. I think, too, if they do so, that it will have the effect of compelling those proprietors who did not assent to the arbitration to agree to it as well as those who did. (Hear.) That is the point to which my hopes tend. I shall wait patiently for the award and whatever it be I trust it will have the effect of forever terminating disputes past and present.

Hon. Mr LONGWORTH.—I do not rise, Mr Speaker, to find fault with the speech of the hon. member from King's County, which was very clear, and contained a fair and candid statement of matters connected with the Land Commission. I think it showed that the Government acted in such a manner as would render their conduct unimpeachable in reference to the whole affair concerning the Land Commission. If the hon. member would reflect for a moment, however, I think he would perceive that there is no parity of reasoning between the Act relating to the Commission, passed last year, and the Tenants' Compensation Bill, for the one was in accordance with the instructions received from the Imperial Government, and the other merely originated in this House, on the supposition it had power to pass a law of that kind. The House assumed that it had the inherent right to pass a law without the consent of the parties to be bound by it, and it was on the ground that they had no such right that the Rent Roll Bill was disallowed. But, in reference to the Bill passed last Session it was different. Assent was given by the Imperial Government through Her Majesty's Secretary of State to principles and proposals made to this Government, in reference to the land tenures of this Island, and certain parties assented to the principles embodied in Resolutions passed by this House in regard to the same subject,—the questions in dispute between landlord and tenant by these parties were referred to a tribunal, to be decided by a body of gentlemen mutually chosen to act as arbitrators, so there was a great difference between the two cases. In the latter case the House had the assent of the parties to be affected by the Bill. The hon. and learned member thinks the Bill should have been sent Home at an earlier period, but I think that if it had it would not have made the least difference, and that it would not have influenced the decision of Her Majesty's Secretary of State in the slightest degree. If not received, then the Commission would not have met here; and in that event, whether would we have been in a better or in a worse position than at present?—To my mind it was a fortunate circumstance, and an argument in favor of the Bill not going Home. In the recent Despatch of the Duke, he does not find fault with the action of the Commission; and they went into all matters affecting the rights of different parties, and I feel persuaded the result of their investigations will have a beneficial effect, and promote the interests of this Colony. We have now a clear expression of opinion on the part of the Imperial Government, that though the award will only legally bind those who assented to the Commission, still, that it will have the effect, when it goes into operation, of binding all. This is expressed in the latter part of the Duke's Despatch of January 2d. I believe, with the hon. member, that

the Commissioners considered the Act of this Legislature as the basis of their Commission; but I must disagree with the hon. member in reference to the view which he takes of the measure he proposes this Legislature should pass. Of what avail would it be to pass an Act which would only bind those who have assented to the Commission, when, in no instance have these proprietors violated the recommendation of the Commissioners, made at the closing of their Court, where tenants paid the current year's rent, in accordance with their recommendation? It is evident the Act if it were passed would be a dead letter. Why pass a Law to bind parties—to prevent them from committing an act, which hitherto they have not attempted to commit? The absurdity of adopting such a course must be apparent to all who are able to reflect. But in my opinion, were it passed it would have an evil effect, inasmuch as proprietors would probably resort to harsh measures in the collection of their arrears of rent, before it came into operation. Many poor tenants would doubtless be ruined by parties who would see good to act in such a manner. I believe that proprietors would immediately take the alarm at once if we attempted to pass such a measure; so, it would, instead of benefiting the tenantry, bring ruin on the length and breadth of the land. As an individual member of the House, I am desirous to see the matter left in the hands of the Commissioners.

Adjourned till 10 o'clock to-morrow.

J. D. GORDON, Reporter.

WEDNESDAY, March 27.

Debate on Tenant's petitions resumed.

Hon. Mr. COLES spoke at considerable length. He referred to the statement of the hon. member for Belfast that the award Act was not printed until the 12th of September, and said that that hon. member must think him a fool not to know when a Bill was published.

Hon. Col. GRAY said the words he (Col. Gray) used were the "Bill was not out of the printer's hands."

Hon. Mr. COLES said he would take the hon. member's own words. If they would appoint men who had no responsibility as under departmental government, they would have to stand by the consequences. The Act was printed in the *Royal Gazette* in July, and all that was necessary to be done was to change the type from that paper, and print it in a separate form. Mr. Coles then alluded to an editorial notice in the *Royal Gazette* of July 3rd, from which he read an extract as follows:—"We also learn by the English Mail of this day that His Excellency has received despatches expressive of the satisfaction with which the Colonial Minister received the Act passed during the last session of the Legislature for giving effect to the award of the Commissioners." This statement, he maintained, was calculated to deceive the people. No doubt it was stated to be copied from the *Islander*, but this made the matter so much the worse, as the Government had time to contradict it before it appeared in the *Royal Gazette*. It was well known that the Editor of the *Islander* was the Colonial Secretary, and for him to say that the Act was received favorably by the Colonial Minister when it was not then sent home, was extraordinary, and the Government ought to have contradicted it. The hon. member for Belfast stated that there were arrears of rent on the estates of those who signed the Commission, to the amount of £40,000, and remarked if an Act was passed to prevent distraints, the consequence, no doubt, would be that those proprietors would pounce down upon their tenants immediately for arrears. He (Mr. Coles) did not see that this was a sound argument against the proposed measure. The hon. members on the other side of the House tried to make themselves appear the friends of the tenantry; but they seemed to be much better posted up in what was due to the proprietors, than in the wrongs of the tenantry. He believed that the greatest part of the arrears mentioned was due on the landlord's estates, and the most said to be due them, was owing before the property fell into their hands. [The

hon. member also referred to several other matters which had been discussed in former debates.

After a little further discussion the question was put on the motion that the House do go into Committee on said petitions, which was carried unanimously. The House accordingly resolved itself into said Committee, Mr. John Yes in the Chair.

Mr. HOWAT said as the House was now in Committee, he wished to say a few words. He had the honor of presenting one of the petitions before the Committee; but on looking over the signatures he found it was a one-sided affair. With perhaps five exceptions, those who signed it were all on the same side of politics as the Opposition. Now what could be the reason of this? It was well known that the Land Commission ever since it commenced its sittings, had been acted upon by certain parties for political purposes. When he was attending the Commissioners' Court at St. Eleanor's, the hon. member for King's County, Mr. Whelan, who was also present, got up a meeting, to which Commissioner Howe was invited to attend—in short to become a partizan. I heard Mr. Howe say that the only course which he could pursue was to keep himself clear of all parties; it would never do for one in his high position to act otherwise than in good faith. This proved to him (Mr. Howat) that the meeting could be for no good purpose. He brought up this to show that there was evil and good going on, and though the hon. members of the Opposition appeared to desire to favor the tenants, they were endeavoring to further their own ends. With respect to the Act proposed, he thought there would be nothing to prevent the proprietors from pouncing down upon the tenants during the five months which must elapse before it could receive the royal assent. This being the case, he did not feel himself bound to support the resolution proposed by the hon. leader of the Opposition. That hon. gentleman seemed now to be in favor of the Commission.

Hon. Mr. COLES said when he heard the Commissioners state that they were prepared to deal with the whole question, he gave them his support.

Mr. HOWAT—He opposed the Commission almost until it came here. This being the case, if the hon. member had had his own way, we would never have had a Commission. He seemed to hint that he was the only one who had given the Commissioners any information. This was certainly not very complimentary to the hon. member for East Point. But he (Mr. Howat) thought that Mr. Hensley had done his duty faithfully, and that it was not fair for the leader of the Opposition to take all the credit to himself. If he was doing so much good when in opposition, that, Sir, must be the best place to keep him, for he never did any good for the country when he was in power.

Hon. Mr. COLES here moved the resolution which he had read before the House went into Committee.

Hon. Mr. THORNTON remarked that as this subject had been discussed at the commencement of the session, it was unnecessary to go over the arguments now which had then been used. He would, however, refer to one or two statements which had been made in this debate. The hon. member for Belfast said this resolution would do away with the work of two years. Well, that might be, but he (Mr. Thornton) considered it would only carry out the recommendation of the Commissioners. He could not see that it would have the effect stated. He had supported the proposition for a Commission; he had supported the resolutions of last session, and the Bill to give effect to the award as well; and he did not think it was proper for the hon. leader of the Government to accuse those on this side of the House now for seeking to interfere with private rights. Let the proprietors declare that they would not distraint for rent pending the award of the Commission, as he (Mr. Thornton) had done respecting the property with which he was concerned, and he would be satisfied. It was stated

that the Commission would not be binding upon any except those who had agreed to it; but the hon. member, Col. Gray, said that there would be a moral influence which would compel them to submit to the award. He (Mr. T.) was sorry that "moral influence" had no effect on some proprietors. His object in supporting the resolution submitted by his hon. friend was to prevent the proprietors from distraining for rent, until the award was given in.

Hon. the SPEAKER desired to ask one question: Did the hon. member who introduced the resolution propose to pass a Bill to prevent those only who had agreed to the Commission from distraining for rent, or did he mean to include all the proprietors in the Colony?

Hon. Mr. COLES said the resolution spoke for itself.

Hon. Mr. THORNTON would support the resolution, and take the whole they could get.

Hon. Mr. YEO—Much had been said about the Act passed last session receiving the royal assent, if it had been sent home sooner, as then the petitions of the proprietors would not have operated against it. But there was no remedy, as a petition was sent home before we left this House. He was asked to sign it, and knew this to be the case.

Hon. Mr. COLES—The despatches which inclosed the petitions were dated on the 12th of November—the petitions could not be sent home earlier.

Hon. Mr. YEO—They got them prepared about the time the House rose, and sent them home.

Hon. Col. GRAY asked leave to explain. The House might not be aware that a petition was sent home by Mr. Bruce Stewart direct to the Duke of Newcastle, who sent it back to the Colony to be transmitted in the regular way, through the Lieutenant Governor.

Hon. Mr. YEO—The Act interfered with the rights of property, and should not pass.

Hon. Mr. WHELAN asked why then did he vote for it?

Hon. Mr. YEO said he was no lawyer and did not know what might be its effect; but he did not sign for the Commission though he had been asked to do so. The Governor tried hard to get Mr. Bruce Stewart to agree to it.

Hon. Mr. COLES thought the hon. member must be mistaken, and read the following extract from His Excellency's despatch to show what he had done:

"Mr. Bruce Stewart was the only person whose name is attached to the memorial, with whom I had any conversation on the subject, and on one occasion I endeavored to point out to him how desirable it was that all the large proprietors should act together harmoniously, so as to secure, if possible, the settlement of disputes, injurious not only to their own interests, but to the general welfare of the Island."

[Hon. Mr. Yeo replied, maintaining that his statement was correct, but there was so much interruption that the Reporter could not take satisfactory notes.]

Business was reported, and the House adjourned.

D. LAIRD, Reporter.

AFTERNOON SITTING.

Hon. Mr. HAVILAND presented to the House the Accounts and Returns of the Commissioner of Public Lands for the ensuing year ending January 31, 1861. Referred to Committee.

The order limiting the time for the reception of petitions having been suspended, Mr. Owen presented a petition from Lot 56, concerning the removal of a wharf at Launching Point to the South side of De Gros Marsh. Laid on the table.

It was then agreed that on Wednesday next, the several private petitions before the House would be taken into consideration. The House then resumed the consideration of

TENANTS' PETITIONS.

Mr. CONROY said he felt it to be his duty to make a few remarks as he had had the honor of presenting a petition,

which called forth some remarks. An hon. member in the former part of the day had stated that he (Mr. C.) made statements about Mr. Palmer's conduct towards tenants on Lot 1, which were untrue, but he could state that at a meeting on Lot 1, which he attended, Mr. Palmer's Bailiff came voluntarily, and made the first speech, in which he remarked that several distrains had been put in his hand by Mr. Palmer, and that after he received them he called upon the different parties and told them of it. In a few days the parties called upon him and tendered one year's rent, but the Bailiff said to them he did not wish to receive it till he heard from Mr. Palmer. Mr. Palmer's answer was—Take the money and distrain for the balance. Talk of him being kind and a friend to the tenants! up to the present hour Mr. Palmer had never distrained in such a manner as he had done this year. In doing so he must have been influenced by some particular motives; and these must have been that he thought the Commission would interfere with his rights as a proprietor. He may have done the tenants some good offices, but he (Mr. C.) had yet to learn that he ever did any without having an eye to windward—without expecting to be repaid. He (Mr. C.) would not detract from his kindness, but he believed in any matter between landlord and tenant he would be the last man to whom the tenants would make an application. The petition which he presented was not got up for political ends as was stated; for those who first signed it were supporters of the present Government. If it contained untrue statements, he was not accountable for them; but he would say that on Lot 1, none with seven or eight days notice could pay one year's rent, believing there was not money enough on the Lot for this purpose. He believed that the tenants of no proprietor on the Island could do it. The Bailiff already referred to said that the writ issued by Mr. Palmer were only the forerunner of what might be expected. The tenants required their sympathy and protection, especially considering the distress there was in the country for hay and grain, and he hoped they would receive that measure of protection which they ought. The hon. member from Queen's County thought if the Bill contemplated were passed that proprietors would issue writs by thousands, acting on the principle that self preservation is the first law of nature, and so bring ruin to 50,000 tenants. If they should do so, and should they strip tenants of their effects, they would then be as independant as proprietors, and then who would dare to take a writ to them? Let us demonstrate to the tenants that we wish them well, and if the Bill be rejected at Home, no blame would rest on them. He considered the Bill absolutely necessary both for tenants and proprietors.

Hon. Mr. HAVILAND said the hon. member from Tipperary took a wide range when he said there were 50,000 tenants on this Island, for he never could find that number on the census returns. He (Mr. H.) thought there were not more than one-fourth of that number. He had looked over the great petition from Lots 1 and 2, which contained only 600 names, and the total number of signatures to all the petitions was only 1200. One man by the name of Gallant, too, had taken upon himself to sign 123 of the 603 names; for which he would like to see his power of attorney.

Mr. HOWAT said he could not understand the resolutions of the hon. leader of the Government. He could not say whether it was a kind of shuffle, or an intrigue, but was inclined to think it was the latter. He would ask the hon. member if he would define and explain it.

Hon. Mr. COLES said he would do like an Irishman, answer the hon. members question by asking another; viz: Whether he was prepared to go the whole figure, and pass a Bill to affect all, or only some of the proprietors? The resolution was before them, and it would be defined in the Bill which might be brought in. If the hon. member was good to move another resolution in amendment, he was at liberty to do so. The hon. member from Port Hill, a member of the Executive, he said, stated in the morning that His Ex-

excellency had tried hard to get Bruce Stewart to sign the famous document, which was signed by those who assented to the reference. He (Mr. Coles) said that, seeing by a Despatch of His Excellency he was misunderstood, that His Excellency was placed in a wrong position, and that Mr. Stewart must have misunderstood him, stated he thought that His Excellency could only have said to Mr. Stewart that he thought it would be for the interest of all the proprietors to come forward and sign the reference. But the hon. member insisted upon his being right, and that he (Mr. C.) was stating what was untrue, and that His Excellency had advised Mr. Stewart to sign. Now, His Excellency in that Despatch did not say he consulted Mr. Stewart in particular; but the hon. member went on to say His Excellency did all he could to get him to subscribe the reference, as if His Excellency's advisers knew better than himself what he did. He (Mr. C.) had no intention of misrepresenting either His Excellency or the hon. member, but only wished to correct him in what he was stating; but the hon. member was going on at great length to say what His Excellency did.

Hon. Mr. YEO said he would prove it, and swear to it.

Hon. Mr. COLES then directed attention to the Despatch itself; after which he said the misfortune was that they had not a copy of the petition sent Home by Mr. Stewart or other proprietors who petitioned against the Commission. If the hon. member from Port Hill insisted on being right, and on saying that he will swear His Excellency tried to induce Mr. Stewart to sign, he may do so; he would leave the matter with the hon. member and His Excellency.

Hon. Mr. YEO said the Government had done all they possibly could for the tenantry, and that now the Opposition were doing their utmost to make all they had done of none effect; and that their speeches on the petitions were for the purpose of agitating the country. No subject could be deprived of his rights without his consent, and on that ground he thought the proprietors who had not assented to the Commission would be bound by its decision.

Mr. BEER said that so much had been said on the subject he thought it was thread-bare. In his opinion a Bill based on the resolution before the House would do no good, but might do much harm, and he thought the safer course to pursue would be not to run any risk. He thought that if it were passed proprietors who had agreed to the Commission, would present a memorial to the Home Government praying that they might be allowed to withdraw from the Commission. He had no doubt the award would have the effect of inducing those who had not assented to the reference to come in and part with their lands on the same terms as those who had assented. He considered it would never do for them to legislate on the matter while the investigations of the Commissioners were in progress. If they did, they would probably be grasping at a shadow, and by so doing lose the substance. He thought it was fortunate the Bill did not go Home immediately after the House rose; for, if it had, it was almost certain the Commission would not have been appointed. He had no doubt about the result of the inquiry being beneficial.

Hon. Mr. HENSLEY said he thought some hon. members were under a delusion as to the light in which they considered the proprietors would view the Bill which they were desirous to pass. He would take it, that they would regard it as an insult to suppose they would not carry out the recommendation of the proprietors in reference to the collection of arrears of rent. As it was, proprietors might refrain from collecting any year's rent, thinking if they did so, that their conduct might be misconstrued.

Hon. Mr. WHELAN addressed the Committee at considerable length. Having made a few preliminary remarks, Mr. WHELAN said—There was one part of the speech, Mr. Chairman, made in the morning by the hon. member from Port Hill, which did not fail to leave a strong impression on

my mind, and which I would not be justified in passing by in silence, and that was the attempt to fasten on His Excellency, whom he is sworn to advise, the imputation of falsehood. [Oh! from a voice, and laughter.] Can he repudiate the fact? The hon. member from Port Hill attempted to say His Excellency committed a falsehood in reference to a statement of my hon. friend on my left—Mr. Coles—concerning an extraordinary assertion of Mr. Stewart, contained in a memorial which he sent to the Crown, praying that the Bill passed last session to give effect to the award of the Commissioners, should not receive the Royal assent. What an extraordinary spectacle do some of these hon. members now present! The leader of the Government, more than once expressed his horror, at the supposed attempt of my friend on my left, to fasten the imputation of falsehood on His Excellency, but now he comes to the aid of that hon. member to prove that His Excellency had told a falsehood.

Hon. Col. GRAY—I rise to order, Mr. Chairman, and say that what the hon. member is stating is entirely incorrect.

Hon. Mr. WHELAN—The hon. member may say what he likes, but I say I saw him leave his place, come round to the seat of the hon. member from Port Hill, and impress upon his mind that my hon. friend had been wrong in endeavoring to vindicate the honor and veracity of the Lieutenant Governor. It was a pretty specimen of political morality, to see two members of the Executive—most ready on favorable occasions to attack members on this side for fastening on His Excellency the imputation of falsehood—attempt themselves by words and deeds to fasten that imputation on His Excellency, as they did this morning. Now, Sir, before going into the general question.

Hon. Mr. HAVILAND—Before this matter goes farther, I for one, as a member of the Government, will not sit still and allow that hon. member to throw broad-cast such statements, and make such insinuations as he has done concerning two members of the Government. He has stated coolly and deliberately that two members of the Government did, this morning, attempt to fasten the imputation of falsehood on His Excellency. It is necessary this matter should be explained now, one way or the other. If any member is guilty of what he has stated—not only of a breach of etiquette but of honor—I would be sorry to sit with him at the Council Board. I contend it is necessary for the hon. members accused to plead guilty or to repudiate the charge.

Hon. Mr. COLES—I draw the attention of the hon. member from Port Hill to it, and he said he would swear to it.

Hon. Mr. WHELAN—We have the fact to deal with,—what

Hon. Mr. HAVILAND—I rise for explanation. I wish this matter to be explained. I want to know in black and white if he attempted to throw out that insinuation.

Hon. Mr. YEO—I said I would swear Mr. Stewart said the Governor advised him to sign.

Hon. Col. GRAY—I rise to a point of order, Mr. Chairman, as my name has been mentioned. As far as I am concerned, this matter affects me but little; but I understood the hon. leader of the Opposition this morning to refer to statements made by Bruce Stewart in a certain petition which he forwarded to the Home Government.

Hon. Mr. COLES—I rise to order, too; I referred only to His Excellency's despatch, not to Bruce Stewart's petition.

Hon. Col. GRAY—If I understand language, I think they are synonymous. The hon. member from Port Hill when speaking this morning, not appearing to be aware of the exact statements made by the Governor, I handed the printed Despatch to him without any note or comment whatever. It is scarcely necessary for me to state that the statement made by the hon. member from St. Peter's is incorrect.

Hon. Mr. McCAULAY—The expressions used were made by the hon. leader of the Opposition, not by the hon. member from Port Hill.

About this time Reporter could not take satisfactory notes. On motion of Mr. Owen the Speaker took the Chair. Hon. Mr. Whelan then moved that the House resolve itself into a Committee of the whole to resume the consideration of the petitions, which was agreed to.

Hon. Mr. WHELAN continues—I am sorry I have been the innocent cause of disturbing the harmony and good feeling of gentlemen on both sides of the House. I did not suppose, in alluding to facts brought to our notice by two Executive Councillors, I would have established a row on members of the Government.

Hon. Mr. HAVILAND—I rise to order. I will not submit to stabs and insults being cast upon hon. members on this side of the House. If others are willing to submit to the lash I for one will not.

On motion the Speaker took the Chair, and the Chairman reported progress and asked leave to sit again.

Adjourned till 10 o'clock to-morrow.

J. D. GORDON, Reporter.

THURSDAY March, 28.

ST. DUNSTAN'S COLLEGE INCORPORATION BILL.

Hon. Mr THORNTON moved the second reading of the Bill to incorporate the Trustees of St. Dunstan's College. He said it was unnecessary to go into an explanation of the Bill—it was simply to give corporate powers to the Trustees of the Institution.

The Bill was then read and referred to a Committee of the whole House, Mr McNeill in the chair.

When the clause was read in reference to the Trustees of St. Andrew's College transferring the funds of their trust to the Trustees of St. Dunstan's College,

Hon. Mr HAVILAND said before the question was put on that clause he wished to make a remark. As a general rule it was very unusual for the Legislature to divert funds appropriated for one purpose to another. It appeared that the late Bishop McEachren left some funds in trust to establish a College at St. Andrew's; and the question was whether it was right or not for the Legislature to divert them to another purpose, especially as there was no petition before the House from the parties on the subject.

Mr CONROY said there was a petition from the Trustees.

Hon. Mr HAVILAND looked upon the Trustees as having no authority in the case as long as there was no petition from the party who had appropriated the funds for a College at St. Andrew's. The Legislature, no doubt, was all-powerful, and could change a will, but he thought it was scarcely proper legislation. He was disposed to vote against the clause.

Hon. Mr THORNTON said the funds were not to be appropriated to another purpose; but only to be diverted from that College to another carrying out the wishes and intentions of the first donor. When five out of the seven Trustees had petitioned for this transfer, as there was no college at St. Andrew's now, surely it ought to be granted. Should the Trustees wish to establish a college again at St. Andrew's, this would not prevent; but as the funds were at present lying idle, it was better to let them go to St. Dunstan's College in the meantime, which was not a sectarian college but one for general educational purposes.

Hon. Col. GRAY thought as the clause was only to transfer the trust fund from one college to another for the same object, and as there was no petition against it from the Roman Catholics of any part of the Island, the House should not object to it.

Hon. Mr THORNTON would not like to answer for the whole Catholic population of the Island, but thought if the present Bishop was satisfied with the transfer, they would be satisfied.

Hon. Col. GRAY could see no reason why the House should refuse the request; it was not proper that the funds should be lying idle.

Hon. Mr HAVILAND said he only objected to the principle; he saw by the will of Bishop McEachren that he did not leave the money for the general purposes of education, but for the express purpose of Establishing a College at St. Andrew's; and he thought the House should be careful in forming a precedent.

After some further discussion, the clause as read was agreed to, as also the whole Bill, and reported accordingly.

Hon. Mr LONGWORTH presented a Bill to amend the Act to provide for the revising and reprinting the Laws of this Island which was read a first time.

Hon. Col. GRAY presented a message from His Excellency the Lieut. Governor desiring that the House at its rising to-day, should adjourn until Saturday the 30th instant.—Resolved accordingly.

House again in Committee on the Bill to incorporate "The Gulf Express and Telegraph Company." The Bill was agreed to with several amendments.

Hon. Col. GRAY presented a petition of divers inhabitants of Charlottetown, Southport, &c., praying a grant to the Contractor of Charlottetown ferry, to encourage him to place an additional steam-boat on said ferry, so that it might not be necessary to cross it, on Mondays, in row and sail boats, while the present boat is cleaning boilers—laid on the table.

Hon. Mr HAVILAND presented a petition of inhabitants of North River, &c., complaining that James Treanor, Morshead's corner, Lot 32, had been refused a Tavern license on the ground that the two nearest Justices of the Peace had not signed the necessary papers thereto, and praying for redress—laid on the table.

BILL TO INCORPORATE THE R. C. BISHOP OF CHARLOTTETOWN.

House again in Committee on this Bill. On the clause being read in reference to deeds of conveyance,

Hon. Mr LONGWORTH said there was no limitation in the clause with respect to persons in a weak state of mind, as was commonly allowed to be necessary in reference to members of all Churches. British law was that if a person died within a certain time after the deed was drawn, it was null and void. This law which was the Statute of Mortmain was not interfered with in any of our Colonial Acts; and it was for the Committee to say whether the members of the Church of Rome here should be protected or not. This Bill was copied from an old Bill introduced into the Canadian Legislature, but he could not ascertain that it had ever become law. In the present law of Canada there was no such clause as this one under consideration, nor in the Nova Scotia Act.

Hon. Mr HENSLEY thought the clause should be left out as it was in the other Colonies. He considered it doubtful were the clause allowed to remain, if the Bill would receive the Royal assent.

Mr CONROY moved that the clause be struck out. He supposed it was objected to because it might give Catholic clergymen the opportunity of inducing a person to will property to the Church in his weaker moments, which he might not be willing to give at other times.

Hon. Mr LONGWORTH.—To prevent such was the design of the Law of Mortmain.

Hon. Mr PERRY did not see any necessity for introducing the clause into the Bill, when it was not in the Acts of the other Colonies, particularly when, as the hon. member for King's County said, there was danger of it passing at home.

Mr CONROY said for his own part he would not fear though the clause were left in the Bill; but if it had been

the general policy in Britain to leave out the like, he supposed it was no use for them to object.

Mr Conroy's motion that the clause be struck out was then agreed to.

The Bill having been read through, Hon. Mr Perry said he thought it required a suspending clause. Messrs. Haviland, Gray, and Hensley entertained the same opinion. On motion, a suspending clause was added; after which the Bill was agreed to.

House adjourned.

D. LAIRD, Reporter.

AFTERNOON SITTING.

The House resumed the consideration of the petitions praying for action to be taken to prevent arrears of rent being collected pending the award of the Commissioners. The whole of the afternoon was taken up in debating on this subject. We can only attempt to give a brief summary of arguments used by hon. members who spoke on the subject of the petitions.

Hon. Mr WHELAN resumed his speech commenced on the afternoon of the previous day. After referring to some things connected with the debate of the previous evening, and to his own patience and forbearance as exhibited during the discussion, he replied to a speech made during the debate on the petitions, by the hon. member from Tryon. He said that hon. member was exceedingly unfortunate on the previous day, for in all the speeches which he made during the day he was not a moment on his legs till he began making misrepresentations. He (Mr W.) had before shown that the hon. member from Tryon had given incorrect accounts of proceedings of public meetings held in various parts of the country. He had attended at a meeting held at St. Eleanor's, at the time the Commissioners opened their court there, and charged him (Mr W.) with intrigue in getting it up.

Mr HOWAT said he stated he was informed such was the case, and that he believed it was true.

Mr WHELAN said his information was untrue and utterly groundless, and that he had no more to do with getting up the meeting than the hon. member from Tryon himself. It so happened that he (Mr W.) in his perambulations through the country had happened to be there at that time; but the fact was that a principal supporter of the present Government at St. Eleanor's—Mr James Campbell—was mainly instrumental in getting up the meeting. In reference to this matter he (Mr W.) felt bound to vindicate his character against such an accusation. Mr Campbell was even the chairman of that meeting which was got up, as Mr C. informed him, at the instance of delegates from Prince County. He (Mr W.) said to him he thought it was not improper that such a meeting should take place. He told Mr C. that before they held such a meeting it would be necessary to have the consent of the Commissioners, for they adjourned their Court at about 7 o'clock purposing to meet again at 8. A gentleman from Cascumpec wrote out a requisition and he believed it was presented by a gentleman from the same place, yet he (Mr H.) would stand up there and accuse him of insincerity in reference to that matter for political purposes; and he had not so much as put a pen to paper to write one word in the requisition; nor did he know one word which it contained. He (Mr W.) was disposed to think the attempts of the hon. member at misrepresentation were to be attributed to an infirmity of his nature—to a defect in his constitution, and on that ground he felt inclined to pardon much of it which was leveled against him. Mr Whelan next referred to the recommendation of the Commissioners, and argued that it would be right and proper to ratify it by passing a Bill to prevent the collection of arrears of rent pending their award; that 93 suits as shown by the hon. Leader of the

Opposition had been instituted against tenants—arguing that a case was commenced when a party received a lawyer's letter. As regarded the number of signatures to the petitions, he said it matters not to him whether they were 1200, or 12,000. For his own part, he most positively declared he never saw nor read the petitions, and knew not a single line that was in any one of them, though it was insinuated he and his hon. friend on his left had something to do in getting them up.

Mr BEER.—Nor gave advice about getting them up!

Mr WHELAN.—Nor gave advice as to getting them up, and he might tell the hon. member from Charlottetown more, that had he done so, probably they would have been far more numerous signed. Had he and the hon. leader of the Opposition busied themselves, and called meetings for that purpose, very likely the number of names would have been thousands instead of hundreds. As regarded the argument about the Bill contemplated being an interference with private rights, he would ask what the Commission itself was—though not on the part of those who signed the reference? He thought it was, and also the Bill to ratify their decision. There were many acts on the Statute Book which interfered with private rights, such as the Land-tax Bill, the Bill regulating distraints, and the One-ninth Bill.

Hon. Mr HAVILAND remarked that the One-ninth Bill had a suspending clause.

Hon. Mr WHELAN said that made no difference.

Hon. Mr LONGWORTH said it was founded on universal practice, that it was in accordance with usage.

Hon. Mr WHELAN said so long as he retained his seat there he would consider it his duty to advocate such measures as were for the interests of the people and not merely those which might be considered acceptable to the Duke of Newcastle. He thought it was degrading to be reminded from time to time that such and such a bill would not receive the Royal Allowance. The hon. and learned member from Georgetown would not think it unnecessary to be reminded of a rule of Parliament, that it is improper, unparliamentary, to use the name of the Sovereign in debate, to influence the decision of Parliament. The duty of the House was to ascertain what measures were for the benefit of the country, and to pass them independently of the consideration, whether or not they would receive the Royal allowance. If they were to be the mere tools of the Colonial Office the fact should be plainly acknowledged, that they might desist from attempting to carry out the powers of an independent Legislature, modelled, as it was said, after the glorious Constitution of Britain. Another argument against the resolution was, that if it were adopted it would necessarily require to be followed up by a Bill embodying its principles. For his (Mr Whelan's) part he would be satisfied to have even a partial measure passed, one which might affect those only who assented to the Commission. That course would involve the admission of the general principle contained in the resolution. If proprietors had so little of the milk of human kindness, if they were determined to outrage every generous humane feeling, by subjecting their tenants to that state of distress which one hon. member said would probably be the result, if they manifested such fiendish dispositions in their dealings with the tenantry, the sooner the fiendish gang were muffled by adopting the course proposed, the better. He (Mr W.) charged the Government with downright dereliction of duty, he would not say duplicity, in placing in the hands of the Commissioners a bill, which at the same time they knew was not the law of the land, for their guidance in the course of their investigations. That Bill was not sent home till the first of October. The hon. Leader of the Government stated a few days ago it was not out of the

printer's hands till the 13th of September—but why was it not?—The most humble Printing Office could have disposed of the work in one or two hours.

Hon. Mr HAVILAND said the hon. member was wrong in his figures, for there were 7 pages in the Act.

Hon. Mr WHELAN said that even if there were, it could have been printed in less than half a day.

Mr WHELAN then took up the Despatches of the Duke of Newcastle on the Land Commission, and pointed out discrepancies in them, occasioned, he had not a doubt, by the memorials of proprietors; after which he mentioned that it appeared only 5 proprietors out of 40 were to be bound by the award of the Commission.

Hon. Mr HAVILAND said 14 had signed the reference.

Hon. Mr WHELAN said there was no official document to show that such was the case. The Bill was virtually defunct, and could never become law. He thought they might wait patiently for two years before the beneficial results, to be derived from the Commission, would be made known; and he considered it his duty to place before the country his views of what might be expected from the famous Land Commission. Five proprietors only remained to be affected, and the Quit Rents, Loyalist's Claims, Fishery Reserves and Escheat questions were not to come within the scope of the inquiries of the Commissioners, and he would ask what was left to engage their attention, unless it were to determine the prices at which these proprietors should sell their lands? As for despatches, he looked upon them as being the mere embodiment of the views of the Colonial Minister of the day, and would pay no more attention to them than to any other State Paper, if they did not accord with his own views. He utterly repudiated the doctrine of their being a part of our Constitution. The hon. and learned member from Georgetown, who argued so much for keeping the Constitution intact, would not agree with that sentiment; but he (Mr W.) would remark that the Bill which that hon. member had introduced to change the constitution of the Legislative Council, by abolishing the prerogative of the Crown over that body, was a direct infringement of the Constitution; yet he would attempt to frighten them with the cry, it would be unconstitutional to pass the Bill which was then called for. In his (Mr W's.) opinion, the Bill which was then in contemplation, was one which should stand on its own merits. The reasoning employed by those who spoke against the Bill, were, he considered, mere apologies for arguments. He thought the Bill was of that nature that it would commend itself to the good sense of every member in the Committee.

Hon. Col. GRAY addressed the Committee. He said he had heard the greater part of the long effusion to which they had been listening about 6 times before. To take up the time of the Committee for two hours in reading from old volumes and Despatches, brought to their notice 20 times before in the House, was extraordinary. As he had already spoken his sentiments on the question, and as he had only 11 minutes to speak before the hour for adjournment arrived, he would only offer a few comments on what had fallen from hon. members. Passing over the style of the hon. Leader of the Opposition used to himself personally, when he endeavored to invalidate his statement concerning the famous Act upon which he wished to dwell, not being out of the Printer's hands on the 10th of July, he (Col. Gray) would say that no amount of contradiction or personal abuse directed against himself would weaken facts. The hon. member stated, he found, by turning to his notes, "that the Printer had done his work by the 10th of July;" and he quoted the fact that the Act appeared in the *Royal Gazette* at that time, but he (Col. Gray) would say that that had nothing to do with the question—for the *Royal Gazette* was not the Act, nei-

ther was the Act the *Royal Gazette*. (Laughter.) The Acts were printed on superior paper and the type was peculiar. [Col. Gray then held up in his hands a specimen of one of the Acts in the form in which the Acts are forwarded to the Secretary of State, and a copy of the *Royal Gazette*.] He would state once more that the Attorney General in August applied to the Queen's Printer—Mr Ings—to know if the Acts were ready for inspection, and he informed him that all his best type was set up and engaged in printing other public documents and the copies of the laws; that the press of matter was unusually great, in consequence of more than 40 Acts having been passed last Session, and the Attorney General then advised him to get the assistance of Mr Hazard or some other printer, and it was the 13th of September when this Act was printed. This he (Col. Gray) said was the third time he had made this statement, and he would not refer to it again. If hon. members were not satisfied they might examine the Attorney General and the Queen's Printer. The hon. member said the Government should have sent Home the Act in 14 days; but that was a matter of opinion. He is fond of laying down the Law; and his remarks at times would lead one to suppose that no man in the Island, excepting himself, had the slightest idea of what was required for the Government of a small Colony. So much did he differ from him that his (Col. Gray's) ideas about the carrying on of a Government were the very opposite of that hon. member's. Had he stated he considered the Act should have been sent Home in 14 minutes, instead of days, it would still have been a matter of opinion; for he (Col. Gray) maintained there was no occasion for singling out that Act from the rest, when His Excellency's Despatch effected all we desired. The hon. member also alluded to a paragraph in the *Royal Gazette* of July 3d, copied from the *Islander* of 29th June. He (Col. Gray) differed entirely from him in the construction which he put on it. It was but a sorry quibble, and but a weak side to attack the Government on such a point. In strict Parliamentary usage, he was not to consider there was any one in the House excepting the hon. members of the Committee, but if there were any unprejudiced persons outside, he would put it to them to read the article and then say it had not a direct reference to His Grace's Despatch of June 16th, and to that only. He would not insult the understanding of the members of the Committee by referring to the miserable quibble any more. By and by if a Despatch were received from the Secretary of State wanting a crossing to a 1, or the detting of an i, he expected they would be told the Government was colluding with the Colonial Minister to deceive the people. He would now turn to the hon. member from Cardigan, who alleged that the Commission compared with such measures as the Tenants' Compensation Bill and Landlord's Rent-roll Bill, which were attacks on private rights. He (Col. Gray) thought there was no analogy between them. These Bills were an interference with private rights *without* the consent of parties concerned; but the Commission was such *with* the consent of the parties concerned. He would then ask the hon. member from Cardigan the question which he put to him on a former day; viz., Did he think such a measure as a bill for staying payment of rents would receive the Royal assent? Receiving no reply, he (Col. Gray) said he would turn to the hon. member from the East Point—Mr Hensley—and ask him the same question.

Hon. Mr HENSLEY said he thought it would not.

Col. GRAY then said he cordially agreed with that hon. member, and he was glad when he could agree with any hon. member opposite to him. Mr Hensley—and he begged his pardon for using his name, he should have said the hon. member from the East Point, gave an his

opinion it would be useless to pass a Law to restrain proprietors who had not signed their submission to the Commission, but that he saw no reason why a law should not be passed to restrain those who had signed. He quite agreed with him so far as the first part, and also with respect to his statement that such a bill would be regarded with favor by those proprietors, but he (Col. Gray) was not desirous of favoring any proprietor at the expense of the tenants. Besides the tenants of Sir S. Cunard, there were 377 tenants on the Estates of proprietors who had not signed—who had not paid anything of the one year's rent—and were they compelled to pay down the amount much inconvenience might ensue. On the Estate of Mr Sullivan alone there were 421 tenants who had not paid a shilling of the one year's rent, and not one of them had been distrained upon. He knew several of them personally, and they were honest, sober, industrious men. (Laughter.)

Hon. Mr WHELAN.—Do you say sober men?

Hon. Col. GRAY.—Yes *sober* men—(Laughter)—men as worthy of consideration he might say as members of this House. Many of them, however, were very poor from peculiar circumstances. The land was not good, and in fact the Estate was badly managed. He (Col. Gray) would never give his consent to pass a bill which would so hardly press upon these men, as to make every one of them pay one year's rent down on the nail, or be put to law costs and ruinous expenses; but he saw he had exceeded the usual time for adjourning, and so would not trespass farther on the attention of the Committee.

Adjourned until Saturday.

J. D. GORDON, Reporter.

SATURDAY, March 30.

A number of petitions were presented among which was one from inhabitants of Badsque, &c., praying for a repeal of clauses in Small Debt Act of last session abolishing imprisonment for debt for all sums under £10—laid on the table.

The Bill to incorporate the Gulf Express and Telegraph Company, and the Bill to incorporate the Roman Catholic Bishop of Charlottetown, were read a third time and passed.

The Bill to amend the Act to provide for the revising and reprinting of the laws was read a second time, committed to Committee, and agreed to.

TENANTS' PETITIONS.

Hon. Mr LONGWORTH moved that the House do now resolve itself into Committee to take into further consideration said petitions. Hon. Mr. Coles moved in amendment that the House do now adjourn—motion lost 8 to 12.

Hon. Mr. LAIRD spoke briefly against the resolution proposed by Hon. Mr. Coles. He thought it was unnecessary to bring in a Bill to prevent the collection of rents when it was probable that the Commissioners' award would be made in four or five months.

Hon. Mr. HENSLEY said he had already expressed his opinion on the resolution before the Committee, and only desired to make a remark on what fell from the leader of the Government the other evening; who appeared to hint that the resolution would give the proprietors a right to collect one year's rent. They had already that power; but were they to do so, it would deprive them of the power to collect arrears. There was another point to which he desired to refer. It appeared there was a slight contradiction between what some thought Mr. Thomson stated before the Commission, and what he (Mr. Hensley) said the other day in reference to no information being withheld from them by the Government. He did not think, however, that Mr. Thomson, in his remarks could have meant that the Government had withheld information; what he considered that gentleman said, was to the effect that there were a great many affording assistance to the Counsel for

the proprietors; and in regard to the Colonial Secretary, that if he had so much time on his hands as he seemed to have, he might as well have been helping them (the Counsel for the tenantry) as the others. [The hon. member here read a letter from two delegates, who had asked for certain papers, and which were furnished them, to corroborate his former statement that he was not aware of any information having been withheld by the Government.]

Mr. HOWAT wished to ask one question of the hon. member who had just sat down. The Resolution before the Committee referred to passing a short Act to prevent distraints for arrears of rent: Did he believe that such a Bill could possibly prevent the proprietors from collecting arrears for the four or five months which would elapse before it became law?

Hon. Mr. HENSLEY—Certainly not. But he thought the passing of such a Bill would give great confidence to the tenantry.

After a few remarks from two or three other hon. members, the Committee rose, progress was reported, and the House adjourned.

D. LAIRD, Reporter.

AFTERNOON SITTING.

Hon. Mr. LONGWORTH addressed the Committee, principally in reply to the hon. member from King's County, Mr. Whelan. He said that some hon. members liked to dilate upon the grievances of the tenantry. Notwithstanding the measures brought before the House by the late Government, no remedy was applied to alleviate the distresses said to exist. The present Government were carrying out measures to effect this object, and they were assailed on every hand. Mr. Longworth then showed that the piece referred to, which was copied into the *Royal Gazette*, was copied inadvertently, and not inserted to delude the Commissioners as was said; but those who made such assertions should be able to prove them. He (Mr. Whelan) had charged the Government with acting deceptively in not forwarding the Bill sooner, but all he (Mr. L.) could say, was that the Government had a right to presume that when it did go home it would receive the Royal assent, and he based his conclusion on the Despatch of the Duke, of the 21st of March, in which he acknowledged the receipt of His Excellency's Despatch, and thanked the Legislature for their promptitude in reference to the action which they had taken. As regarded the time at which Bills were usually sent Home, the present Government would compare favorably with the late Administration. The hon. member had taken two hours and a half to deliver his effusion, and when delivered, it amounted to nothing. He took half an hour to get into his subject, and when done, he had not taken the citadel nor even the out-posts,—in short his arguments were all moonshine. The result of the Commission would yet come before them, and irrespective of the Act, the award if favorable, would receive the sanction of the House. Had the Commission not been appointed, had they refused to call upon Her Majesty to appoint it, then the hon. member might have risen in his place, and brought a charge of a serious nature against the Government. It was the duty of Her Majesty to send the Commission when she appointed them, and gave them power to investigate all matters which might be brought before them, irrespective of the Act of the Legislature, which was only to give effect to their award when given. He argued, too, that there was not one passage in the Despatch of the Duke of Newcastle which would warrant them in passing the Act which they did pass. The Legislature, however, thought it was their duty to forestall the Commission, so to speak, by passing that Act. According to the construction put upon it in England, it appeared they considered that all the proprietors, both those who signed and those who had not, would be legally bound by it, and that was the reason why the Duke of Newcastle did not see fit to lay

it before Her Majesty. Mr. Longworth next spoke of the impropriety of passing such an Act as the Legislature was then requested to pass, and argued that to do so constitutionally, was not in the power of the House.

Some hon. members having spoken again,

Mr. HOWAT rose as he said to submit an amendment to the resolution before the Committee. Respecting the account of the meeting at St. Eleanor's, he said in reply to the hon. member from St. Peter's, that he received his information from what he considered good authority, and he was led to believe it was true. He thought the hon. member was not like Cassar's wife—above suspicion—as far as scheming went. He thought that all hon. members knew that he (Mr. Whelan) was opposed to the Commission from the very commencement. To show that he could refer to his speeches. If the Commission turned out favorably, it was well known his prospects would be blasted for ever. Each one would work for his own interest. That was natural. His candid opinion was that all action should be suspended till the award was given. Mr. Howat then presented the following resolution:—

Whereas this Committee is of opinion that it would not promote the welfare of the tenants of this Island to pass a Bill at the present time to suspend the collection of rents, but on the contrary would bring ruin and distress on many of the said tenants, and whereas this Committee are desirous to protect the true interests of the tenantry in a legitimate and constitutional manner.

Resolved, therefore, That an Address be presented to His Excellency the Lieutenant Governor, requesting him to use his influence with all the proprietors of this Colony and their agents, in order to induce them to suspend the collection of rent, until the Royal Commission on the Land Question have made their award.

Mr. DAVIES seconded, and spoke in favor of the amendment. He then referred to Despatches connected with the granting of Responsible Government to P. E. Island, and to the negotiations between Governor Bannerman and the Government of the Colony on that subject, showing that Responsible Government was granted on certain conditions, and it appeared to him (Mr. Davies) that one of these was that landed tenures should not be disturbed. He then adverted to the remedial measures which were resorted to by the late Government to improve the condition of the tenantry, such as the land purchase scheme. They tried that measure from 1851 to 1859, and did not succeed, and he blamed them for not being willing to allow the present Government two years to endeavor to effect a settlement of the land tenure difficulties. He then said that if the late Government had been successful in getting the loan of £100,000 sterling, that probably by this time little of it would be to be seen. He thought the Commission would be the means of effecting much good. Mr. Davies spoke at considerable length.

Hon. Mr. COLES replied.—He alluded to the Despatch which the hon. member for Charlottetown read concerning the granting of Responsible Government, and showed that months were consumed in negotiating about the terms on which it was to be obtained, and that Governor Bannerman was instructed to make the best bargain with the Colony which he could, and that the Government did make the best bargain in their power, though they did not get all they desired.

After dwelling upon these points for some time, Mr. Coles referred to the Commission, and endeavored to prove that from Mr. Thomson's own showing, documents were not supplied which the Counsel for the tenantry should have had in their possession.

J. D. Gordon, Reporter.

MONDAY, April 1.

After two or three petitions were presented, the House again resolved itself into Committee on the Tenants' petitions.

Hon. Mr COLES continued his speech of Saturday evening, and occupied the time of the Committee for upwards of an hour. He referred to information which he had given the Commissioners, and stated that he had put into their hands a census return of 1827, which showed that at that time but few of the Townships had the number of settlers mentioned in the original grants. He also remarked that he believed the very object of the Government in purchasing Lot 54, was to place a class of settlers there for the purpose of swamping that District, so as to secure the return of some of their supporters. He understood that the young men of Belfast were told that if they did not purchase land on Lot 54, that people would be up from Newfoundland in the spring to settle it; but he hoped that the Belfasters knew better than to purchase land for the sake of a vote. With respect to the paragraph in the *Royal Gazette*, about the award Act being favorably received at home, he said the members of the Government had endeavored to explain it away as well as they could, by saying that they never saw it. But it first appeared in the *Islander*—and it was well known that every member of the Government saw that paper—as they ought to have immediately corrected it, if it contained false statements. Besides this he held that every official was responsible to the Government for his acts, and if the Queen's Printer had published an incorrect statement, he ought to be called to account. One hon. member had remarked that if the Award Bill had not been sent home, the Commission would not have been appointed. If this were true, then the Commission was obtained under false pretences, and it appeared as if the Government were disposed to carry out this deception with the people. It had been objected against the petitions that a number of the signatures had been written by the same hand. Several of the petitions had been signed at public meetings, and as all people were not blessed with a good education, teachers had sometimes been kind enough to put down the names of parties. With respect to the resolution of the hon. member from Tryon, that His Excellency should be requested to use his influence, with the proprietors to prevent distraints for rent, he (Mr Coles) would remark that he understood His Excellency had done so; but without any beneficial result, as he had no power in the case. In regard to the "Whereas" of the resolution, he believed not a member of the House could safely vote for it. He had introduced a similar resolution on one occasion, in amendment to a paragraph in the address in answer to the Governor's speech, but it was repudiated.

Hon. Mr M'AULAY said he was sick and tired of this subject. He had now for about the 16th time listened to the hon. leader of the Opposition coming over the same matter. One reason why he (Mr M'Aulay) would not support the resolution of the hon. member who had just sat down, was because it contemplated legislation on a matter that had passed into arbitrators' hands. The house had no right to interfere in what had been referred to others. The settlement of the disputes between landlords and tenants had been entrusted to three competent persons, and no further legislation should be had on the question until their award was given: He would support the amendment before the Committee.

Hon. the SPEAKER said there had been a great deal of discussion on this subject, and certainly it would be better if hon. members would keep to the point under consideration. How the petitions were got up was not for him to say. He saw one signed by a number of his constituents, and to read it, a person would think that the proprietor had been pouncing down upon them; but he learned from that gentleman that he received one year's rent from all his tenants, except two persons, and that he did not intend to distrain upon them until next year. This being the case, he (the Speaker) did not see what reason the people there had to petition for such a measure. He thought a number of them who had signed the petition were under the impression that what was intended was something like that proposed in the resolution submitted by Mr Howat. He saw some of his constituents before he came to this House, and he thought that if they had wished anything of the kind mentioned in the petitions they would have informed him. He would support the amendment, as it met his views, and he thought it would accomplish what was desired, as in his opinion, none of the proprietors would neglect the request.

Hon. Mr POPE said he very much regretted that he was absent from the Island when the Commissioners held their Court, and also when this subject was discussed at the opening of the present session. He had, however, heard a few of the speeches in this debate, and occupying the position which he did in the Colony, he could not give a silent vote on this question. The resolution of the hon. leader of the Opposition asked for action to prevent distraints for arrears of rent; but when he looked at the petitions before the Committee, he found that was not their prayer,—they asked for action to prevent distraints for rent and arrears of rent—they wished to go into the whole matter. He was never so sanguine about the Commission as some others; and had stated in this House last winter that he did not consider parties were justified in holding out such hopes to the tenantry as they did. He had not signed the reference, but always intended to submit to the recommendation of the Commissioners. He noticed that one of the petitions was from a part of his own district—Lot 27; but he did not believe that it originated on the part of the Lot with which he had to do. His tenants had no complaint to bring before the Commission. The petition had a lie on the face of it, because they said they had paid one year's rent, which was not the case. One whose name was on the petition had come and paid his rent unasked. He had never used any harsh measures with his tenants since the raising of the Commission, and he did not intend to; so they had no occasion to come to this House asking for a measure to prevent the collection of arrears of rent. He felt sorry when he came home last autumn to see the spirit of hostility to the Commission which had arisen in the Colony. It did not come well from the leader of the Opposition, who opposed the Commission from the first to ask now to pass an Act to carry out a recommendation of that Commission. Much had been said about the Government not furnishing information to the Commissioners. He considered that the Government all along had done what they could. An address was sent home by the majority of the House to have an arbitration under certain conditions; but the authorities there were not satisfied with that, and said they did not wish the Commission to be hampered in any way. This suggestion was fully backed up by the majority of the House, and the Commission was granted. Not a word could be said against the Commissioners; all parties admitted that men better qualified for the duty could not be found. The land question was one which had caused much agitation in the country, and it was perhaps an easy matter to get up petitions on the subject. [The hon. member here read an extract from a speech of Hon. Mr Coles in 1856 against petitions for Escheat.] That was the opinion which he then entertained of petitions coming from the country for an object of which he did not approve; but now when the scales were turned, it was well enough for him to protest that the petitions under consideration were not got up for the purpose of making political capital. All this fuss made by hon. members of the Opposition was to gull the people and get themselves if possible again into power. He (Mr Pope) contended the Government had done all they had a right to do in regard to the Commission. What did they procure Counsel for, but to advocate the cause of the tenantry, and full power was given them to deal with any matter the people might bring before them? The Government employed perhaps the ablest lawyer in New Brunswick, and also the hon. member for East Point, who was well acquainted with the grievances of the tenantry; and what right had they after that to go and act as party men, when it was their duty to see that justice was done to all parties? A great deal also had been said with respect to the Act which had been disallowed. Some asserted that it gave extensive powers to the Commission, but his opinion was that it gave the Commission no power—it was only to give effect to their award after it was made. He ridiculed the idea of the award being binding on those proprietors who had not agreed to the Commission. He referred to the presence in the House of the hon. and learned gentleman who had just been returned for East Point, and expressed the hope that he would display more good sense than to support the hon. leader of the Opposition in all his will-o'-the-wisp schemes.

Adjourned for one hour.

D. LAIRD, Reporter.

AFTERNOON SITTING.

Col. GRAY moved that the rule adopted this Session, limiting the daily sitting of the House to six o'clock, be suspended during

the remainder of the debate on the consideration of the different petitions relative to distraints for rent; which motion having been discussed, was put and carried in the affirmative.

A petition was then presented by Col. Gray from Lots 50, 57, 58 and 61, praying for the establishment of a ferry at China Point. Also by Mr Beer, a petition of Peter Gregor praying to be reimbursed for expenses incurred by a pauper family at Brackley Point. Read and laid on the table.

The Bill to amend the Act to provide for revising and reprinting the laws of this Island was then read a third time, and passed.

Mr BEER introduced a Bill to amend the Act to incorporate the Town of Charlottetown. Read a first time, and referred to Special Committee. House again in Committee on the

TENANTS' PETITIONS.

Mr DOYLE addressed the Chairman—Mr Beer—on the subject before the House, and complained that not one-third of what he had said afore was reported, and that he did not care if the reporters did not report any of his speeches. He said he intended to support the amendment proposed by the hon. Leader of the Opposition. In his (Mr Doyle's) opinion it was not fair that any rents should be collected pending the award; for, if neither the arragars nor accruing rent were paid it would, he thought produce the effect of hastening the award. In regard to the 150 names signed by one man in the petition which was presented from Lot 1, he said, the people were able to write their names in French, though not in English, and that they gave their consent to have them subscribed.

Hon. Mr FERRY said one of the greatest objections offered appeared to be that there were only, in all, 1200 signatures to the petitions before the Committee; but he considered that was a large number. He had seen, since he had had the honor of holding a seat in the House, important bills passed at the request of a far less number of the people. He did not know how it happened that so many names were subscribed by one individual, for many of them, he knew, were able to sign their own names. It was his impression that there had been a Committee of 6 or 7 persons chosen to draw up a petition and to get it signed; but how they acted afterwards he did not know. He (Mr F.) however, thought that the gentleman would not put down their names without their consent, and then state on the petition that he did it by their authority. In his opinion the contemplated Bill, would, if passed, prove beneficial to the proprietors, as it would enable them to get the accruing rent, which, as the law stood they could not sue or distrain for unless including the arrears. On the part of the Township on which he resided, he knew there was a good understanding existing between the tenants and their agent—Mr DesBlois—and from the business transactions which he (Mr F.) saw between the two parties he thought they understood each other very well. He agreed, too, with the opinion expressed by the hon. and learned member from the first district King's County that the measure which might be passed should only affect those who had subscribed the reference.

Hon. Mr HAVILAND said he would reply to the hon. member who spoke last, and, though last, he was not the least. He (Mr H.) thought if there was that good feeling existing between the proprietors and tenants—if they formed such a happy family, such a bill as was asked for was not needed at all. The petitioners were placing the House in a most ridiculous position, for it appeared everything was going on between the parties concerned, as smooth and harmoniously as a marriage bell. In his opinion, there was a division in the camp, as the hon. leader of the Opposition thought the Bill should bind all, and the hon. member who spoke last endorsed the sentiment of the hon. and learned member from King's County, who with more caution, was not willing to go for a measure which would bind all the proprietors, and with matters in such a state he (Mr H.) could not see how the people of Tignish were going to get their bill passed. The hon. member from Tignish, Mr Doyle commenced by censuring the Reporters and he (Mr H.) hoped they would take notice and govern themselves accordingly, and in future give him fair play. Even about the signing of the names to the petition, there was a division of sentiment among the members of the Opposition. If the people could have written them in French as the hon. member from Tignish said, that was all which would have been required. Their *bona fide* names either in French or English would have satisfied the Committee.

Hon. Mr Haviland went on and spoke at great length, referring principally to the hon. the leader of the Opposition; to which speech the hon. leader of the Opposition replied at considerable length. The hon. Mr Whelan closed the debate on the subject of the petitions with a speech which he took about 34 hours to deliver; but we have already reported so much on this topic that the Reporters presume they will be pardoned for not transcribing any more of their notes on the subject of the tenants' petitions.

On motion the Speaker took the Chair, and the Chairman reported that the Committee had gone through the several petitions and other papers, and had come to a resolution thereon. The Resolution—which has been already given—was again read, after which Hon. Mr Coles moved to amend it by striking out all after the word "whereas," and to insert the following:—[Mr Coles' amendment was the same as the one moved in Committee.] For the amendment;—Hons. Messrs. Coles, Whelan, Kelly, Perry, Hensley; Messrs. Cooper, Conroy, Sinclair, Sutherland, Doyle—10.

Against it;—Hons Messrs. Gray, Yeo, Pope, Longworth, Haviland, M'Aulay, Laird; Messrs. Montgomery, Ramsay, Bear, Owen, Holm, Howat, Davies—14.

Mr COOPER then moved to amend the said reported resolution by striking out all after the word "whereas," and substituting the following:—

His Grace the Duke of Newcastle has said that while assuring proprietors that the award of the Commissioners will not be enforced against proprietors who have not consented to refer their claims to arbitration, (which was intended to define the rights of proprietors and tenants,) yet they should bear in mind that such refusal may materially influence the conduct of Her Majesty's Government, if called upon to support them in any future dispute with their tenants: And Whereas there is no Act or bond to bind either party to abide by the award of the Commissioners, or any security given that the award will be put in operation: And Whereas all the tenantry should be equally protected until their rights are defined either by the award of the Commissioners, or by law.

Resolved, therefore, that proprietors shall claim no more than the one year's rent as recommended by the Commissioners until the rights of proprietors and tenants are defined and confirmed by the award of the Commissioners or by due course of law."

Division on Mr Cooper's amendment the same as on Mr Coles', 10 to 14.

Mr Howat, Mr Montgomery, Mr Holm, Mr Ramsay, and Mr Owen were then appointed a Committee to prepare an address to His Excellency pursuant to the reported resolution.

Adjourned at 11 o'clock.

J. D. GORDON, Reporter.

TUESDAY, April 2.

The Bill to amend the Act to incorporate the Town of Charlottetown was read a second time, committed to a Committee of the whole House, and reported agreed to without any amendment.

The House then went into Committee to further consider the report of the Commissioners for revising and reprinting the laws. A resolution was come to that it is expedient to consolidate and amend the several Acts now in force relating to Education.

House adjourned. No business transacted in the afternoon, owing to a meeting of the Executive being held.

WEDNESDAY, April 3.

The rule adopted this session limiting the time for the sitting of the House to six o'clock, was amended, and seven named as the hour for the remainder of the Session.

The order of the day for taking into consideration the several private petitions, was then read, and gone into.

All petitions praying aid for roads, bridges and wharfs were severally referred to the members for the different districts.

The petition of Rev. Donald Morrison, and other inhabitants of Strathalbyn, praying the House to lend its

influence to have Tuesdays and Fridays appointed as market days, instead of Wednesdays and Saturdays, was taken up, and on motion of Mr Holm, referred to a Special Committee to report thereon. Committee—Messrs. Holm, Bear, and Hensley.

The petition of James Keefe, Lot 47, Bailiff for the Small Debt Court at Souris, was taken up and again read; and thereupon Mr Cooper explained that it prayed compensation for a wagon broken by evil disposed parties, while Mr Keefe was in the execution of his duty, and moved that said petition be referred to Supply. Hon. Mr Hensley, and Mr M'Neill supported the prayer of the petition. Hon. Mr Pope opposed it, as he thought to grant compensation in such cases would be establishing a bad precedent. Finally, it was on motion of Hon. Mr Hensley referred to a Special Committee to examine the same and report thereon, with power to send for persons, papers and records.

On motion of Hon. Mr M'Aulay, the farther consideration of the residue of the petitions was deferred until the afternoon sitting.

RESOLUTION TO CALL REPORTERS TO THE BAR OF THE HOUSE.

Hon. Mr M'Aulay said he rose to call attention to the published reports of the proceedings of this House. In looking over the Parliamentary Reporter, under the dates of Feb. 26th and 27th, he found that some errors had crept into it. He referred to the part of the report of a speech of the Hon. Mr Coles which was given in these words: "Such a course as that Her Majesty's Representative should pen a falsehood to the Colonial Office," &c. Some of the expressions made use of by the hon. leader of the Opposition in this part of his speech, he (Mr M'Aulay) contended were omitted, as well as some employed by himself on the following morning. In a matter of such importance he thought all the words should have been reported; he would therefore move the following resolution:—

"Whereas, during the debate in this House on the afternoon of the 26th February last, the Hon. George Coles, Member of the Third Electoral District of Queen's County, did rise in his place and then and there make use of words to the following effect:—"What shall we say when we find Her Majesty's Representative descending from his high position and degrading his Commission by penning a false despatch, in plain English, writing a lie to the Secretary of State; and allowing himself to be incited thereto by his constitutional advisers."

"And Whereas, in the published report of this debate, the expressions then made use of are not set forth in their proper order and form, as spoken by the Hon. George Coles aforesaid; therefore

"Resolved, That the Reporter be called to the bar of this House to give his explanation of the said omission."

Hon. the SPEAKER.—Was the resolution seconded?

Hon. Mr COLES.—Certainly, no hon. member would second a down-right falsehood.

Hon. Mr M'AULAY called for the words to be taken down.

Hon. Mr COLES remarked that he said the document contained a falsehood.

Hon. Mr WHELAN reiterated the same words "the document contained a falsehood."

Hon. Mr COLES supposed that this matter was concocted at the meeting of Council yesterday, down at Government House, and that the hon. member for Georgetown was made the scape goat to bring it before the House. He would read his speech as given by the Reporter, and he was sure that that gentleman would say that he (Mr C.) never influenced him to dot an I or stroke a T. [The hon. member here read from the Parliamentary Reporter, p. 23] This was the speech as given in the

Report, and he believed no person could accuse the Reporter of misrepresentation.

Hon. Mr MAULAY.—The report was incorrect all through.

Hon. Mr COLES.—Well, it was extraordinary the hon. member did not observe this before to-day, nearly a week after the appearance of the report.

Mr DAVIES, with respect to the case in question, would say, that he never heard of such strong language being made use of in a legislative assembly. It all arose about the statements in two documents—the Journals of the Legislative Council and a despatch of His Excellency. The Governor in stating that the Bill had passed, when it had only had passed the second reading, had not committed a great error, as it was well known that a Bill was scarcely ever changed at its third reading. He (Mr D.) believed that the words contained in the resolution of the hon. member for Georgetown were those employed by the hon. leader of the Opposition in the speech in question, though he afterwards endeavored to qualify them by throwing the blame on His Excellency's advisers.

Mr BEER was present on the occasion referred to, and was certain that the statement in the resolution was made by the hon. leader of the Opposition.

Mr CONROY thought that though the hon. member had said the words mentioned in the resolution, the Reporter should not be accused for not letting them go to the country as they would not look well; but he (Mr Conroy) denied that the hon. member, Mr Coles, made use of the expressions set forth in the resolution.

Hon. Mr WHELAN said this was one of the most paltry affairs that he had ever seen come up before the House. The report had been before the House for a whole week.

Hon. Mr MAULAY said the sheet of the Reporter was only laid on his desk last evening.

Hon. Mr WHELAN.—This was only a mere quibble, for every hon. member knew that the Reporter was made up from the type of the newspaper without a syllable being changed. The *Protestant Extra* containing the speech in question was laid on the desk of each hon. member about a week ago, and it is well known that the proprietor of that paper was also the contractor for printing the debates, therefore if action was necessary in regard to this matter, why was it not taken a week ago? He did not say that there was any intention on the part of His Excellency or his advisers to deceive, but there was no getting over the fact that the statement in the despatch was not correct. The object of the gentleman who brought forward the resolution was no doubt to shift the blame from the shoulders of the person who carried the information to His Excellency that the hon. member, Mr Coles, had accused him of falsehood. It was extraordinary that nearly six weeks after the speech referred to was delivered, that a resolution should be brought forward stating that it contained such and such words, and that this statement should be taken in preference to the notes of the Reporter, who was an individual that would not likely misrepresent a speech to the injury of the Government, as he had several friends among them, and one near connection.

After the hon. member had made a few more remarks, he moved to amend the Resolution submitted by Hon. Mr MAULAY by striking out all after the word "despatch" in the eleventh line of the preamble, and substituting the following:—

That the Lieutenant Governor is not so much to be blamed or held responsible for the statement in the Despatch, as the Members of the Government, or those from whom he received the information, for it cannot be expected that His Excellency can be otherwise acquainted

on any particular evening, with the proceedings of the Legislature during that day, than from the Members of his Council."

The House divided on the motion of amendment.

Yeas: Hons. Messrs. Whelan, Coles, Perry, Kelly; Messrs. Cooper, Sinclair, Sutherland, Conroy, Doyle—9.
Nays: Hons. Messrs. M'Aulay, Longworth, Haviland, Laird, Yeo, Gray; Messrs. Owen, Holm, Davies, Howat, Montgomery, Ramsay, M'Neill, Beer, J. Yeo—15.

The original motion was then put and carried on the same division, the order of yeas and nays being reversed.

The House then adjourned.

D. LAIRD, Reporter.

AFTERNOON SITTING.

Hon. Mr HAVILAND, as a member of the Government, presented to the House an account of the disbursements of Theophilus Stewart, Indian Commissioner, to sick and indigent Indians from March 26, 1860, to March 1st, 1861, with an accompanying report. Received and read and referred to Special Committee. A motion was then made in accordance with the request of the Commissioner himself, that he be heard at the Bar of the House on matters connected with the present condition of the Mic-Mac Indians, which was put and carried 14 to 8, and Friday next appointed for that purpose.

REPORTERS AT THE BAR OF THE HOUSE.

Hon. Mr MAULAY having referred to the action of the House in the Morning Sitting, and having read the resolution then passed, moved that the Reporters be called to the Bar.

Mr SPEAKER.—Which of them?

Hon. Mr MAULAY.—The one who reported the proceedings of the House on the 26th February last.

Mr D. Laird appears at the Bar.

Mr SPEAKER.—Did you report the proceedings of this House on 26th Feb. last? Ans.—I was at the Reporter's desk that evening. [The remaining questions were put in writing, and asked through the Clerk.]

During the debate on the answer to the Governor's speech which took place on 26th Feb. last. Did you hear the Hon. George Coles accuse His Excellency of stating a falsehood?—[Several speak up and say, "It is not a proper question."] Mr Speaker.—The Reporter is brought to answer questions on the report now before the Committee. The question was then put in this form—Did you in that report now before the House, of the debate of the 26th Feb. last, embody all the particulars of what was uttered by the Hon. George Coles toward the latter part of the afternoon's proceedings? Ans.—The Parliamentary Reporter for 1861, page 23 being presented—No, and I rarely ever do in any debate I report in this House.

Did you omit any important particulars on that occasion? Ans.—None that I had down in my notes.

Can you refer to your notes of Mr Coles' speech delivered just before the adjournment of that evening? Ans.—I can, but the report as appears in this published report, contains everything that is worth extending from my notes. I was fatigued, having been reporting several days previously. I was almost exhausted by taking notes of three hours' continuous debate, and as it was near the adjournment, and the question was put on the amendment a little previous, I thought, as the second paragraph on the last question had been discussed, this would wind up the report of the day, and so I was not very attentive. In Committee the division is not taken down by the Clerk, and it is necessary it be taken down by the Reporter; the Reporter has no time to take down the names then, he has to do it afterwards; and I was engaged in looking round to see who had voted for and against the motion, when the Hon. Mr Whelan moved an amendment to the following paragraph which was in connection with the former; he made a few remarks, which I did not fully take notice of. So far as I can remember, during the time the Hon. Mr Whelan was reading his amendment, I turned to completely taking down the names in the division on the former amendment; while engaged in that, and after he had made his few remarks, and thinking the House would not enter into discussion on that point as it was discussed in connection with the other, the Hon. Mr Coles arose, and not thinking probably his remarks would be

of any consequence at that late hour, I had not proceeded to take down his speech until he was fairly under way, and made some of the most offensive expressions. In his speech I noticed he fell into some remarks about misstatements in despatches. I continued then taking down notes. I gave the substance. I believe he used other expressions stronger than I had in my notes. Observing that they were strong expressions, I did not consider it advisable to put them down, as I had them not in my notes, thinking probably there would be a question about them.

Did you consider Mr Coles' speech made on the evening referred to a personal charge against the Lieutenant Governor or otherwise?—[Some hon. members protested against this question as being highly improper; while others maintained it was a parliamentary and constitutional question, which the learned gentleman at the bar was quite competent to answer.] After a lengthy discussion the question was withdrawn and another put which followed it; after which the following demand was agreed to:—

State as nearly as you can recollect the offensive language to which you refer as uttered by the hon. Mr Coles on that occasion. Ans.—I think it is scarcely safe to give evidence on recollection. As I said before, I was engaged part of the time, and I do not feel inclined to give evidence from mere recollection.

From your recollection were the offensive words used by the Hon. Mr Coles and referred to by you, a personal charge against the Lieutenant Governor or otherwise? Ans.—As an opinion, I consider the words reported here are personal; His Excellency is spoken of individually; and so far as I can recollect the others were still mere personal. (Hear, hear.)

Was there no qualification made by the Hon. Mr Coles, to what you call personal words? Ans.—Subsequently there was, but I do not consider that does away with the personality of it. The statement stands by itself. Every statement stands by itself.

How long subsequently?—Was not the qualification referred to made in the same speech? Ans.—It was, of course, made in the same speech two or three sentences following. (Hear, hear.) I believe there were intervening sentences.

Hon. Mr COLES.—But it is stated in the report in the next sentence—"But the Lieutenant Governor is not so much to be blamed or held responsible for the statement in the despatch as the members of the Government, etc."

Hon. Mr HAVILAND.—It is very indelicate in an hon. member to interfere with the statements of the witness.

Hon. Mr COLES.—This case does not affect the privileges of the House. The Reporter is on his trial, but I am not. You wish to make him believe he has given an incorrect report.

Was the letter dated "Protestant Office, March 4th" a copy of which is now shown to you, written by you? Ans.—I would prefer the letter itself; but, so far as I remember, I think it is a true copy; there may be a word or two wanting. In his letter he asked for the exact words which he used, and in writing to him I did not say that I used the exact words, but wrote—"You spoke to the following effect." I did not pretend to say I had given the exact words; but I gave them so far as my notes bore me out.

Does the extract from the Hon. Mr Coles' speech as quoted in the letter just read correspond with the passage marked in the Parliamentary Reporter, page 23—commencing—"Now, Sir, I cannot say that this despatch, etc." Ans.—All with the exception of the words, "Now, Sir," at the commencement, what follows is the same.

Mr BEER moved that the witness have leave to withdraw—which was agreed to. The Speaker then informed him that it was the pleasure of the House he should withdraw; after which Mr Laird requested leave to make an additional statement, which was granted. He then added—

I was going to state, so far as I can recollect, that Mr Coles made a charge of falsehood in the first part of his speech, then he proceeded to make some remarks on the new members of the Legislative Council, after which he referred to the falsehood again. It is evident from the report that something of the kind stated about falsehood was referred to before. This is the explanation which I wished to make,—from the words commencing—"Such a course as that Her Majesty's Representative should pen a falsehood, &c." it is evident something of the kind was alluded to before, which is the part I omitted to take down;—afterwards he alluded to the falsehood again, and it was the last part of the charge which I noted down,

Can you produce your notes to support the statement just made and read to you? Ans.—Of course, I cannot produce it from my notes when I was attending to something else at the time, as already stated. I said the first reference to the falsehood I did not report, as I was taking down the division.

Mr Laird then withdrew.

Hon. Mr WHELAN then moved that the other Reporter, Mr J. D. Gordon be called to the Bar of the House.

Mr BEER submitted that the other Reporter had nothing to do with the matter, as he was not at the desk on the evening in question.

Hon. Mr WHELAN said he wished to have all the evidence in the case.

Hon. Mr HAVILAND remarked that the evidence of the second Reporter could not bear very directly on the point, as any statement might be made to appear black or white the next day.

Hon. Mr COLES said that they had just had a very intelligent person at the Bar of the House, and one who was as capable of giving a statement as most persons. He said that some sentences might have intervened in his (Mr C's speech) between the statement respecting falsehood, and that not laying the blame so much to His Excellency, as to his Council. About that time he (Mr C.) stooped down to take a Journal from his desk, and could not have uttered many more sentences.

Hon. Mr Whelan's motion, after a little further discussion, was agreed to, and Mr Gordon appeared at the Bar of the House. He was questioned by several hon. members as follows, the questions being put in writing and read by the Clerk.

Were you Reporter to this House on the 27th February last? Ans.—I was; I am called here to answer to a report given on the 26th; but on that day I was on my way to Charlottetown.

Did the Hon. Mr Coles say anything to the following effect?—Hon. Mr LONGWORTH interrupting said it was an improper question, as it was putting words in the Reporter's mouth.

After a few remarks from some other hon. members, the question was put in the following form:—Can you produce or refer to your notes of the debates of the morning of the 27th February last?

Ans.—I can, but they are not here.

Hon. Mr WHELAN said he would withdraw the question, as it was not convenient for the Reporter to produce his note-book.

Hon. Mr HAVILAND remarked that it was material that the original book should be had, if it was only a matter of convenience. If it was not burned, it ought to be obtained.

Hon. Mr WHELAN.—No slur should be thrown on the veracity of the gentleman at the Bar.

Hon. Mr HAVILAND said he was not throwing the least slur on the veracity of the Reporter. He (Mr H.) would be very sorry to say anything against the character of the person at the Bar, because he believed him to be a gentleman of honor.

Hon. Mr WHELAN did not say that any charge was brought against the character of the witness, but he was asked to do what the other Reporter was not required to do.

Some further desultory debate ensued, after which Mr Gordon withdrew and returned with his original note-book.

Please to examine your notes of the Speech made by the Hon. Mr Coles, on the morning of the 27th February last, in answer to a Speech made by the Hon. Col. Gray, in reference to certain words spoken by the Hon. Mr Coles, on the previous day, and say whether those notes are correctly transcribed and printed in the Parliamentary Reporter, page 25, at the passage beginning with the word "On" and ending with the word "matter."

Ans.—I took those notes down with a pencil; some of the words are blotted out, I cannot read it very well. (Witness reads from his notes the passage referred to in the last question, which passage as published in the Parliamentary Reporter, page 25, in the following words, was acknowledged by the House to be substantially the same as that read by the Witness, viz:—)

"On the next day a. g. if the Legislative Council had only one of a majority, the opposition might have mustered their forces and thrown it out. Or suppose one of the Councilors had died before the next day, would the Bill have passed? It would not. I expected this would be the excuse. It is the Government however, I hold responsible. How did His Excellency know it had passed unless told so? His Excellency could have no idea

it had passed unless he had been so informed by one of his Councilors, for he is a Gentleman of too high standing to pen a falsehood in reference to this matter." (The Clerk having read the foregoing from the Parliamentary Reporter, Witness says, "that is correct according to my notes.")

Please examine your notes and say whether the Hon. Mr M'Aulay in the course of the same debate, and after Mr Coles had spoken, used the following language, or language to the same effect as reported by you: "The matter at present before the Committee is the charge brought against the Government by the hon. member, viz:—that the advisers of His Excellency caused him to pen a falsehood?"

Ans.—There was a good deal of interruption at that time. (Witness reads from his notes.) "The matter before the Committee is this, the consideration of certain charges made by hon. member against the Governor, that the advisers of the Governor advised His Excellency to write a falsehood to him. Words of this nature should not be passed by this Hon. Committee without ascertaining their truth or falsehood. If he brings charges of this character against such a gentleman, he should be satisfied about their foundation. I contend the words of the Despatch will not be found meriting the censure which he has imputed to His Excellency."

(The above passage having been taken down by the Clerk and again read to the witness, he says, "it is correct according to my notes.")

What do you mean by the words just read from your notes that "His Excellency's advisers advised him to write a falsehood to him?" Did you understand that the Colonial Minister was referred to by the word "him?"

Ans.—Sometimes in writing, I put down a pronoun to save the writing of two or three long words. I have put down "him" here, I think, to represent the Colonial Minister, for the reason I have stated.

Mr Gordon having desired and obtained leave to ask a question, enquired if it was stated in the course of the forenoon's debate that the report was incorrect from beginning to end.

Hon. Mr M'AULAY stated that he had said something of the kind.

Mr Gordon then explained how the error which appeared in the newspaper report of the debate on the morning of the 27th Feb. had occurred. Two speeches had been run together, the reason of which was that one hon. member had commenced to speak before another had concluded his remarks, and he (Mr G.) had in consequence omitted the name of the last speaker in his notes. It was said of Dean Swift that he could write poetry with the right hand, and prose with the left; but it was impossible for a reporter to take down the words of two hon. members speaking simultaneously.

Mr Gordon then withdrew, when the House adjourned.

THURSDAY, April 4.

A number of private petitions were disposed of. When the petition of divers inhabitants of the western portion of this Island praying the House to grant a sum sufficient for the extension of Steam communication between this colony and the province of New Brunswick, was taken up,

Mr CONROY said he had the honor of presenting that petition. The benefits to be gained by such communication could not be estimated. Cascumpec had hitherto in a great measure been isolated from the rest of the world. He thought Steam communication to that Port, would be the means of increasing the revenue, as much as would make up for a liberal grant. He moved that the petition be referred to supply.

Hons. Messrs. Yeo and Perry also supported the prayer of the petition. Mr M'Neill would oppose the petition going to supply, because Prince County had already a sufficient share of monies spent for steam communication, and because the harbor was a bad one. Mr Conroy denied that the harbor was bad. Two or three other hon. members having expressed themselves on the subject, the House divided on Mr Conroy's motion that it be referred to supply.

Yea—Messrs. Conroy, Ramsay, J. Yeo, Beer, Holm, Sinclair, Davies, Sutherland, Doyle; Hons. Messrs. Yeo, Pope, Gray, Longworth, Perry, Thornton, Coles, Whelan, Wightman, Hensley, Kelly—20.

Nays—Messrs. M'Neill, Howat, Montgomery, Cooper; Hon. Mr Laird—5.

Hon. Mr PERRY from the Committee on petitions relating to Schools and Education, presented the report of the said Committee which was read, and ordered to be committed to a Committee of the whole House to-morrow.

House adjourned.

FRIDAY, April 5.

The order of the day being read that Theophilus Stewart, Esq., one of the Indian Commissioners, be heard at the Bar, on matters relating to the condition of the Mic-mac Indians.

Mr CONROY moved that the said order be discharged—motion lost 15 to 9.

Hon. Mr THORNTON then moved that the House go into the order of the day, which was carried in the affirmative.

The Commissioner then accordingly appeared at the Bar, and having been heard for some time, withdrew.

The House then went into the order of the day in Committee on the report of the Special Committee on petitions relating to Schools and Education—Mr J. Yeo in the chair.

Hon. Mr PERRY explained the reason why the Committee had drawn up the report as they did.

Hon. Mr LONGWORTH stated that though he was a member of the Committee he had not signed the report, and gave as his reason that he could not consistently do so in face of the law which fixed the qualification of Teachers, and the salary which they should be allowed. Besides it was well understood in this House, when in Committee on a similar report last year, that such petitions should not be entertained in future.

Hon. Col. GRAY and one or two others having spoken to the same effect, the Committee rose, progress was reported, and the House adjourned.

AFTERNOON SITTING.

Mr COOPER from the Committee appointed to prepare an address to His Excellency pursuant to the report of the Special Committee appointed to report on a petition from Lots 4, 2 and 43, praying for the opening of a new line of road, presented to the House the draft of an address, which was adopted, and the same Committee that prepared it was appointed to present it to His Excellency.

Mr COOPER presented another address respecting a proposed wharf at Red Point, Lot 46, which was committed to a Committee of the whole House, Hon. Mr Aulay in the Chair.

The address proposed that a Commissioner or Commissioners be appointed to examine the site of the wharf and to report on the practicability of building it, and of completing a breakwater commenced at Soaris by the inhabitants. Several hon. members spoke against having the address presented, saying that the measure passed through the House the first time without due consideration, and of the impracticability of building the wharf, and said that the sending of officers to report, would only incur needless expense without any benefit being derived from their labors.

Mr COOPER said he had little expectation that the wharf would be of much service, but that it would not cost much to send a man to report on the subject, which would satisfy the people, and he thought the Committee could not object to that.

Hon. Mr HENSLEY remarked that the report on which the address was founded, had been agreed to, and if objections were to be urged, that they should have been stated before.

After this subject was fully discussed, the Committee decided not to present the address to His Excellency; and in reference to the new line of road which one portion of the inhabitants were in favor of having opened, and to which another portion were opposed, it was suggested that the people call a meeting among themselves to ascertain whether the majority were in favor of having the road opened.

The Speaker resumed the Chair; and on motion the House resolved itself into a Committee of the whole to resume the consideration of the report of the Special Committee on Teachers' petitions—Mr J. Yeo in the Chair. The Committee went through the report paragraph by paragraph, and having made a few amendments it was read by the clerk again and is as follows:—

Your Committee to whom were referred the several petitions praying aid to Teachers who have not complied with all the provisions of the Education Act, and other references, having examined the said petitions, recommend that the several under-mentioned persons be allowed as follows:—

Thomas O'Brien for nine months,	£15 0 0
Isabella Forsyth for six months, ending 15th January, 1861,	7 10 0
Henry Leckoy, Lot 27, for one year, Archibald Rickford, for 12 months up to 8th March, 1861,	25 0 0
Charles Fowle in full, up to April, 1861,	2 10 0
John M'Dougall, Murray Harbor Road, for ten months to 1st February, 1861,	16 13 4
Jane Green, for one year,	15 0 0
John O. Arseneaux, Lot 15,	5 0 0
Finlay Campbell, for six months up to 1st November, 1860,	18 0 0
Elizabeth M'Aulay, St. Peter's Bay,	5 0 0
Alexander M'Donald, old road, Lot 22, for eight months up to March, 1861,	13 13 0
John Murphy, Kildare, three months' teaching,	8 0 0
	£151 6 8

Your Committee cannot recommend the prayer of the following petitions, viz:—of

James H. Fletcher, Caroline Campbell, Michael Scully, Mary Ann Anderson, W. C. Trowan, inhabitants of the Uigg School District, Lot 50.

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

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

In the discussion on the various petitions which passed under review, the House almost unanimously came to the determination not again to receive petitions of the kind then before them; and, that the present year would be the last that such would be entertained. The main arguments employed in advocating the adoption of such a course were, that the method the House was then using was an infringement of the School Act and an interference with the duties of the Board of Education; and, farther that the course was unreasonable when such a large portion of the general revenues was spent for the purposes of Education.

When the Committee had gone through the several petitions, hon. Mr Thornton said the Special Committee on the petitions was prepared to give their reasons for not acceding to the prayers of those which they rejected; but the reasons were not required. He said he must congratulate the Chairman and majority of the Committee that the report was so far approved of, that after all the discussion which had taken place they had only saved £5—taken from one teacher whom the Special Committee recommended in their report, and he hoped the sum would go for the benefit of roads and bridges.

The Committee then came to the following understanding:—That in future no teacher's petition be entertained unless the inhabitants petitioning on teachers' behalf, show that they could not obtain a licensed teacher, and that such furnish a copy of his agreement to the Board of Education within 20 days after his or her agreement with the people shall have been entered into.

It was then moved that the Speaker take the Chair and that the Chairman report the report agreed to with amendment. Mr Owen then moved that it be received this day 3 months, which was seconded.

Hon. Mr COLES moved that all after the word "that" be struck out and that the following be substituted: "the report be referred back to Committee of the whole House for the purpose of amending the same by inserting the following words, "Laurent Doucett for the year ending Nov. 1860—£5." For

the motion 12, against it 13.

Hon. Mr THORNTON said he was glad the motion to receive the report this day 3 months did not come from him, and he regretted that it came from his hon. colleague, as for the sake of a few petty pounds to make a motion to strike off all in the report, and not allow that small allowance to teachers, was what he never knew a man to do for 25 years. He thought it would not have done it for the credit of the Legislature though the funds were deficient. He hoped the motion would not be pressed, or if pressed not carried.

Mr OWEN said the House resolved last year not to entertain any such petitions again, that a large sum was granted last year in this way, and if the House proceeded in that manner, it might as well do away with the Board of Education altogether, and let the House decide who was, and who was not to receive remuneration for teaching. (Hear.)

Hon. Mr LONGWORTH then made a motion to the effect that the name of John O. Arseneaux, Lot 15 be expunged from the report. For the motion 14; against it 14; the Speaker gave the casting vote in the negative.

Mr Arseneaux's claim was put in on the plea that he was a licensed Acadian teacher, and that though his school district boundaries were defined, and application made to have the district registered, that it was never done.

Hon. Mr LONGWORTH then moved that the name of Elizabeth M'Aulay, St. Peter's Bay be struck off the list which motion passed on the following division. Yeas—Hons. Messrs. Longworth, M'Aulay, Laird, Yeo, Gray, Haviland, Hensley, Pope; Messrs. Holm, Davies, Montgomery, Ramsay, Beer, M'Neill, Owen—15. Nays—Hons. Messrs. Perry, Thornton, Kelly, Coles, Whelan; Messrs. Cooper, Conroy, Sinclair, Sutherland, Howat—10.

Miss M'Aulay's petition was presented by Hon. Mr Whelan, who said he had such confidence in the gallant Chairman, and his colleagues that he believed they would not only deal justly but generously with the petitioner. He then spoke of the qualification of the teacher and of the number of her scholars at Morell.

Mr SUTHERLAND.—I think her school is at the head of St. Peter's Bay. (Laughter.)

Mr OWEN doubted if there were such a person in existence.

Hon. Mr WHELAN said he might have been remiss in visiting all the schools in his district but that the personage was no myth; (Laughter) that she had a real corporeal, tangible existence, whether at Morell or at the head of the Bay, and that her claims were just. She was a licensed Teacher but the district was not registered.

Hon. Mr COLES moved to expunge the name of Alexander M'Donald, Old Road, Lot 22. For the motion—Hons. Messrs. Coles, Whelan, M'Aulay; Messrs. Owen, Doyle, Holm, Davies—7. Against—Hons. Messrs. Hensley, Thornton, Longworth, Perry, Wightman; Laird, Haviland, Pope, Gray, Kelly, Yeo; Messrs. Sutherland, Conroy, Cooper, Howat, J. Yeo, Montgomery, Ramsay, Beer, Sinclair—20. Then Hon. Mr Wightman moved that the report be received. Yeas—Hons. Wightman, Kelly, Hensley, Perry, Thornton, Yeo, Pope, Gray, Longworth, Haviland; Messrs. Sinclair, Sutherland, Cooper, Howat, Ramsay, Montgomery, Beer, M'Neill, J. Yeo, Conroy—20. Nays—Hons. Messrs. M'Aulay, Whelan, Coles; Messrs. Davies, Holm, Owen—6.

Hon. Mr HAVILAND presented to the House a Report of the Superintendent of Public Works on the State of Pangare Island Light House, with a probable estimate of the cost of repairs and improvements needed, addressed to His Excellency, and referred to the House. Referred to Committee of Supply.

Adjourned at 6 1/2 o'clock.

J. D. Gordon, Reporter.

SATURDAY, April 6.

Mr DAVIES obtained leave to absent himself from the House until Wednesday next.

Hon. Mr COLES rose to compliment the contractor for printing the Journals of the present Session, Mr Howard, for the manner in which his work was forwarded. They were now printed up to the 2d of April. He had never

before seen the work done up in so creditable a manner.

LIGHTHOUSES.

The petitions on the table praying for the construction and maintenance of Lighthouses on the North Cape and East Point were severally taken up and read.

Mr OONROY wished to know what information the Government had received in answer to their communications with the Governments of the neighboring Colonies on the subject.

Hon. Mr LAIRD said the matter was not yet definitely settled; replies from the other Governments had not been received, and we could not be expected to construct and maintain Lighthouses ourselves.

Hon. Col. GRAY said it would be unfair to expect that his Island should build a Lighthouse on the North Cape without the assistance of the neighboring Provinces. He hoped the Canadian Government would come forward with a proper offer. Lighthouses on the North Cape and East Point would be a great advantage to the commerce of Canada. He had seen 400 sail of British merchantmen anchored near Quebec. The other Provinces ought to construct the Lighthouses, and this Island should contribute a very small part, such as keeping up the supply of oil.

Hon. Mr COLES would object to any such course as that this Island should be saddled with the expense of keeping up light. It was seldom heard that the vessels belonging to this Colony were cast away on these Capes; it was generally the ships of other countries. He did not see that we should be expected to contribute very largely towards either constructing or maintaining Lighthouses that were to be a much greater benefit to our neighbors than ourselves.

Hon. Mr MAULAY thought that all this House should do at present was to desire the Government to urge forward the Governments of the neighboring provinces in the matter.

Hon. Mr PERRY was of opinion that the Home Government should do the most towards building the Lighthouses, as the shipping of the old country would receive the greatest benefit from them; still, if they were erected they would be of great service to the fishermen on the coast. Even a small light, such as this Island could keep up, would be a great benefit to them. If the other Governments would not assist in erecting large Lighthouses, he thought this House should take steps to build small ones for the benefit of the fishing trade.

Hon. Mr COLES said as this was a matter of great importance, he would move that the House do now resolve itself into a Committee of the whole on the petitions which had been taken up for consideration. He then proceeded to read some correspondence with the Colonial Office in reference to Lighthouses, and maintained therefrom that it was the intention of Her Majesty's Government to erect such on Cape Race in Newfoundland, and on the West Cape and East Point of this Island, and that the duties to support them were to be collected in the old country; but if not paid there they were to be paid in the Colonies. He thought the House should go into Committee on the petitions, and see what further proceedings should be taken on the subject.

Hon. Mr LONGWORTH said that a correspondence was going on between the government of this Island and the governments of the neighboring Colonies with respect to this subject. Lighthouses on the West Cape and East Point would be of more advantage to the people of Canada and New Brunswick than to us, and consequently the Government here is of opinion that the Legislatures of these Colonies should assist in their erection. Part of the expense should be borne by each of the Colonies, and perhaps a part by the Imperial Government. It would

also be a matter of importance to the Government of the United States. Our Government do not wish to take action until the correspondence has arrived at such a stage as will warrant us to proceed with the work. If this House were to pass a resolution to take active steps in the matter, the other Provinces would probably hold back, thinking that the work would then be proceeded with. He held that the other Colonies should take the entire responsibility of erecting the Lighthouses, and this Island might take charge of supporting them. He considered at the present stage of the correspondence it would be premature for the House to go into Committee on the petitions, or to refer them to supply.

Hon. Mr WIGHTMAN said the other Colonies appeared to be very tardy in coming to our assistance. It was in 1815 that application was first made, and we did not seem to be much nearer having Lighthouses now than then. He thought if the British Government would urge upon the neighboring Colonies the necessity of imposing Light dues for the purpose, it would be attended to. It was impossible for this Island to erect and support Lighthouses on those Capes. He was inclined to wait until the House learned the action of the neighboring Colonies in the matter.

Hon. Mr HAVILAND admitted that Lighthouses on the North Cape and East Point of this Island would be of some advantage to us, but much more to the neighboring Colonies. He thought it could be shown that the number of wrecks on these headlands were not more than one of this Island to ten of the other Colonies and Great Britain. He for one would not consent that a single stone for a Lighthouse on either of these places should be laid, until we had learned that decided action to assist in the work, had been taken by the neighboring Provinces. Hitherto our communications had received only the courteous reply that "the matter would be attended to." He would move the following resolution in amendment to the one submitted by the hon. leader of the Opposition.

Resolved, that this House suspend taking any further action relative to erecting Lighthouses at the North Cape and East point, until the next Session of the Legislature.

The question having been put on this motion, it was carried in the affirmative.

Several other private petitions having been disposed of, the House adjourned for one hour.

D. LAIRD, Reporter.

AFTERNOON SITTING.

The Clerk read a petition of Robert McDonald and others, praying for a grant of £100 towards erecting a wharf at the South side of the West Point.

Mr J. YEO presented the petition. He stated that the inhabitants of that locality were destitute of a harbor, and that there was none nearer than Canumpee on the one hand, and Bedeque on the other, which were of no service to them at all. At a distance of 220 yards from the shore, where they purposed to build the wharf, there were over 18 feet of water. The population he said was increasing and the people were enterprising, and to encourage and assist them would not cost the Government a great deal. But as the House appeared to be determined to grant no large sums, he thought it would perhaps be better to have a Committee appointed to examine the ground and to report next Session. As the people were situated at present, all their shipping had to be done by boats.

Hon. Mr HAVILAND said he must congratulate the hon. member for the able manner in which he had advocated the interests of the petitioners but at the same time the House should first consider whether it could afford a sufficient sum out of the public funds for the object prayed for. Already they were taxed heavily for

keeping up public works, and they should consider whether they could undertake any more new works. If a Committee were appointed and they reported favorably, he thought it would be a kind of a pledge that they would go on with the work.

Mr RAMSAY spoke in favor of acceding to the prayer of the petitioners; and several hon. members having expressed their views on the subject, a Committee composed of Mr J. Yeo, Mr Ramsay and Mr Conroy, was appointed to examine the site of the proposed wharf, and to report to the House next Session.

The petition of James Treanor, Lot 32, complaining of the refusal of a Tavern license was again read and discussed.

Hon. Mr HAVILAND who presented the petition, stated that as the law stood the officer was justified in refusing to grant a license. The words of the Act—"neighboring magistrates" admitted, he said, of various constructions. The Colonial Secretary, in this instance thought that when Mr Treanor passed over the Magistrates near him, and came to those 4 or 5 miles distant that he was not acting in accordance with the spirit of the Act, and so refused to grant a license.

Mr CONROY said he thought tavern licenses could be got with too great facility. In his neighborhood he knew a man, to speak advisedly, who, got a license to sell liquors, and who had not the consent of one-third of the people within a mile of the School; and there were 3 resident Magistrates in the district, of whom only one signed his paper; but that he travelled 10 or 11 miles to get Magistrates to subscribe his document, which enabled him to procure a license to the great annoyance of the people of the district. The people had erected a beautiful Church and soon found that the words of Dean Swift were true—

"Wherever there's a Church of prayer
The Devil builds a Chapel there"—

for a blackguard had built a rum shop along side. He thought the law required to be amended.

Hon. Col. GRAY said in any Dictionary you would find that the word *neighboring* had several significations, and it was a question with him whether it should not be altered so far as to say *nearest* instead of "neighboring." But that would not meet all exigencies, for the nearest might be a crochety magistrate, or one violently opposed to anything in the shape of a traffic in vinous or spirituous liquors, and so might set his face against a house of entertainment altogether. If the law, however, said 2 or 3 out of 5 of the nearest magistrates, it might obviate the difficulty.

After several hon. members had spoken on this question, the House agreed to commit it to a Committee of the whole House on Monday next.

Hon. Mr HENSLEY presented a petition of John Ford, praying for a return of the sale of spirits seized and sold by a preventive officer in 1868, which was again read, and a few remarks having been made, it was referred to a Special Committee composed of Hons. Messrs. Hensley, Thornton and Wightman.

THE CELEBRATED SPRING.

The petition of Januarius M'Adam was then taken up, in reference to the celebrated spring, and discussed at great length.

Hon. Mr COLES who presented the petition, said the petition was for the benefit of invalids who have recourse to the famous spring, and in his opinion the House should contribute something towards the opening of the road which leads to the spring. The path leading to it went through a swamp, and there were roots and stumps which obstructed the way. Many people from the neigh-

boring Provinces visited it, as well as from this Island, and if the facilities for getting to it were increased it would be an advantage to the Colony. Had a register been kept last year, he thought it might have been shown that over a thousand persons from different places visited the spot. The spring itself was in an exposed place, there being nothing in the shape of a shelter near it with the exception of a small grove of bushes; and to secure a good right of way, at least £15 might be granted by the House. There could be no doubt as to the virtue of the water. A man from the Scotch Settlement, whose vision was so imperfect that he could not distinguish between a man and a woman, washed his eyes in the spring, and took away two bottles of the water which effected a complete cure. Another individual who had severe pains in his limbs, used the water of the spring, and was so far recovered that in a short time he could hop about quite lively; and these instances were a proof of the virtue which was in the water. The spring itself is on a piece of rising ground, and though there is no running water from it, still the ground near is saturated with the water of a neighboring bog, and in spring it is difficult for cripples to get to the spot. A clergyman in the vicinity who heard of the cures effected, and having doubts of the efficacy of the water took some of it, and some well water, and put each into separate bottles which he kept for some weeks, at the end of which time the water from the well was quite offensive and that from the spring quite as pure as when it was put into the bottle. Mr Coles said as some hon. members might not be aware of the way in which the spring was discovered, he might say that two young girls, one of whom was so much afflicted by pains in her arms that she could scarcely sleep at night, were looking for the cows one evening, when they discovered it. One of them had read of springs in the neighboring Provinces which were beneficial to invalids, and it struck her that the small spring which they had just found with no apparent outlet might possibly be one of that description, and that they might try the experiment. She washed her arms and was so far relieved that that night she slept soundly, which was something so unusual that enquiries were made about the reason in the morning, when she told her story. She returned, and applied the water a few times more and was completely cured. These and other instances were a sufficient guarantee for the House to vote a small sum. He had already spoken of the benefit which the Commissioner for the tenantry, on the Land question, derived from the use of the water of the spring. In short, if the spring were so beneficial, the Sons of Temperance might have cause to turn their attention to it, for its waters might be better for them than *Stretch'em*.

Mr OWEN said he heard of an old gentleman who was ailing who sent for some of this celebrated water, and the man whom he sent by filled the keg out of the Morell River; and when the old gentleman was afterwards asked if the water did him any good, said—"O, Yes! it did me much good." The House had no evidence that the right of way to it had been given up. If it were necessary to have a road to it, it was better to refer the petition to the members of the district.

Hon. Mr LONGWORTH said he was afraid the spring would be a great injury to the medical faculty, if it possessed all the virtues which were attributed to it; for it would have the effect of curtailing their income.

Hon. Mr COLES said the Doctors were endeavoring to throw ridicule upon it.

Hon. Mr LONGWORTH said that was what he stated, that the speech of the hon. member would damage them very much if it went abroad. As the human mind was constituted, however, it was well known that wonderful effects were sometimes produced by working upon the

imagination, and in his opinion there must have been a cooperation of the imagination in the cases of wonderful cures which were just mentioned by the hon. member. He thought it was a novel proposition, to propose to take the public money for the alleged purpose of benefitting a few private individuals. He would recommend the owner of the spring to exact a small toll from the persons who visited the place.

Hon. Mr COLES said if one farthing were exacted for the water, it would do away with its virtue.

Mr CONROY said the fame of the spring had travelled all the way to Tiguish, and that a number of persons from that part of the country had visited it, and were cured, whether through their faith or the virtue of the water he could not say. After the visit, however, one old woman who had been bed-ridden for some years, rose from her bed; and what he related was a positive fact. He thought a small sum to open up the road to it properly would be well spent.

Hon. Mr HAVILAND said that of all the ridiculous petitions which ever came before the House the one then before them was the most so. According to the accounts given by the hon. gentleman who presented the petition, whoever put an arm or a leg in the wonderful spring, was healed of his infirmities. Of all the quixotic humbugs which were ever resorted to for the purpose of fooling away the public money, he thought this exceeded any which he knew, and he would not vote a sixpence for any such nonsense.

Mr SINCLAIR thought the principal part of the virtue of the water of the spring was attributable to the exertion requisite to get to it, and to the ordinary ablutionary exercises which the invalids went through.

Mr COOPER related the circumstances connected with the discovery of the medicinal qualities of the Peruvian bark, and he thought any virtues which the celebrated spring possessed were of a vegetable character. He thought persons need not be discouraged from using the water, for it in all probability possessed medicinal qualities.

Hon. Col. GRAY said—Mr Speaker, there has been so much bitterness co-mingled this Session with the streams of eloquence which flowed from hon. members on both sides of the House, that it is now refreshing to here of something like *sweet waters* mentioned. I may say I am glad we have something in this our own small Colony of so much importance as the spring about which we have just heard so much. My most sanguine expectations of finding anything valuable in this island would only induce me to search for coal, but I would not be dissatisfied if I discovered iron; but now since we have waters of such wonderful magnetic virtue, my opinions of this wonderful country, the land of my birth, are raised much higher. Having been forced by extreme ill health contracted during severe service in tropical countries to visit the famous thermal waters of Germany—What did I see at such places as Wisbaden, Swalbach, Schlangenbad and Taepitz!—Why each owner of a spring living in a palace, a millionaire: so many crowd to the spring that he becomes rich at once. If the virtue of this famous spring is what the hon. leader of the Opposition has represented it, I will purchase the spring and give £5000 for it. Yes; and I would have a line of railroad laid down from this Town to the spring, and I would have steamers coming into this port, and pouring in thousands of the maimed, the halt and the blind, all on their way to this famous spring. I was told of one gentleman who went to the spring, however, who had the misfortune to have an impediment in his gait on account of his legs being of unequal length, but I was informed by my hon. friend the learned member from the East Point, that when he returned there was not the slightest difference in the length

of his legs. I was glad to hear that the eyes of the respected and hon. gentleman the Commissioner for the tenantry, were improved by the water of this spring; and I wish some of the tenantry would also go and wash *their* eyes in the spring too, to get some of the dust out which the hon. leader of the Opposition has thrown into them. I think this petition is one of a character which should not have been laid before the House.

Hon. Mr COLES moved that the petition be referred to the Committee of Supply.

Mr OWEN moved in amendment that it be referred to the members of the district to provide for. The amendment carried.

The petition from Lots 23 and 24, praying for a Ferry at Hunter River, was read and referred to the members of the district; also the one from Lots 50, 57, 58 and 61, praying for the re-establishment of a Ferry at China Point.

The petition in reference to Hillsborough School, after being ably supported by Mr Beer, who presented it, was referred to a Committee of the whole House, when in consideration of the Bill to consolidate and amend the several Laws, relating to Education. The petition of Alexander McDonald, Harbor Master, presented by Hon. Mr Wheelan, was rejected. The petition of the School Trustees of Georgetown was referred to a Special Committee, composed of Hons. Messrs. McAulay, Haviland, Thornton; and Messrs. McNeill and Owen.

The petition of Patrick Bambrick was taken up and referred to a Special Committee, formed by Hon. Mr Wheelan, Mr Sutherland and Hon. Mr Wightman.

Adjourned at 7 o'clock.

J. D. GORDON, Reporter.

MONDAY, April 8.

A petition of Peter Francis, on behalf of himself and other resident native Indians, was presented to the House by Hon. Mr Perry, setting forth the loss which they had sustained, in being deprived of Indian Island in Murray Harbor, which was sold about the year 1837, in consequence of the non-payment of some trifling land assessment, and praying the House to adopt measures to give them possession again of said Island.—Referred to a Special Committee.

The petition of divers inhabitants of Charlottetown, Southport, and Lots 48, 49 and 50, praying a grant to the Contractor of the Hillsborough Ferry, to encourage him to place an additional steamboat on the said ferry, was taken up.

Hon. Col. GRAY said it must be evident to every hon. member of this House that such a petition required consideration. There was, perhaps, no better proof of the high civilization of a country than that its modes of transit should be easy. The ferry in question had hitherto been very efficiently conducted, but he understood that an agreement had been come to between parties to make it still more efficient. The "sinews," however, were required, and he hoped they would be supplied. As the ferry was conducted at present, with only one steamboat, if a traveller with a horse and carriage could not get along until late on Saturday night, he would be under the necessity of remaining until Tuesday morning. He himself had to remain all day at the other side one Monday, on account of the boat not running. He would move that the petition be referred to the Committee of Supply.

Hon. Mr COLES remarked that the petition was very generally signed, and thought that a better recommendation in its favor could not be obtained. It was very desirable that there should be a steamboat on the ferry every day of the week; but it was well known that one boat could not run all the time, as she had to be laid up once a week to clean boilers. This ferry had hitherto cost the country at large nothing, and therefore this request should not be refused.

Mr HOWAT, before the motion was put, would say a word. It appeared that the parties crossing had to pay a fare, and he did not see that this House should be called upon to vote money in the matter. Unless hon. members saw money coming into the Treasury by steam, he did not know if they should let it go out by steam. There was nothing going on but asking for money! money!!

On the question being put on Hon. Col. Gray's motion that the petition be referred to Supply, there appeared

For it—Hons. Messrs. Gray, Coles, Thornton, Perry, Wightman, MacAulay, Haviland, Hensley, Kelly, Longworth; Messrs. Sutherland, Doyle, Helm, Owen, McNeill, Beer, Conroy—17.

Against it—Messrs. Howat, J. Yeo, Ramsay, Cooper, Montgomery, Sinclair—6.

Several other petitions and letters having been disposed of, the report of G. M. Ryder and William Hubbard, Commissioners, appointed to inspect the Harbor of Cascumpec, with a view to the improvement of its navigation, as also a letter from the said Commissioners, as to the probable cost of Buoys for the said harbor, were taken up.

Hon. Mr. HAVILAND said there had been frequent applications from that part of the country in reference to the navigation of Cascumpec harbor, and the matter had been referred to Commissioners to report thereon. It was now for the House to say whether the recommendation of the Commissioners should be carried into effect. He moved that the said papers be referred to Supply. Proper buoys and beacons should be placed there, particularly if the Steamer expected, run there this summer.

Mr. HOWAT said there appeared to be no end to applications for money from that part of the country. Other harbors were as much in need of these conveniences as Cascumpec; besides the revenue collected at that place was not sufficient to warrant this outlay.

Mr. McNEILL remarked that the House was led to believe when a grant was asked the other day to encourage the Steamer *Princess Royal* to run to Cascumpec, that almost the greatest ships could go in there perfectly safe, and now by this report it was stated that a long boat with a mast in the middle, and buoys and beacons, &c., were required, which would probably cost nearly £500. He must oppose the petition going to Supply.

Hons. Messrs. Wightman, Perry, Longworth, and Mr. Conroy, spoke in support of the motion, which was finally agreed to.

Adjourned.

D. LAIRD, Reporter.

AFTERNOON SITTING.

The letter from the Board of Education, requesting £150 for procuring books on Agricultural Chemistry, was taken up. The House concluded that it was inexpedient to grant the sum desired.

The letter of John D. Woodman, Harbor Master, Cascumpec, was again read, and his report was made an order of the day for to-morrow.

The Letter of J. Craig, Light Keeper, Richmond Bay, was referred to the last preceding Committee.

The report of Richard Hertz and other Commissioners appointed to examine and report on a desired road along the Gulf Shore, Cavendish, through the farm of John Lockerby, was read again.

Hon. Mr. Haviland moved that it be referred to the Committee of Supply.

Hon. Mr. Thornton moved in amendment to substitute after the word "that"—"it is inexpedient to grant the amount required as compensation, in the said report," which was carried in the affirmative.

The report of Superintendent of Public Works, on Panmure Lighthouse, was referred to the Committee of Supply.

The petition in reference to the breakwater at St. Peter's Bay, was taken up and elicited a lengthy discussion. Hon. Mr. Whelan supported the petition. He said the inhabitants in the locality had expended three hundred pounds on the object out of their own pockets, and had raised a breastwork of 300 yards in length, which produced the effect of deepening the channel 2 feet, and argued that the exertions of the people should be seconded by a small grant from the Legislature. During the 15 years he had had the honor of having a seat in the House, he said he never got a special grant for any object for the District which he represented. The testimony of persons competent to judge was, that the work undertaken would accomplish the object for which it was designed.

Other hon. members doubted the practicability of the undertaking and argued that there was not a competent engineer in this Colony to decide.

Hon. Col. GRAY said he had occasion to remark last year—though he could not find anything on the point in the Reporter—that it was his impression it would be better for the people in that District, and he hoped the hon. members from the East Point, also would turn their attention to what was the natural outlet for the Townships in that part of the Island. As Cascumpec was the natural outlet for 11 Townships, so he thought Grand River was the same for the Townships on St. Peter's Bay. The distance to that river from the Head of St. Peter's Bay was only a few miles, and in his opinion it would be of much greater advantage to the people to turn their attention to the construction of a tram-road between these two places. He thought it would have the effect in a short time of making their farms quadruple in value, and answer the purpose much better than a breakwater at the mouth of St. Peter's Bay. For his part, he was opposed to conflicting with the elements, which some hon. members would have the House to do by constructing the proposed breakwater. He knew a place on the North side in which there is now 7 or 8 feet of sand, where, seven years ago there was a green field half a mile from the sea shore. The whole of the property in that District—80,000 acres—once belonged to his grandfather, and he would have given £10,000 to have had a proper harbor at St. Peter's, but the object desired was considered hopeless.

This subject was fully discussed by hon. members, and after the discussion, Hon. Mr. Whelan moved that the petition be referred to the Committee of Supply. Division—Yeas: 13. Nays: 12.

The petition of Peter Gregor, Brackley Point, was referred to Supply.

The petition in reference to the Dredging Machine was referred to a special Committee to report by Bill or otherwise.

The petition of James Maloney, Charlottetown, was, after being discussed for a long time, refused, on motion of Mr. J. Yeo, moved in amendment to Mr. Beer's, that it be referred to Committee of Supply. For the Amendment: Hons. Messrs. Kelly, MacAulay, Perry, Whelan, Coles, Laird; Messrs. J. Yeo, Montgomery, Ramsay, Howat, Cooper, Sinclair, Sutherland, Conroy, Owen—15. Against it: Hons. Messrs. Thornton, Wightman, Haviland, Longworth, Hensley, Gray; Messrs. Beer, Doyle, Helm, McNeill—10.

A petition of Margaret Harding was presented by Mr. Beer, which was referred to Committee of Supply.

Hon. Mr. Laird presented a petition of Charles Hazard, Benj. E. Wright, and others, members of the Agricultural Society, which came with the request that Mr. Laird would present it, Mr. Howat second, and that Hon. Mr. Hensley would support it. The petition was received and read. It set forth that they viewed with extreme regret the rapid decline of the Society, compared with its once prosperous condition, and they were of opinion that the infusion of a political spirit had something to do with its decline. They prayed for a reorganization of the Society on such a basis as would insure more general support and inspire confidence.

Mr. Howat made a few remarks on the petition, and Mr. Hensley said he thought he should have had the reading of it before he was called upon to speak in its behalf. He would reserve his remarks till a future occasion.

Hon. Mr. COLES said he would move that the House go into Committee on the petition. The Bill for the establishment of the Society stated that if its funds fell below a certain amount it would become defunct, so he thought the present one should wind up its affairs and pay into the Treasury the amount which the stock on hand would bring. He agreed with petitioners that politics and mismanagement broke up the society. An unfortunate circumstance occurred a few years ago. At an annual meeting, and at the time of a Grain

Show there happened to be a great snow storm, and few persons got present with their grain; in fact he (Mr. C.) was the only member of the Committee who was present, with the exception of Mr. Clark. They agreed to postpone the meeting for a fortnight; but parties present who were not even subscribers of the society, would not consent. They appointed a Chairman and a Committee and went into business. After that he (Mr. C.) did no more for the Society than he could barely help; he subscribed, but took no active part in its affairs. He regretted the Society was in a state so low, for, notwithstanding its losses, it had been of great benefit to the country. In its prosperous days the funds amounted to £2000, but now they are down to £400. A new Society should be formed under an Act of Incorporation.

Mr. COOPER said he agreed with the remarks of the last speaker, that the affairs of the Society should be wound up. The petition before them had only 12 signatures, of whom not 9 followed farming as a business. He would suggest that agriculturists in the country form themselves into Societies of from 200 to 250 persons, and ask for a law to satisfy themselves. He thought the idea of taking action on such a matter at the suggestion of a few individuals, not all of whom were following agricultural pursuits, was unreasonable; and to speak of incorporating a Society not in existence was absurd.

Mr. BEER said it was true the Society had been in a declining state for some years, but he felt inclined to go back farther, in looking for the cause of its decline than the hon. member who had just spoken. The annual meeting referred to took place he (Mr. B.) believed three years ago, and though there happened to be, on that occasion, a snow storm—as on several other occasions—still there was a full average quantity of grain brought forward for competition, and many persons present were from a distance of 10 to 15 miles. There were even some from Crapaud, Covehead, Stanhope, Lots 48 and 49, and some from Cavendish. When the parties who had brought forward samples of grain, and others found that two or three individuals wished to have the meeting put off, they were very much annoyed, and a large majority decided that the Grain Show should take place forthwith, as well as the annual meeting of the Society in accordance with the provisions of the Act. The truth was the society had been in a declining state for several years from a variety of causes, its funds were frittered away in different ways. A considerable amount was expended in stocking—what was called—a model farm, with pure breed cattle. £80 were given to a certain member of the Committee for four cows and calves, two of which were small heifers, and which afterwards turned out to be mongrels. A young bull imported by the Society was kept by the same member for some 12 months, it being understood his services were to go against his keep, but when he was returned, the Committee were charged about £10 for keeping him. On another occasion the Society owned a very fine boar, previously kept at the Society's expense. The same member offered to keep him free of charge—he being in the habit of breeding a large number of pigs. The pig was handed over to him; he kept him long enough to answer his purpose; then stated to the Committee at one of their meetings that the boar was become so unruly he could do nothing with him, that some other member must take him for a while. Having given the boar such a bad name, no one offered to keep him; and neither the Committee nor Society heard anything of the boar from that time. Pork was then very dear, and the boar weighed about 500 lbs., and this disinterested member of the Committee quietly put the knife into the boar, and sold the carcase for 7d. a pound. He then put the money in his pocket, and strutted off, saying to himself—"I think as how from my position in the Agricultural Society, and in the Government, no one dare call me to an account." He (Mr. B.) did not wonder that the funds of the Society were low, when they had been frittered away in such a shameful manner. It was nothing more than could be expected.

Hon. Mr. COLES said that the House had been treated to the hull and the boar story, by the hon. member from the city before, and that it was a pity he had not told the *ham and shoulder* story too, for there had been a considerable loss about the transaction. As regarded the stock bought for the Model Farm, he (Mr. C.) thought Judge Peters could form a pretty good estimate of the quality of the animals which were purchased; and from the prices which they brought when sold; he thought the Society did not lose much by the transaction. The hon. member was fond of telling stories about boars, but he (Mr. C.) thought that the hon. member himself was the greatest bore in the House. He was in favor of the House going into Committee on the petition, for it was clearly set forth that the Society was not then in existence, as it appeared the funds had fallen below what was specified in the Act.

On motion of Hon. Mr. Coles, the House agreed to go into Committee of the whole on the petition to-morrow.
Adjourned at 7 o'clock. J. D. Gordon, Reporter.

TUESDAY, April 9.

The House went into Committee on the consideration of the reports of John D. Woodman, Harbor master, Cascumpec, and John Craig, Light Keeper, Richmond Bay.

Hon. Col. GRAY spoke at considerable length on the reports. He showed that the reason the officers at these Harbors were unable to collect light and anchorage dues was from no defect in the law, but from the difficulty in carrying out its provisions. On account of the number of fishing vessels which entered these harbors, the men had become bold, and refused to pay the dues. When the collector went on board of a schooner, he often could not find the master, and all the other hands avoided his enquiries; or one day they would refuse to pay him, and before he would return again they would have set sail. The question was, were we going to empower the officers at these Ports to collect the dues, or lose a large amount of revenue? Were we going to allow foreigners to trample our laws under foot? He believed that if the matter was only represented to the Home Government, ere long a British frigate would be anchored in one of these harbors. But he did not think this was necessary; the House had the power in its own hands to remedy the evil. Let the officers at these harbors have a row boat, and let 5 or 6 men well armed be placed at their disposal, and he considered that the first shot would be all that was required to bring them to submit to the demands of the law.

Mr. CONROY was pleased with most of the remarks which had fallen from the hon. member who had just spoken. He believed the law was well enough; what was wanted was the power to carry it into execution. He had been asked by the Americans what right had we to charge for light dues, when there were no lighthouses on that part of the coast. He told them that he had nothing to do with that, and as it was the law of the island that they should pay dues, they ought to obey it. Often two or three hundred sail of vessels came into Cascumpec at one time, and generally on such occasions a number of the men got drunk, and what could the collector alone do among them? Instead of only £8 being collected at that part, as was last year, he believed there should have been £600. If the dues could be fully collected one year, he thought there would be no difficulty afterwards.

After several other hon. members had expressed their views on the subject, the Committee rose, progress was reported, and the House adjourned.

AFTERNOON SITTING.

The House resolved itself into a Committee of the whole to consider further the letters of Harbor masters, and having discussed the matter for a considerable time came to the following resolution moved by the Speaker.

Resolved, That a sum sufficient be voted in supply, and placed at the disposal of the Government to carry into effect the Act relating to light and anchorage dues.

Hon. Mr. HENSLEY presented a bill in amendment of, and in addition to, the Acts relating to judgments entered on record in the Supreme Court of Judicature, which was ordered to be read a second time to-morrow.

The report of the Committee on James Keefe's case was then taken up, and having been discussed, Mr McNeill moved that it be adopted.

Hon. Mr PERRY moved in amendment that it be adopted that day three months, and the amendment was carried—17 to 8. Adjourned.

WEDNESDAY, April 10.

Hon. Mr YEO from the Special Committee to whom were referred the several petitions praying for the establishment of new post offices, and all matters relating to the inland mail service, presented their report, which was committed to a Committee of the whole House, and reported agreed to with amendments.

The House then resolved itself into a Committee of the whole, to consider further of a Supply. Several resolutions were come to, after which the Committee rose and progress was reported.

On motion of Hon. Mr Thornton, it was resolved that no new matter on which a Bill can be founded, be introduced to the House after Saturday next.

Adjourned.

AFTERNOON SITTING.

Hon. Col. GRAY, by command of His Excellency, presented to the House the following message:—

George Dundas, Lieut. Governor.

The Lieutenant Governor deeply regrets to have to inform the House of Assembly of the melancholy death of Her Royal Highness the Duchess of Kent, intelligence of which was communicated in the despatch the Lieutenant Governor now transmits.

Government House, April 10, 1861.

PRINCE EDWARD ISLAND.

(Circular.)

DOWNING STREET, March 18, 1861.

Sir,—It is with the greatest regret that I have to communicate to you the melancholy intelligence of the death of Her Royal Highness the Duchess of Kent.

Her Royal Highness expired at Frogmore House, on the morning of the 16th instant, at about half-past nine o'clock, to the great grief of Her Most Gracious Majesty, and of the Royal Family.

I have the honor to be, &c.,

(Signed)

Lieutenant Governor Dundas, &c., &c., &c.

A true copy.

GEORGE D. ATKINSON, Private Secretary.

NEWCASTLE.

The House then

Resolved, That a Committee be appointed to join a Committee of the Legislative Council to prepare an address of condolence to Her Most Gracious Majesty the Queen, on the lamented death of Her Royal Highness the Duchess of Kent.

Committee—Hons. Messrs. Gray, Longworth, Haviland, Thornton, and Messrs. Conroy and McNeill.

A petition from Long River, New London, presented by Mr Montgomery was referred to the members of the district.

The House then took up the

VOLUNTEER BILL,

which was read a second time.

Hon. Mr HAVILAND.—It is unnecessary for me, Mr Speaker, to make a speech on this matter, for, like many other questions, it was pretty fully discussed in the debate on the answer to the Speech of His Excellency. I fancy, then, that the arguments for and against the Volunteer force will be pretty nearly the same as those which have been already used by hon. members who have spoken on this question. It is obvious, however, that a law should be passed to govern the Volunteer force of this Island; for 25 corps are now organized. Some contend that the Militia laws are sufficient for their regulation, and others, among whom I happen to be, hold that these laws have no relation to the Companies of Volunteers now formed; and that, consequently, we need a special law for the government of this force. Those who think the Militia laws are sufficient, agree upon the ground that the word *volunteer* is found in one or two of these laws; but if they would take the time to read calmly these Acts, they would find that the Volunteers therein mentioned, are different from the Volunteers now organized in this Colony. In Britain and her Colonies, and in all countries in which Volunteer

corps are organized, they form a force distinct from all other forces; and the grand principle upon which they have been organized is to resist foreign invasion. Some hon. members have attempted to throw ridicule upon our Volunteer Companies by saying that they would be found wanting in the time of need, but these ideas of the bravery of the Sons of P. E. Island, as expressed by some hon. members, are anything but creditable to themselves. If the time should arrive when the Volunteers shall be needed to come forward for the defence of our fireides and homes, I doubt not but what they will exhibit quite as much pluck, bravery, and military spirit, as Volunteers in the sister Colonies. To those who thus run them down, we may well apply the old saying—"It is a dirty bird which soils its own nest." If our own legislators have not confidence in the Volunteers, or in the military spirit of the inhabitants of this Island, we may expect that our neighboring Colonists and foreigners will say, that, of that matter we ought to be the best judges. But I repudiate the slur cast upon the Volunteers in particular, and upon the inhabitants of this Colony generally. Our Volunteers can make as sure a shot as those in the neighboring Colonies, and in Nova Scotia the Volunteers rival the Regulars in the practice of the Esfield rifle. Great interest is taken in this movement in almost every place. In New South Wales, the Speaker of the House of Assembly commands a Volunteer corps, and I should like to see our Speaker dressed in a military garb. (Laughter.) One of their Judges too, and the highest personages in the land are identified with this movement. Some imagine that here the movement is a dark plot of the Government, that men are equipped with rifles, and drilled for the purpose of employing them to collect the rents of proprietors, but these stories have been already pretty well contradicted. The Bill expressly declares that they shall only be bound to serve in case of an actual invasion. I would have liked to have inserted the word *rebellion*, as it is in the Imperial Act, but I wished to avoid even the shadow of a suspicion. Any Volunteer, too, can retire from his Company at any moment, by giving up his rifle and accoutrements, unless there be an actual invasion at the time, in which case it would not do for him to show the white feather. The details of the Bill will be discussed in Committee. I presume the clause which provides that a certain sum shall be granted by the Government for a certain number of years for drill sergeants and other objects connected with the Volunteer movement will be the one which will principally meet with opposition; but on this point I think the House should not hesitate for a moment. In Britain and her Colonies, they receive liberal grants to render them efficient, and private individuals cannot be expected to support the movement. I think the money given for this purpose would be well spent. In 1855, the majority in the House thought it was absolutely necessary to have a military force organized to support the law and to resist invasion, and £500 were spent on one company—the Raggads—who were commanded by Major McGill—a very good Christian, as the hon. leader of the Opposition did say—but we would feel very well satisfied to get a grant to that amount for all the Companies of Volunteers now organized. The world, too, is now in a much more unsettled state than it was in 1855.

Hon. Mr COLES.—The Hon. Major has made a good speech in defence of the Volunteer corps; but the necessity for such a force is now narrowed down to a small compass—actual invasion; and if that were all the force is for, I think it quite unnecessary. If the Americans or French were to invade this Colony, is it to be supposed a few hundred Volunteers are going to resist them with effect? If the force is to be servicable I think it should be for all purposes, to be at the service of the civil authorities as well as for the resistance of foreign invasion. But to talk of them being organized merely for this purpose is certainly ridiculous nonsense. The Raggads to which the hon. member referred, were organized in consequence of the troops having been withdrawn from this Colony, and it was necessary that we should have a force of our own. The Government of the day, too, thought it was nothing but fair that the proprietors of land should bear a part of the expense of keeping up this force as well as the inhabitants of the Colony, and to accomplish that object the Government passed the Rent Roll Bill, which, however, was refused by the Home Government. We have a despatch from the Home Government authorizing drill sergeants to be sent here from Halifax.

Hon. Mr HAVILAND.—Their expenses were paid here.

Hon. Mr COLES.—The expense was only trifling, and it is not going to cost £500 to pay drill sergeants. If such a force, too, is to be supported by the Colony, other parts of the Island, as well as Charlottetown will expect to receive their protection. I object to the principle on which the Bill has come in, for it provides for no protection in cases of riot or disturbances.

Hon. Mr HAVILAND.—If the hon. member will move to amend it by inserting the word rebellion in the Bill, I will support him.

Hon. Mr COLES.—It is not my duty to do that; till the hon. member introduces a perfect measure it is my duty to oppose it. I think, too, it interferes with our Militia laws, for we have seen the Militia sent out on different occasions to quell disturbances, and to do duty in the Barracks. This, however, is a new-fangled affair, got up to put favorites of the Government over the heads of other officers which cannot be done under the regulations of the Militia laws. I shall oppose it going into Committee.

Mr CONROY.—I, also, Mr Speaker, am opposed to the Bill going into Committee, for I think the Volunteer force is wholly unnecessary for the purpose contemplated. The exclusive principle upon which it has been formed, is calculated to arouse the apprehensions of a large body of the people of this Island. What are these parties to think when the officers and leaders in this movement are Orangemen—their sworn enemies?

Hon. Mr HAVILAND.—I rise for an explanation; I wish the hon. member to name the leaders in this movement who are Orangemen.

Mr CONROY.—These parties are known to be Orangemen, and with what confidence, I ask, can you expect these parties to look upon their enemies who are sworn and armed?—You will have a society formed in opposition for purposes of self-defense. Some years ago, we thought they were confined to unfortunate Ireland; but now, Orange societies have travelled as far as Bedouque and Summerside; at least it is so rumored, and I believe the fact cannot be disguised. Orangemen generally hold Commissions in the Volunteer service, and one class of the people are armed to keep the other class in terror. If the bill be passed, I believe it will be the most mischievous one which ever passed this Legislature.

Hon. Col. GRAY.—In reference, Mr Speaker to what fell from the hon. member from Tignish, just now, and when this matter was previously discussed, I may say I am not aware of the peculiar circumstances connected with that gentleman's intercourse with the body of men of whom he speaks so hardly.—I do not know whether he has applied for admission into a Volunteer corps, or whether there has been any misunderstanding between him and them, but whenever Volunteers are mentioned he appears to me to become exceedingly sore. I am not aware whether there is such a body in the country as Orangemen or not; but I have heard hon. members speak of them, and I was under the impression from a speech the hon. leader of the Opposition made on the answer to the Governor's Speech, that it was imperative on every member of a Volunteer Company to be an Orangeman.

Hon. Mr COLES.—I rise to order; I said no such thing. I said many were Orangemen.

Hon. Col. GRAY.—If the hon. member would hear more correctly, and give me a little time, there would be no occasion for him to rise in his place. I said I was under the impression from his remarks on the occasion referred to, that it was imperative on a Volunteer to be an Orangeman. I was referring to a gentleman whom I knew who was not an Orangeman; and from what transpired in reference to Captain Hunter, the hon. member should remember that he may have been misinformed about the Volunteers. In Volunteer Companies nationalities are set aside. You see an Englishman, a Scotchman, an Irishman, a German, a Swede or a citizen of the United States, side by side. I was under the impression that in enrolling Volunteers there was not any natural distinction made. And these young men who enroll, do so for the defense of the shores of our country; and, for fear any might think they were enrolled for other purposes, even the word "rebellion" was left out of the bill in the course of time, we may expect more rifles, and then, if he chooses the hon. member from Tignish, will have a chance to enroll a company of Volunteers. Respecting the amount which the House may think proper to grant for rendering this force more efficient, that will be considered when we take up the details of the bill.

On motion, the House resolved itself into a Committee of the whole to consider the details of the Bill.—Hon. Mr Perry in the Chair.

The first few clauses were read and agreed to without a discussion. Some clauses farther on having elicited a few remarks as they were read, were then severally agreed to.

The clause commencing, "The Lieutenant Governor may, during the continuance of this Act, draw from the Treasury of this Island a sum not exceeding £100," was next read.

Hon. Mr COLES remarked on this clause that he thought it ought to be with the consent of the Governor and Council.

Hon. Mr HAVILAND said the clause was a copy of the clause in the Halifax Bill, in which there was no reference made to the Council at all.

Hon. Mr THORNTON said money formed the sinews of war; yet they were asked to put their hand in the public purse to put arms into the hands of one class to the exclusion of the other. He would not be opposed to voting a sum were the movement not an exclusive one. And farther, it was required that they should go on voting a sum of money for this purpose every year though there might not be a foreign invasion for half a century.

Hon. Mr HENSLEY thought it should be specified in the clause—with the consent of the Council, as the Council only were responsible to the House. He coincided with the remarks which fell from the hon. member from Cardigan in regard to the Volunteer movement, and thought it would not be a praiseworthy one, unless it were general. It could never give satisfaction were it exclusive; but he believed it was never designed to be exclusive, and he thought all parties would, to a greater or less extent, join in the movement. As regarded the amount, looking at the finances of the country, he thought a very small sum should be voted for the object proposed.

Hon. Mr POPE said—I believe, Mr Chairman, that there is not the slightest foundation for saying the Volunteer movement is an exclusive one. The Irish Volunteer corps, now organized, stands upon precisely the same footing as those throughout the country. The companies in Georgetown and Summerside comprise members of the Roman Catholic Church to the extent of about one-fourth of the number of men in each company. The hon. leader of the Opposition has thrown this firebrand in for political objects—for the purpose, I suppose, of recovering his lost position in the Government of this Island. I see here in a reported speech of his, made in the debate on the answer to the Governor's Speech, these words:—"And can you expect a secret and sworn party to protect the rights of those of a different sect?"—and then he goes on to state that "the Volunteer companies are composed of Orangemen." The hon. member from Tignish has stated that Orange societies have spread to Summerside, but I never heard of one being in existence there, though I reside in that locality. I do not belong to such a society. In fact, the attempt has been made by the hon. leader of the Opposition to turn the whole Volunteer movement into burlesque, and spirited young men from one end of this Island to the other, laughed at, and held up to ridicule by him. He need not speak of favoritism either, for, when he himself was in the Government, five members out of the Executive were made Lieutenant Colonels. To endeavor to create an ill feeling among the people of this country, by stirring up their passions and prejudices, in such a manner, is an act of injustice and dishonesty. I am prepared to vote for a sum to pay for drill instructors, and to encourage the Volunteer movement.

Hon. Col. GRAY, after referring to some particulars connected with the company in Prince County, formed by Captain Hunter, from which it appeared that whatever exclusiveness there was in that case, originated with the French people themselves, said—I may say in answer to the hon. member from Tignish, that I have been given to understand—though I did not hear of it officially—there has been a little exclusiveness practised in this City—that one Captain organized a company solely of Irishmen, and this is the only exclusive company in the Colony. I trust, indeed, the hon. member from Tignish will not press too hardly upon the Government for that. I fully believe that in every other company will be found a mixture of men without respect to country or creed. Exclusiveness has been charged against the Government, doubtless because hon. members opposite want other material upon which to attack it. But

why should a military organization be identified with politics?—The duties of a soldier have no relation to party questions. I may also inform the hon. member from Tignish—though unaware of it the other day when he brought forward the question—that I have since been informed on the most reliable authority, that one of the Captains of a company in this City is not an Orangeman. I have positive information that Captain Murphy is not an Orangeman. (Laughter from the Opposition, and cries of "who said he was?") Hon. members may laugh, but we all know who they are who laugh at their own folly. Those who bring absurd charges against a Government should be the last to laugh at their own blundering. I may say that at one time I had an idea of asking for admission to a Volunteer corps; but I could not think of such a thing now; for doubtless it would at once be said, "Here is a member of the Government going in; there must be something of party in this." But in conclusion, I would say that I think hon. members could better employ their time than by stirring up feelings in the country which had better remain dormant.

Hon. Mr COLES.—The hon. leader of the Government made a great discovery when he ascertained that Captain Murphy was not an Orangeman, and he has found out that there is a little exclusiveness practised, though of course the Government is not to be blamed. I know men, however, who complained at a public meeting of being excluded when they offered to enroll in another company in the City. It is rich, certainly, to hear members of the Government now disclaim against saying anything about Orangemen or Catholics; but, I would ask what cry did they raise when seeking to regain their power; and now since they cannot ride the horse any longer which carried them in, they endeavor to pat down expressions of sentiment about exclusiveness. The hon. member from Georgetown, when speaking on this question in a former part of the Session, said—"My opinion why there are so few of them—Roman Catholics—holding office under the present Government, is, that it is because they are, as a body, opposed to the principles of the present administration." I don't know whether he intended that to apply to the Militia as well as to other things; however, it is a pretty fair expression of opinion that Catholics, as opposed to them, cannot expect office under the present Government.

Hon. Mr HAVILAND.—I will explain—I did not use these words as applicable to military officers, but to political ones.

Hon. Mr COLES.—I contend that the Military rules and instructions are such that no Orangeman can hold a Commission in Her Majesty's army. In Lot 49, however, the arms of the Volunteers are kept in the lodge.

Hon. Mr HAVILAND.—I don't pretend to deny, for I was never in an Orange lodge. I may say that the Attorney General of Canada is an Orangeman; and I saw him and the Prince of Wales dancing in the same quadrille.

The Speaker took the Chair, and the Chairman reported progress and asked leave to sit again.

Adjourned at 7 o'clock.

J. D. GORDON, Reporter.

THURSDAY, April 11.

The House again in Committee on the Volunteer Bill.

Hon. Mr COLES.—When the House adjourned last evening, I was in possession of the floor. I think I left off by showing that these Volunteer corps which have been formed are chiefly composed of Orangemen, and stating that it was my impression that the people who joined Orange Lodges did not know what they were doing. A gentleman informed me that he was surprised in going into the Scotch Settlement to learn that a great number of the people there are Orangemen, and that they purpose ere long to march in procession. This, it may be said, is nobody's business; but I say it is a matter for the consideration of the Legislature. In Ireland an Orangeman is not allowed to be a magistrate. There is no occasion for such a movement in this country. The government of Britain is settled on a Protestant Sovereign, and no danger exists of it being changed. Orangism gives offence to a large portion of the community, and should not be countenanced. It is well known that it was talked of a sermon being purposed to be preached in St. Paul's Church on the 12th of July, but knowing that it would be offensive to many, it was not allowed. In Sir Alexander Bann-

man's time there was an agitation about Orangism and Ribbonism, and he issued a proclamation against both alike. In the lecture which Captain Orielar delivered this winter before the Young Men's Christian Association, he denounced Orangism; and I hope the members of that institution will attend to his remarks, as they were about the best thing he has ever given in this place. Irishmen may have a little feeling about Roman Catholic ascendancy, but the young men of this Island can have nothing of the kind. The hon. member for Belfast, says he does not think it is well known that several of the Volunteer Companies are composed almost entirely of Orangemen, and states, I suppose rather in fun, that he is creditably informed that Captain Murphy is not an Orangeman, when he knew that Mr Murphy is a Roman Catholic. Why did he not assert that several other officers are not Orangemen? The whole Volunteer movement here is a party affair. The gallant Colonel said to the hon. member from Tignish that if he applied to the Commander-in-Chief, he had no doubt that he would be most happy to make him an officer. Well, why was not Mr Conroy taken for an officer before this time? He is an old settler; then why was he not appointed Captain instead of that stranger, Mr Hunter? It has been said by some hon. member on the other side of the House that these Companies are on the seaboard. But I see on the list the name of one officer in Belfast, who is scarcely on the seaboard; and others also. It seems that a number have been encouraged to join the Volunteers in that place from which a party were brought up to Charlottetown to terrify the Liberals. The Government profess that they know nothing about the Orange Lodges in the Island; but I would be sorry to be linked to any party as they are with the members of that Society, for they dare scarcely do anything contrary to the Orangemen. All the little offices about, from the door-keeper of this building down to the keeper of the bonded warehouse are filled by men belonging to this party. It is not my want of Protestant principles which causes me to oppose the Orange Society, for I hold myself second to none in this respect, but I have never joined any secret society. It is said they are very loyal men; I believe they are when they get everything their own way. Look how they acted in Canada, where they erected an arch and tried to compel the Prince to pass through under it, and that on a Sabbath day; and had it not been for the determination of the Duke of Newcastle, they would have gained their point. It was said by the hon. member for Bedouque last evening that I was throwing a firebrand in this community by my remarks; but it was he and his party who threw a firebrand in the community at the last general election. I think it is quite sufficient to have two or three companies of Volunteers in Charlottetown. Their organization, as I said yesterday, is more required for protection at home than to prevent foreign invasion. The clause under consideration, Mr Chairman, I think will require a little amendment, so that His Excellency may not draw the money without the advice of his Council, though I do not know that I shall vote for the Bill then. However, I do not think the Governor should have so much power as would be given him by the Bill. To show that there has been unfair dealing with respect to the Volunteer movement on the part of the Government, I may state that my colleague, an old Captain of Militia, as a Company was about being organized in his locality, applied to them for arms, but was refused, being informed that there were none on hand. It is, however, pretty certain that the Government had arms of some kind in their possession; and I have not heard that my colleague asked for arms of any particular kind. But I suppose the Government thought he was not of the right party. I hope the House will not countenance such a party movement, for we are all alike interested in the defence of our common country.

Hon. Col. GRAY.—I do not rise with the intention of making a speech, but just to refer to a statement of the hon. member who has just sat down. He said that I stated that such a person was not an Orangeman, and asked why I did not say that others also were not Orangemen? I said that Captain Murphy was not an Orangeman, because the hon. member for Tignish, Mr Conroy, stated there was exclusiveness practised in regard to those admitted into the Companies. I have made inquiries and have heard that the only one with respect to which there has been any exclusiveness is that of Captain Murphy, in which there is not a single Protestant.

Mr CONROY.—I was informed by Mr Murphy this morning that there had been two Protestants in his Company, but one left, and the other was recently dismissed for misconduct.

Hon. Col. GRAY.—Well I am correct so far. The hon. leader of the Opposition asks why was not the hon. member from Tignish chosen for Captain? If he had been named he would no doubt have been appointed in preference to Mr Hunter. But what are the facts of the case; a requisition came down from Cascumpes for authority to organize a Company, and in that requisition Mr Hunter was named for Captain.

Hon. Mr COLES.—Why was Mr Hunter appointed and my colleague refused.

Hon. Col. GRAY.—What has that to do with it? The cases are not parallel. My hon. colleague (Mr Haviland) in his speech on the Volunteer movement, when the House was in Committee on the Address in answer to His Excellency's speech, stated that there were then 27 Companies organized in the Colony. Taking into consideration the number of arms at the disposal of the Government, this would leave only about 35 arms for each Company, which is two few as there ought at least to be 60 stand of arms for a Company. This being the case, how could sanction be given to organize more Companies? As to the existence of secret Societies in the Colony, I know but little. True, I saw something about an Orange Lodge at Lot 43, but so much appears in the newspapers here that is unreliable, that I scarcely know what to believe. Persons in their garras write letters and sign them "Aberdambree Withock," "Simon Pure," "Scrator," &c., and I cannot tell whether they contain truth or not. The clause under consideration provides that a certain sum shall be given for the support of the Volunteers. This is quite proper, for if they are necessary, the country should pay for them. Private persons have done much to encourage this movement. I have been requested to contribute to these corps, but would not on the principle that if I gave to one, I would have to give to the others. I know that a certain individual in this community has subscribed liberally towards the movement, and I believe belongs to two or three Companies in this City. I understand he has recently joined the horse Company, as if he could divide himself, and be a horseman one day, and a foot soldier the next. He is wealthy and can make his £5 fly about *ad libitum*; but I, Sir, cannot. Besides if the country requires these Companies, what right have private individuals to pay for their support?

Hon. Mr HAVILAND.—This debate has taken a wide range. The Orangemen have been referred to, and the hon. leader of the Opposition has accused the Government of appointing men to office who are Orangemen, from the door-keeper of this building to the keeper of the bonded warehouse. Now, Sir, I never heard till now that they were Orangemen, and had to go and make enquiry before I could believe that some of them were.

Hon. Mr COLES.—Then we have Orangemen listening to us.

Hon. Mr HAVILAND.—We may have; I do not know now how many Orangemen may be listening. There is no law in this Colony to prevent the organization of Orange Societies, and in making appointments to civil political offices the Government are not influenced by the consideration whether such and such person is an Orangeman or not. The hon. leader of the Opposition said it was contrary to the instructions sent to Governors that any Orangeman should be allowed to hold commissions in the army.

Hon. Mr COLES.—I did not say Governors' instructions, but the Royal Army instructions.

Hon. Mr HAVILAND.—I dare say he will try and shuffle out of it now.

Hon. Mr COLES.—There is no shuffling in the case; I did not say Governors' instructions.

Hon. Mr WHELAN.—I understood him to say the Army Royal instructions, and so would every person else.

Hon. Mr HAVILAND.—It is very well for the hon. member for St. Peter's to come to the rescue, when the Opposition is in danger.

Hon. Mr POPE.—No interruption should be made by the hon. member, Mr Whelan. (Hissing in the gallery.)

Hon. Mr HAVILAND.—There is a person in the gallery who hissed when Mr Pope was speaking; I would call that he be taken into custody.

Hon. Mr COLES.—This cannot be done without the Speaker in the chair.

Hon. Mr THORNTON.—I move that the Speaker take the chair—agreed to.

Hon. Mr HAVILAND.—I move that the Sergeant at Arms be directed to bring to the bar of this House the person who committed a contempt of the House by hissing a member while engaged in debate, to answer for such contempt.

Hon. the SPEAKER.—Call the Sergeant at Arms.

Hon. Mr COLES.—I move the standing order. [The standing order is that strangers withdraw.]

The House divided on the question.

Yeas—Hons. Messrs. Coles, Whelan, Kelly; Messrs. Conroy, Sutherland, Doyle, Sinclair, Cooper—8.

Nays—Hons. Messrs. Haviland, Hensley, Wightman, M'Aulay, Perry, Thornton, Laird, Longworth, Gray, Yeo, Pope; Messrs. Owen, Holm, Howat, Montgomery, Ramsay, J. Yee, Bear, M'Neill—19.

[While the division was being taken, the person who hissed in the gallery withdrew.]

After some little altercation as to the propriety of taking a division on a motion for the standing order, and of making such a motion when it might have the effect of permitting an offender to escape, the House again resolved itself into Committee on the Volunteer Bill.

Hon. Mr HAVILAND.—I was referring to the charge that the Government have placed Orangemen in office from the door-keeper of this building to the keeper of the bonded warehouse. I believe the door-keeper is an Orangeman, but the keeper of the warehouse, I understand, is not, and never was.

Hon. Mr COLES.—What is the Assistant Postmaster General?

Hon. Mr HAVILAND.—I do not know whether he is an Orangeman or not, but if he is, he was in office when the hon. member was in power, as well as now.

Hon. Mr COLES.—I did not know he was an Orangeman then.

Hon. Mr HAVILAND.—Well, how is the Government to know now? The hon. member is evidently opposed to the Volunteer movement, for he asks what fear is there of invasion. At first, he said they would be employed to collect rent, and when that statement was denied, and he was informed that they could only be called out in case of a foreign invasion, he said pooh! pooh! What was his famous Company of Raggeds for? Hon. Mr COLES.—To do garrison duty in place of the regulars.

Hon. Mr HAVILAND.—Were they to collect rents?

Hon. Mr COLES.—Yes if required.

Hon. Mr HAVILAND.—I am glad he has made the admission that they might have been used for that purpose; but in this Bill it is provided that the Volunteers can be employed in no such manner. That Kent Roll Bill brought in and passed by the opposite party when in power, was a real swindle, for it provided to tax the proprietors to raise money to pay these Raggeds and their gallant Major, and the balance not required for this purpose was to go towards the support of Education, when they well knew that not as much would be raised by the proposed tax as would be required for the former object. The hon. member said that no minute of Council was ever sent home at that time without his knowledge. Here is the famous despatch sent home with the Kent Roll Bill, and I suppose he will acknowledge himself responsible for its contents. I will read it?

Hon. Mr COLES.—Have you permission from his Excellency to read it?

Hon. Mr HAVILAND.—The hon. member can find it in the Blue Book—that book respecting which we have heard so much from him of late.

Hon. Mr WHELAN.—Where did you get it?

Hon. Mr HAVILAND.—Is this House to be constituted into a Court to call every person into question? I will not say where I got it; but let them contradict it, if it be a false document. But I must proceed to read it.

"GOVERNMENT HOUSE, May 19, 1855.

My Lord;

I have the honor to transmit to your Lordship, copy of a Bill entitled—"An Act to impose a Rate or Duty on the Kent Rolls of Proprietors of certain rented Townships in Prince Edward Island, in order to defray the expense of any Armed Force which

may be required on account of the withdrawal of the Troops and for the further encouragement of Education.

"The Bill, as its title denotes, is intended to supply the necessary means for the support of a permanent force, for the protection of the Colony, to fill the place of the detachment of Her Majesty's Troops withdrawn; and any surplus, after the attainment of that object, to be applied to the general purposes of Education."

What a desire to encourage Education! Oh me!

Mr COOPER.—I do not see why this matter should be gone over now.

Hon. Mr HAVILAND.—Let the hon. member prick up his ears, and he will hear something which he will not like. I thought he would not have interrupted me in this, as the force here spoken of was intended to put down Escheat.

"The nature of this Act rendered the insertion of a suspending clause necessary, and it cannot go into operation until it shall have received the Royal assent.

"It is certainly liable to the objection of exclusive, or class legislation, but I have seen with regret the impossibility of procuring any other measure which could effect the object contemplated, being the establishment of a force upon which reliance could be placed for the maintenance of tranquility, and the defence of the Colony.

"The paramount feeling in and out of the Legislature is, that the Proprietors, being the class most immediately and virtually 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 grounds for entertaining the slightest expectation that any less objectionable measure will 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 enfess 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.

I have the honor to be, &c.,

(Signed)

D. LAIRD, Lieut. Governor.

Right Hon. Lord J. Russell.

Hon. Mr WHELAN.—I rise to explain. [Cries of order! order! from several of the Government benches.]

Hon. Mr HAVILAND.—The hon. member was unquestionably out of order in rising to explain; I brought no charge against him. Now, Sir, this was the Bill which was passed to provide for the support of an armed force, and that force was to be taken to aid in collecting rents and to put down escheat; but now the same persons who passed that Bill, rise in determined opposition to a measure for the support of the Volunteers, who cannot be employed for any such purpose. I maintain that it is far better for our young men to be trained to the use of arms than to spend their evenings in taverns. This movement has been exceedingly popular in Great Britain, and in the neighboring Provinces. The hon. member no doubt will treat us to a long speech, but he need not try to deceive the people of this Island.

Hon. Mr WHELAN.—I may not treat you to a long speech; but I shall at least offer a few remarks. The Government appear to deny that there has been any exclusiveness in regard to the Volunteer movement, but I will try to prove that there has before I resume my seat. I do not say that they ever made any order in Council to this effect. I attribute no such improper conduct to them. But they say they have nothing to do with the organization of these Companies—that the control of them lies wholly between His Excellency the Commander-in-chief, and the Adjutant General. If this be true how can they account for a fact patent to every individual in the community that a certain class has been excluded from these Corps. I will prove that the movement has been of an exclusive character, for Roman Catholics have been denied the privilege of taking part in it. An hon. member of the House (Mr Kelly) applied to form a Company, and for arms as far back as the 31st of March 1860. This

gentleman, who had for a number of years been a Captain of militia, made application in a most respectful letter to which he received a reply dated the 5th of April in the same year. [The hon. member here read the letter, which was to the effect that the application could not be complied with for want of arms. &c.] Now let us bear in mind, that after that date no less than three Companies were organized. The commission of one of them was dated the 29th of March, of another the 5th of April, and of another the 20th of April. How does it come, then, if there were no arms for Capt. Kelly, that there were arms for other companies?

Mr BEER.—That is easily explained; for though the commissions were not granted until these dates, the applications were made some time previously to Mr Kelly's.

Hon. Mr WHELAN.—Why, then, were they so late in being granted? But it is known that after these companies were formed, there were more arms in possession of the Government than there were hands to use them. Besides, had this not been the case, they might have been obtained, for it was distinctly stated by the Duke of Newcastle, on the lawn in front of Government House, when here on the occasion of the Prince's visit, that if more arms were required for the service of the volunteers, they would be furnished from the royal arsenal. From these facts mentioned, then, it is evident there has been exclusiveness on the part of the authorities. Again, when Mr McGill applied, on behalf of the Celtic Volunteers, he was informed that it was not possible to accede to their request for want of arms; and shortly afterwards he was told that if they desired to join the movement they might go into other companies. But if there were no arms for them in a separate company, could they be expected to join other companies with broom-sticks? From these two cases it is evident there was a design to exclude Roman Catholics from becoming Volunteers. The hon. leader of the Government said that the only company which he knew to be exclusive was Captain Murphy's. That company was more national than denominational, somewhat like the Highland company under the command of Captain McLeod. Captain Murphy's company, the Irish Volunteers, was organized among the first in the Colony. I will read a letter from a person belonging to the Irish Company to show how it came to be formed. [Hon. Mr Whelan here read the letter amid much interruption, several hon. members objecting as they considered it out of order to read an anonymous communication.] I will give the name of the writer on one condition, namely, that he be brought to the bar of the House to answer for the statements which it contains. Let them do that.

Hon. Mr HAVILAND.—I accept the challenge. Let the hon. member give the name.

Hon. Mr WHELAN.—I will give the name when the House commands such proceedings.

Hon. Mr HAVILAND.—How can the House take action until the name be given.

Hon. Mr WHELAN.—I will give the name in due time. I shall now read an extract from one of our newspapers, and I hope no attempt will be made to prevent me, as they have several times been referred to during the session. This paper called the Monitor is well known to support the party in power. In its issue of 6th March it says:—

"That many of the intelligent Irish are truly loyal, we are ready to believe; but we have again to repeat that caution is absolutely necessary where there exists any doubt as to the purpose which their training and arming may subserve. Mr Coles was loud in his denunciation of the Orangemen. If they could be furnished with arms, he asks, why not the Celtic Volunteers? We answer, the Orangemen are loyal to the back-bone,—their arms will never be used in defiance of law, or otherwise than in the maintenance of peace. If we have not the same confidence in others, they have themselves to blame. When they have become educated in the principles of religious freedom, and understand the highest duties of intelligent citizens, our views will be changed and our treatment modified."

Now, I say it is damaging to the Government to permit statements to appear in the Monitor without contradiction, which scandalize and libel a class in this Island, who represent nearly the half of its whole population.

After a few other remarks from the hon. member, the Committee rose, and the House adjourned.

D. LAIRD, Reporter.

AFTERNOON SESSION.

On motion of hon. Mr. HAVILAND, Charles Reilly was brought to the Bar of the House, by the Sergeant-at-arms, to answer for a contempt of the House.

To a question asked by the Speaker—he said he did not hiss, that he laughed like others near him, and was sorry for it; and that he did not do so with the intention of insulting, and begged to be excused.

Hon. Mr. HAVILAND who saw and heard the prisoner hiss, proposed to have witnesses called—and in the mean time the prisoner was removed. He (Mr. H.) said he did not know the prisoner's name, at the time, but as he had denied the charge it would be necessary to have witnesses examined.

Hon. Mr. THORNTON said as it was the first offence of which he was guilty, and as he had expressed regret and apologized, if parties were satisfied he would move he be discharged.

A motion was made that John Maloney be summoned as a witness.

Hon. Mr. POPE said the House would have been satisfied had the prisoner acknowledged his fault and expressed regret at the offence; but, as it was, by denying he had only aggravated his offence, and he claimed the protection of the House. He was one who did not easily take offence, but he would not stand there to be insulted by persons whom the hon. leader of the Opposition liked to encourage.

Hon. Mr. COLES—I deny the charge. I was in my place and heard no hissing. Some persons laugh by hissing.

Hon. Mr. POPE said he did not care much about it, only the matter was turned into ridicule by the hon. leader of the Opposition.

After several other remarks were made by different hon. members, the prisoner again appeared at the bar and confessed that he did both hiss and laugh, but did not intend to insult any one.

The House received the prisoner's apology, and he was discharged from custody.

A message from the Legislative Council announced that the Legislative Council had passed the Bill antititled "An Act to incorporate the Trustees of St. Dunstan's College, in Queen's County, and for other purposes therein mentioned, without any amendment.

House in Committee again on the Volunteer Bill.

Hon. Mr. WHELAN resumes—I think I was, Sir, at the time of adjournment this morning, expressing some opinions on the connection generally believed to exist between the Volunteer movement and the Orange Lodges in this Island. I had expressed some surprise that the Government had not given any indication of the course they intended to pursue in reference to the branch of the subject which referred to the granting a sum to aid the Volunteer movement. In regard to the Orange Lodges, the hon. and learned member from Georgetown stated this morning that there was not any law in this Colony to prevent the organization of such societies, and I am ready to believe there is not. He stated farther that the Government in making appointments to several minor offices connected with the administration of affairs, was not influenced by considerations whether such and such a person was an Orangeman or not.

Hon. Mr. HAVILAND—I said civil political offices.

Hon. Mr. WHELAN—I cannot understand the distinction as practised by himself and colleagues. I cannot see the distinction they make between offices which are civil and those which are not. I presume he has not power to appoint to ecclesiastical offices.

Hon. Mr. HAVILAND—The office of the Adjutant General I call a military office.

Hon. Mr. WHELAN—I know of no offices to which appointments are made by the Government which are not, properly speaking, civil offices. And tho' there may be no law to prevent Orangemen becoming the nominees for offices in the Administration, there is, notwithstanding, we know, a strong moral sentiment against it—if not here, at least in other parts of Her Majesty's dominions—a strong moral sentiment against the appointment of Orangemen either to civil or ecclesiastical offices.

Hon. Mr. HAVILAND—Not in Canada.

Hon. Mr. WHELAN—There is no law against it there or in Ireland, but the hon. member knows as well as I do that the Lord Lieutenant of Ireland laid down as a rule that no person known to be an Orangeman be appointed to the Commission of the Peace; and if the law carries out the instructions of the Lord Lieutenant, my argument is materially strengthened. He is also aware of another circumstance, that the E. Bishop of Down suspended two clergymen for preaching Orange sermons.

Hon. Mr. HAVILAND—it is the first time I heard of it.

Hon. Mr. WHELAN—Well it is a matter of no consequence.

Hon. Mr. HAVILAND—When an hon. member makes a statement he should be particular about it being correct.

[Passing over the conversational part of the speech at this juncture]—

Hon. Mr. WHELAN remarked—I wish to show that there was a moral sentiment permeating many communities, against this secret, and as I believe, cursed society. The case of the Bishop of Down is an instance of it in the north of Ireland. Again in England in the time of William the IV, the Duke of Cumberland was obliged to sever his connection with Orange Lodges or to retire from the army. Also in Her Majesty's instructions referred to last evening, it is stated that no non-commissioned officer should countenance or belong to Orange Lodges. Neither would the Duke of Newcastle give the slightest countenance to the organization in Canada. When there was a mean, paltry, contemptible, despicable, disloyal attempt made to inveigle the suite and cortage of the Prince of Wales to pass under orange arches constructed for that purpose. To come nearer home, are there ten men in this community ignorant of the fact, I ask, that on the anniversary of the battle of the Boyne, held on the 12th of last July, a clergyman of this good city declared his intention of preaching a sermon in the established Church, in favor of the principles held by Orangemen, and in this way to give offence to a large portion of the community. He, however, was prohibited by his own parishioners. Even in this community then there is a strong feeling against the Orange organization—a sentiment sufficiently strong to prevent a minister from exhibiting his native deformities in the blaze of noon day. The hon. leader of the Opposition showed the connection between the Volunteers and Orangeism at Lot 49, where their arms are kept in the drill room where they go to take that fearful oath, that to carry out the intentions of this horrid society they swear by the Majesty of heaven to wade knee deep in papist's blood.

Hon. Mr. HAVILAND—The hon. member has given a version of the oath entirely incorrect. I will read the oath:

"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 dependent 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 connexion 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 no

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 Twelfth day of July, in every year: I swear that I am not, nor ever will be, a Roman Catholic or Papist, nor am I now, nor 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 authorised 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 Orangemen's Obligation."

Hon. Mr. WHELAN—I don't think the hon. member from Georgetown has thrown much light on the matter, in favor of the fraternity, for that oath is the published one, we know. Were I to analyze it sentence by sentence, I could make them ashamed of its obnoxious exclusiveness. Fraternal feeling and intermarriages are carefully prohibited; but it was quite unnecessary to put in that clause, so far as Roman Catholics are concerned. Orangemen are under the ban in England.

Hon. Mr. HAVILAND—I rise to order. Orangemen are not under the ban in England, for a Bill was introduced into Commons last year relating to the regulations of that society; and they were recognised as having the same rights as men who formed themselves into Temperance, Free Mason, or any other societies.

Hon. Mr. WHELAN—We have the facts as exhibited in the case of the Duke of Cumberland and in Her Majesty's instructions for the army already mentioned; and the horrid thing was discountenanced in Canada by the Duke of Newcastle, when they made their disloyal attempt to insult the Prince. Even on the Sabbath they laid a trap for him, tho' they pretend to be a moral, religious, pious, chivalric people. Not contented with erecting arches and putting offensive pictures on them, they attempted to entrap him on Sunday, like sly, secret, insinuating sneaks.

Hon. Mr. HAVILAND—They put up no offensive pictures. They only put up a picture of William Prince of Orange, and we have to thank God he was an Orangeman; and you may thank him too that you have the privilege of making a speech now.

Hon. Mr. WHELAN—I thank not him nor any of his phlegmatic breed, but a higher power for the immutable principles of liberty, which the hon. member from Georgetown speaks of so frequently, as being the inalienable birth-right of British subjects. I thank the people who wrung from an English Sovereign the glorious charter of our rights and immunities, to which the hon. member has so often called attention.

Hon. Mr. HAVILAND—Had it not been for William and Cromwell, I would not give much for your liberty now; that is my idea of the matter according to my knowledge of history.

Hon. Mr. WHELAN—Were I a slave then, you would be one too. The excuse is petty and contemptible; for, if slavery has any badge it is that of contempt, and servility is a necessary adjunct. The hon. and learned member would have no right to a larger amount of the privileges of freedom than I would possess.

Hon. Mr. HAVILAND—Of course not: I include myself.

Hon. Mr. WHELAN then went on to speak of the proposition of the hon. member from Charlottetown, (Mr. Davies,) who expressed himself willing to take £1000

from the educational fund for the purpose of giving instruction to Volunteers in military science. He contended that the speech of the hon. member [Mr. Davies was not in his place] was not correctly reported, for it was not mentioned that he stated that he was willing to take that amount from the education fund. He next spoke to the effect that if a grant were given for the purpose mentioned in the Bill, that it would be an extravagant and needless waste of the public money; and concluded by again speaking at considerable length of the improbability of this Island being invaded by a foreign power, and of the ineffectual character of any attempts which might be made by the Volunteers at resistance, in the event of an invasion.

Hon. Col. GRAY said the debate had become so discursive and rambling, and that the same things were repeated so frequently, that he did not know how the business of the country was to be conducted if hon. members insisted upon pursuing the same course. If he were so inclined he could take up old despatches and trace the history of Roebuck for 60 years, and detain the Committee till the hour of adjournment. There was a great difference, however, between much speaking and sound argument. Col. Gray then went on to say—The hon. member who has just sat down read an anonymous letter this morning, but I would say it was not at all proper or wise in that hon. member to read an anonymous letter on the floor of this House. I have had anonymous letters shown to me which, I think, no hon. member in this House would like to hear read here, or to have their ears polluted with their contents. Surely such letters are unworthy the consideration of any man of sense. I would give the signification of the word "anonymous" in this instance as, something dastardly, for a man who writes a letter and is afraid to put his name to it is a coward. In a certain paper published in this city, we find that the publisher has a great number of anonymous correspondents. We find letters there signed "The Tenant's Friend," "An Elector," "Aberdumbee Wilhook," etc. (Laughter)—which carry on their face their own condemnation. They show that the men who penned them are afraid to write over their signature, which no honest man would be ashamed to do. Let the hon. member now stand up in the light of noon day and give up the name of the author of the letter which he read.

Hon. Mr. WHELAN—I said I would on certain conditions.

Hon. Col. GRAY—Then the hon. member spoke of the *Monitor* as being the Government organ, as on a former day he said the *Islander* was. I suppose the next thing we shall hear will be that *Ross's Weekly* is the Government organ, then the *Examiner*.

Hon. Mr. WHELAN—By and by!

Hon. Col. GRAY—And by and by it will be told us that "Aberdumbee Wilhook" is governor. Abercrombie Wilhook is an honorable gentleman well known in the community; and as to "Aberdumbee Wilhook," I believe there is no doubt about the real *simon pure* in this case. But it is absurd to hold the Government responsible for every newspaper paragraph. It is an easy matter for a man to write nine or ten letters and put anonymous names to them. Sometimes a large newspaper correspondence originates in the garret of one person; and in a quiet corner a man frequently writes murders and sudden deaths by the hour. Certain members on the floor of this House have been in some offices in London, I dare say, where a message would come for four lines to fill up a column, when some penny-a-liner would write—"In a certain village in—the wolves were very ferocious and devoured an old woman;" (laughter) or something about the pills of that benevolent man the benefactor of his race—Professor Halloway—curing a disease yet unknown—(laughter.) I, however, seldom or ever waste my time in reading an anonymous news-

paper letter. In the military instructions which have been alluded to mention was made of desertion, and we know, Sir, that desertion means something more than a mere forsaking of your colors; it also means perjury. Every man who swears in the army swears he will not do what he does when he becomes a deserter. Let the hon. member ask what the punishment of that crime is in military life before an enemy. In some cases it was sufficient to send a man to the pillory—in other instances it is death—and in other cases he had his ears cut off; and a man who has had his ears cut off does not stand up among men to crave the same consideration from society as him who has his ears on. In this debate we have had a variety of subjects discussed. Day after day, and week after week, since this question was first introduced has this been the case, but why hon. members pursue this course I can scarcely perceive. I hope hon. members on the opposite side will not inflict upon us the necessity of answering any more such puerile objections as they have already raised against the Volunteer movement.

Mr. CONROY—I am accused, Sir, of getting in a passion whenever I commence to speak on the Volunteer question, and I shall now endeavor to say a few more words on the subject quietly and calmly. We have been told that Orangemen do not comprise a large part of the Volunteer force, but I would say, Sir, that when this force was being organized it was the duty of the Government to have seen that it was composed of men having the confidence of all the unprotected portions of the community. How can you go to an Irishman or the son of an Irishman and say to him he is to put confidence in a force which in part is composed of Orangemen? He would speak to you about his ancestors and of the rapine and blood which followed in the train of Orangemen; and he would tell you they were his deadly enemies, and were the enemies of his people for centuries past. I never thought the time would come when I would listen to such apologies for Orangemen as I have been listening to in this House this session. I will not see my people ill-used without rising up to defend them. Catholics are a part of the community of Christians who have spread over the world, but Orangeism and the Volunteer movement is for the purpose of crushing the Catholics, and I shall stand up and express my reprobation of them when I see them encouraged and fostered. Those who felt the persecution of that, I may say, cursed community, cannot look on calmly. (Laughter.) It is all well to laugh and sneer, but I could tell a tale of Orange rapine and blood. And I say, Sir, if you get up one community against another, that where one takes the rifle the other will take the firebrand; and, Sir, the scenes which would follow would be horrid to contemplate. Then we should try to suppress, rather than to encourage, this movement; or at least to keep out of the Volunteer corps, the sworn enemies of a certain class of Christians in this Island. For the promotion of the peace and well being of all, it should be suppressed, and not countenanced, by the Government.

Mr. COOPER followed, and charged the Government with fostering Orangemen, and with attempting to divide the people by setting Protestants against Catholics and Catholics against Protestants—which charges hon. Mr. Haviland denied as being wholly unfounded.

Hon. Mr. LONGWORTH—The hon. member from Tignish, in his tirade against the Government has used language of an extraordinary character, he says the Government are fostering Orangemen for the purpose of putting down his people—as he called them.

Mr. CONROY—I did not say so.

Hon. Mr. LONGWORTH—The hon. member used violent language just now, and in the charge which he previously made, which was followed up by the hon. leader of the Opposition and the hon. member from St. Peter's, I never

heard such speeches delivered on the floor of this House, as those which were delivered on this question by these hon. members. I would say that the language by which they were characterized did not reflect any credit on this House, and the object which the hon. gentlemen had in view when they made them could not be mistaken; it will appear obvious when their speeches are read; and in my opinion they will not produce the effect of strengthening their hands. They may create animosity, but will not, I think, produce the intended effect. It is dangerous to make charges against parties or against the Government, which cannot be supported. The hon. member from St. Peter's, in his flowery speech, brought charges against the Government of which not one of them was supported, and which were afterwards successfully refuted. In regard to the Orange question, I shall now view it as an abstract one. The hon. member from Tignish believes that Orange societies have been, or can be, guilty of the acts which he has mentioned; and thus he fancies that such is the character of these societies. In days gone by, he said, a great deal of feeling was shown and much blood spilled, in Ireland; but is he right in tracing that to the fact that Orange societies existed in that country? I say not. There were societies of various descriptions in existence in Ireland such as the "Ribbon" and "White Boys" societies—and on various occasions there were collisions between the members of these societies and the Orangemen. It is wrong then in the hon. member to attribute all the ills of which he spoke to the Orange society. The hon. member from St. Peter's said the Orange society was illegal.

Hon. Mr. WHELAN—I said I admitted the truth of the statement made by the hon. member from Georgetown, that there was no law to prevent them from being organized, and by admitting that I could not say they were illegal.

Hon. Mr. LONGWORTH—The hon. member accused the Government of recognizing such societies, and that he would go farther and say they were illegal, and that the Government were guilty in allowing them to take arms.

Hon. Mr. WHELAN—I beg the hon. member's pardon, I did not; and after I had made the remarks to which I refer, the hon. member from Georgetown read the Orange oath.

Hon. Mr. LONGWORTH—Yes; and the hon. member then sat down as if he were shot, and never referred to it afterwards. He found that his statement about the oath was false—that it was not a principle recognized by the society that Orangemen were sworn to "wade knee deep in Papists' blood," as he expressed it.

Hon. Mr. COLES—It has not been denied yet.

Hon. Mr. LONGWORTH—I do not believe it. I do not belong to the Orange society, but I believe nothing of the kind is recognized in any of their principles, and it was highly improper in the hon. member to make such an unfounded statement.

A good deal of the speaking at this time was conversational—owing to interruptions. Mr. Longworth closed by referring to the anonymous letter read by the hon. member from St. Peter's.

The Speaker took the Chair and the Chairman reported progress and asked leave to sit again.

Adjourned at 7 o'clock. J. D. Gordon, Reporter.

FRIDAY, April 12.

Hon. Mr. HAVILAND moved a resolution to the effect that the division taken yesterday on the motion for the standing order, be not considered as a precedent or authority, as the course pursued arose under peculiar circumstances, in order to prevent the escape of an individual from the gallery, who had been guilty of a contempt of the privileges of the House. The resolution, after some discussion, was agreed to, Hon. Mr. Coles and Mr. Sinclair only voting against it.

Hon. Mr MAULAY presented a Bill to authorise the Trustees of Georgetown School to sell the present school site, and appropriate a portion of the public square as a school site in lieu thereof.

The remainder of the day was taken up in discussion on the Volunteer Bill, but as scarcely any new matter was advanced, the Reporters consider that no interest will suffer by their omitting to transcribe their notes of the day's debate.

SATURDAY, April 13.

House again in Committee on the Volunteer Bill.

On motion, the clause under consideration, which provided that the Lieut. Governor in Council may, during the year 1861, draw from the Treasury of this Island a sum not exceeding £ , and may expend the same in the payment of Staff Officers, Drill Sergeants, &c., was agreed to with the blank.

Hon. Col. GRAY remarked that he had just been in consultation with his friends as to what sum they should agree upon to fill up the blank, and had desired the hon. member who introduced the Bill to name the amount. He referred to a statement in a New Brunswick paper with respect to the explanation given by Hon. Mr Tilley, in the House of Assembly of that Province, when a sum was named to aid the Volunteer movement there. He read the paragraph, which is as follows:—

“Upon Mr Tilley moving that the sum of \$2000 be granted to meet the expenses of the Militia, he was asked to explain the manner in which it was proposed to expend this money. He replied, that it was intended to furnish each company with a sum sufficient to procure the services of a drill sergeant, and the remainder was to pay for the rent of a drill-room and general armory, and to procure a certain amount of ammunition for use of volunteers, and pay the salary of the Adjutant General. He also stated, that it was the intention of the Government to offer a silver medal to be shot for by the different companies.”

He supposed if a proposal was made by the Government here to offer a silver medal to be shot for by the different companies, some parties would be horrified. He hoped that if a moderate sum was named with which the blank should be filled up, hon. members would not oppose it.

Hon. Mr COLES was surprised to hear the hon. leader of the Government say that he had desired the hon. member who introduced the Bill to name the sum. If it were a Government measure, all the members of the Government should be prepared to take the responsibility of the Bill. There should have been an understanding, when the Bill was introduced, what the sum was to be.

Hon. Col. GRAY explained that he was prepared to take the responsibility of the whole Bill, but it was certainly courteous to the hon. introducer of the measure to desire him to name the sum.

Hon. Mr HAVILAND knew that the hon. leader of the Opposition was very anxious to think there was division in the Government. But the present Government was different from that of which the hon. member was leader. There was no dictation now; and when the hon. leader of the Government spoke of the Administration, he said “the Government,” and not “my Government,” as formerly did the hon. leader of the Opposition. The hon. member should not have twitted us for having introduced the Bill with a blank.

Hon. Mr COLES remarked that he did not say they should not have introduced the Bill with a blank, but that they should have been prepared to name the amount.

Hon. Mr HAVILAND supposed the hon. member had forgotten the Bill which he desired to be passed to give certain officers pay, but he would not take the responsi-

bility of it, and had a message sent down by the Governor suggesting such a measure, as a kind of feeler. On another occasion, a change was contemplated in the mode of collecting the revenue, and again a message came down from the Governor with a suggestion, and, though he has “my Government” to deal with, he was unwilling to take the responsibility of the measure until he knew that it would pass. He (Mr H.) thought the Bill under consideration could not be properly worked with a less sum than £400, since there were some 27 companies in the Colony. Surely this small amount would not be objected to, especially as the late Government spent £450 on one company alone. He would move that the blank be filled up with £400.

Hon. Mr LAIRD seconded the motion. He thought, considering the spirit which the young men in the country displayed in the movement, the sum named was very small; but the state of the public funds was such that the House could not well give more.

Hon. Mr HENSLEY said that as so little had been given this year for roads and bridges, though he approved of the volunteer movement, he could not go so far as the Government in aiding it. He thought £300 would be quite sufficient, and would move in amendment that the blank be filled up with this sum.

Hon. Mr THORNTON said he had supported this Bill, but he should vote for the amendment that the blank be filled up with £300. Though there were 27 companies, he understood that the company at Georgetown was pretty well drilled, and so were the companies at Charlottetown, and the services of the drill sergeants for these companies had already been paid for.

Hon. Col. GRAY remarked that it was very little account what sum was named, for he thought the Government would spend no more than was necessary; and after referring to the great care which was taken of arms in the army, and the strict attention that was paid to this point by the general officers appointed as inspectors, he said if we were going to have Volunteers here, let them be efficient, and let us have an inspector. Captains of Companies could not be expected to be so strict with the men, as a stranger who would come to inspect them. If we could not get a person to volunteer his services as Inspector of Volunteers, we must provide a salary. There was no necessity that the Inspector General be the same person as the Adjutant General. We had no Inspector of Volunteers.

Hon. Mr COLES said he saw here in the Public Accounts £25 to the Adjutant General, and £25 to the Inspector General.

Hon. Col. GRAY—He was not gazetted as such. The offices were distinct in Britain. If we were going to have an Inspector of Volunteers, we could not expect him to go out on his feet to inspect the Corps in the country; for though Sir Charles Napier said all that was necessary for a soldier to carry into the field, beside his arms, was a clean shirt and a piece of soap, yet we would be ashamed to see the Inspector of Volunteers going out to the country with a stick on his back, bearing a clean shirt and a piece of soap. (Laughter.) Less than a £1 a week would scarcely pay his expenses. We had been entrusted with arms worth about £10,000 by the British Government, and surely we ought not to do less than provide that they be taken care of.

Mr COOPER thought the British Government had acted very liberally in giving the arms; but we had a one-sided Government here—a Government that supported the proprietors in opposition to the tenantry, and that supported an Orange party to put down another party.

Hon. Mr HAVILAND rose to a point of order; he would not allow the Government to be misrepresented in

this way, for they had never supported an Orange party to put down any party.

Hon. Mr LONGWORTH moved that the words be taken down. [They were taken down by the Chairman.]

Mr COOPER said that he was only stating that the Government were one-sided, and that a measure should not be introduced to put arms only into the hands of one party; and if they had heard his remarks to the end, they might have understood him.

Hon. Mr MAULAY was surprised to hear motives imputed to hon. members on this side of the House. It was highly improper that such language should be employed.

Hon. Mr WHELAN said the hon. member for Georgetown seemed to be horrified that such a statement was made. The hon. member, Mr Cooper said the Government were one-sided. He (Mr W.) said so too. He would take his oath that he believed they were one-sided. He believed that they supported an Orange party, and an Orange party supported them. In speaking to the question he would remark that the proposal to fill up the blank with £400 was a justification of what he had said all along that the Government would be prepared to vote an extravagant sum for this service. He rose to justify himself in some remarks he had made the other day in quoting a passage from a letter respecting the formation of the Irish Volunteer Company and their difficulty in obtaining arms. [The hon. member here read extracts from several letters in corroboration of his remarks. One of the letters was from Captain Murphy, and another from Lieut. Reddin.] He said he considered it necessary to read these letters to justify his own veracity and that of his private correspondent, in whom he had every confidence, and who he did not doubt would be prepared to come before the House and give evidence as to the correctness of his statements. These letters showed not only the difficulty the Irish Volunteers experienced in obtaining arms; but the almost impossibility. In reference to the assertion of an hon. member that the anonymous communications in the paper with which he (Mr W.) was connected were "dastardly and cowardly," he would ask if it was fair that such a statement should be made in this House!

Hon. Col. GRAY.—Any person who stabbed in the dark was a dastard and a coward.

Hon. Mr WHELAN.—He might now clothe his statement in what words he pleased; but notwithstanding all the gallant Colonel had experienced in the field, and the numerous battles which he had fought, and all the bravery of which he boasted, if he had made the remark personally to the individuals who wrote these communications that they were "dastards and cowards," his courage would have been put to the test. Other papers besides the *Examiner* had anonymous correspondents; even the *Protestant* that pink of perfection had its anonymous communications from week to week; and so also had the *Islander*. He concluded by referring to a paragraph in the *London News of the World* of March 17, with respect to a riot said to be caused by Orangemen at Derrymacash in Ireland, which he remarked showed that he was not wrong in speaking against Orangemen.

Mr BEER said the Orange institution was organized to maintain civil and religious liberty, and that it was his belief that nothing was to be feared from the extension of the Order. Look at Canada where there were so many Orangemen, and no riots had taken place between them and the Roman Catholics. They appeared to be on friendly terms in that Province. But why should so much be said by the opposite party against Orangemen, why did they not likewise attack Ribbonism which was also a secret society? and it was at one time reported that there was a Lodge in existence here. So far as he under-

stood the principles of Orangemen, no person who did not seek to deprive them of the liberty which they enjoyed under the British constitution had anything to fear from them. It was well known that there was not such religious freedom in Roman Catholic countries as was enjoyed in Protestant countries. In the latter no individual was thrust into a dungeon, for holding any religious opinion, and he thought that Orangemen only wished to maintain the liberties which they possessed. Hon. members on the opposite side had first referred to Orangemen, and with them lay the responsibility of taking up so much of the time of the House with this debate.

Hon. Mr POPE was sorry that the discussion had taken this turn, and he could not altogether agree with some who had spoken on this side of the House. He, however concurred with the hon. member for Charlottetown, that the Opposition were altogether to blame for the turn which the debate had taken. One objection made to the was that it provided a certain sum of money should be given to aid the Companies; another was that there were Orangemen in them; another was that Roman Catholics were excluded from them, and no Liberals were placed in command. With respect to the latter charge, the Government were not to blame, as every company had the liberty of electing their own officers. The companies were composed of men who chose to join them, and no charge could be brought against any person if Orangemen had been permitted to take part in the movement. The hon. Leader of the Opposition threw out the insinuation that the Government were influenced by Orangemen; but I believe there is not an Orangeman in the Legislature except one which he appointed himself. Now, what call was there for this discussion at all. The hon. member for the East Point, and the hon. member for Cardigan, were willing to give the measure a trial, and it was astonishing that others should take up the time of the House by advancing trivial objections. He (Mr P.) cared not whether there were Orangemen in the companies or no, but of this he had been informed that they were 5 to 1 in the Company organized under the late Government. He had heard much against the Orangemen, yet with regard to their oath which was read here the other day, he did not see that any Protestant should not take it. It was very little different from the oath of allegiance.

Hon. Mr COLES had never heard there was anything in the oath of allegiance against marrying persons of a certain class.

Hon. Mr POPE.—Well, let a man take an oath to marry whom he pleased. Whose business was it? There was nothing in the oath to prevent any Protestant from taking it. He did not see any objection could be made to their taking an oath to be loyal to their Sovereign, for he was certain they could not think more of the Queen than Roman Catholics did of the Pope. If the Catholics should become excited by the attempts of their political leaders to throw firebrands in the community, he was not going to be frightened by firebrands, nor guns either.

Mr SINCLAIR was sorry that so much time had been taken up by hon. members on this side of the House. It had been said that there was exclusiveness in regard to a certain class entering these corps, but he had heard nothing of the matter until he came to this House. It appeared, however, that there had been some little partiality in regard to companies, but as the Government had declared that they had not been exclusive, and did not intend to encourage anything of the kind, he would support the Bill, and vote for a small grant to aid the movement. But the sum ought to be small, because numerous applications had been made by petition for money towards roads and other things, which had been refused. He would have no objection to vote a sum to pay for the

services of Drill Sergeants, but he did not see that it was necessary to allow anything for the salary of a person to inspect the guns, or to pay for gas light, and other such expenses: the different companies should pay for such things themselves. Some companies had even paid for their Drill Sergeants, among which was the company in his district.

The hon member was interrupted by a motion that the Committee do rise, and the House adjourn, which was agreed to.

D. LAIRD, Reporter.

AFTERNOON SESSION

On motion of Hon. Mr Haviland, the rule limiting the daily sitting of the House till 7 o'clock, was suspended for this day.

Hon. Mr HAVILAND received leave to introduce a bill to alter and amend the Act to incorporate sundry persons by the name of the Cascumpec Marine Railway Company, which was referred to the Special Committee to examine and report thereon.

Mr BEER presented a petition of John Hancock, John Orlebar, D Fitz Gerald and others, setting forth the deplorable extent to which intoxicating liquors are sold in Charlottetown and vicinity, and showing the inadequacy and defectiveness of the present Act regulating the sale of intoxicating liquors, and praying to have the Act entirely remodelled, and the sale of spirituous liquors very much curtailed; also one of Charles Palmer, Parker Merrill, Geo. M-Nutt and others, friends of Temperance throughout the Island, setting forth that they are fully convinced that a large proportion of cases brought before the Magistracy of this Colony, for their adjudication, originates in the use of intoxicating liquors; and it is an acknowledged principle in every free country, that those whose office it is to execute the laws, should not be engaged in any employment or calling evidently calculated to bias their judgment in the discharge of their duties; that the petitioners believe the manufacture and sale of such liquors, by a Justice of the Peace, is a violation of this principle, inasmuch as he is frequently called upon to try individuals guilty of misdemeanors, occasioned by the use of alcoholic drinks, which he himself has supplied, and praying the House to make such an enactment as will remedy the evil complained of. These petitions were laid on the table. The one presented last contained 2000 signatures. A short discussion arose from some remarks made in the petition.

Hon. Mr COLES said direct charges were brought against Justices of the Peace, of whom some were members of the House who kept some of the houses mentioned, and that the petitioners reflected upon them; and that 2000 was a small number out of 80,000 inhabitants.

Hon. Mr YEO said he thought he would be safe in saying that not one-sixth of the members would be willing to accede to the prayer of the petitioners. (Laughter) and that it would be taking up the time of the House to no purpose to entertain the petition.

Hon. Mr HAVILAND commented shortly on the petition and maintained it was couched in terms as respectful to the House as were necessary; and that it was presented to the House simply as *representatives* of the people, and not as *magistrates* or *justices of the Peace*.

The SPEAKER said it was not customary to discuss a petition at that stage.

Mr BEER received leave to present a bill founded on the petitions, which was then read and ordered to be read a second time on Monday.

Mr HOLM presented the report of the Committee in reference to the Saturday Market, which is as follows.—

The Committee to whom was referred the petition of divers inhabitants of Strathalbyn, Scotch Settlement,

praying this House to lend its influence to have Tuesdays and Fridays appointed as Market days in Charlottetown, instead of Wednesdays and Saturdays, as at present, for reasons therein stated, have to report:

That by the Act 10th Victoria, chapter 16, and the Act 14th, Victoria, chapter 23, the Market days in Charlottetown, are enacted to be on Wednesday and Saturday in each week; but, by the Act 18th Victoria, chapter 34, incorporating the City of Charlottetown, the Council of that City are empowered to establish and regulate Market days and fairs; your Committee therefore consider that the appeal of the petitioners should have been made to the Council of the City of Charlottetown, and not to this House; at the same time, they desire to express their concurrence in the views set forth in the petition as to the desirableness of a change being made in the time of holding the Markets in Charlottetown, at all events, so far as the same relates to the discontinuance of Saturday as a Market day, as your Committee conceive that this alteration would tend to a better and more perfect observance of the Sabbath day.

House in Committee again on the

VOLUNTEER BILL.

Mr SINCLAIR continues.—I have been given to understand that bonds for the security of the rifles and accoutrements have not been taken from all the Volunteers—that there are certain favorite companies; and that is a charge which the Government has not answered. I am aware, however, that the Captain of a Company—Mr M-Nutt—was obliged to give security for his arms; but whether it was on account of his being a *Snatcher* or not I cannot say.

Hon. Col. GRAY.—I rise to order, Mr Chairman: The hon. member is making use of an ambiguous term, which I shall be obliged to him if he will define.—What does he mean by the term *Snatcher*? (Laughter.)

Hon. Mr HAVILAND explained that it was the synonym of *Liberal*—and Col. Gray having expressed his satisfaction—he remarked that Captain M'Rae, of Wheatley River, had to give bonds and he was not a *Snatcher*, and he and other hon. members mentioned others who did likewise.

Mr SINCLAIR said—It was stated, however, that such was the case; but I am not going to bring that charge against the Government. I am willing to go as high as £300, for the purpose of paying Drill Sergeants, but no higher.

Hon. Mr COLES followed, and having referred at some length to different Companies of Volunteers, to the expense of Drill instructors, and to the puerile argument in favor of the corps in regard to their being employed to resist a foreign invasion, said—The hon. member from Charlottetown—Mr Beer—in a speech made on a former part of the day appeared to know what Orangemen were organized into societies for; viz., to maintain civil and religious rights; but it is new to me that the civil and religious rights of any man are in danger. I think that excuse is like the talk about invasion. By their oath they are sworn not to intermarry with Catholics, nor to have communication with them in matters of education. I hope we can maintain all our civil rights without entering into such societies. He said too, there was not that religious freedom in Catholic as there was in Protestant countries—that people were not put into dungeons in Protestant countries. Perhaps his knowledge of history has been revived, but people have been put into dungeons, in Protestant as well as in Catholic countries. Another excuse for Orange lodges was that if the Catholics got the Government, all the Protestants would be put into dungeons.

Mr BEER denied using this expression.

Hon. Mr COLES.—It was stated broadly that the late Government was under the influence of the Catholics; but it is well known how the feelings of the Protestants were worked up by the present Majority in the House against the Liberals. It was no crime to tell them the Priests would rule if the Liberals got into power. One minister in New London preached in church that Coles had turned Catholic; but it was found that that doctrine would not suit. I have a little pamphlet here which was put in my hands this morning, called the "Bulwark," which contains an article which must have gone from this Island, and have been written by a person unfriendly to the Liberals.

The extract was from the March No. of the "Bulwark," and was to the effect that the Roman Catholics formed a large proportion of the inhabitants—that the Papists by the instigations of the Priests became an active political body, and by dexterous management contrived to control the Government—that thus the Bible was banished from the public schools which led to a reaction that resulted in the overthrow of the pro-Popish politicians, and to the restoration of the Word of God to its proper place in the public education, and that the Romanists were far from giving up the struggle. Then followed an extract from Dr Mullock's lecture on "Rome, Past and Present."

Hon. Mr POPE.—What has the Government to do with that?

Hon. Mr COLES.—I would ask if the Bible is now read in the Schools any more than when the Liberals had the Government?—I say not; and contend that the Liberals were abused, misrepresented and vilified. By such means the present Government got in, yet we are cried down for saying Orangemen are the support of the present Government. I don't wonder at the Irish Volunteers refusing to take the oath tendered to them, knowing as they did more about it than some poor people, and that it was different from the oath of allegiance.

Some interruptions occurred about this time, Hon: Mr Pope having made some bantering remark about a cocked hat.

Hon. Mr COLES said—If you are so courageous I will meet you any day with sword or pistol. A superior officer should not call out an inferior, but I will waive that consideration, and the cocked hat too. I argue that any man who has taken the Orange oath, has sold his independence to the managers of the Lodge—his independence is gone, politically and religiously.

Hon. Mr WHELAN.—Another "cock and bull" story Mr Chairman,—for I can call it nothing else—told by the hon. member from Charlottetown—Mr Beer—was about the formation of a Ribbon Lodge in this City, but I have never heard of it before. No public fact of its existence can be adduced, but we have incontrovertible proofs of the existence of Orange lodges here. If there are such lodges, I would consider it the duty of the Government, with the power which is vested in them, to have them suppressed—and I would give my support to have Ribbon lodges suppressed just as well as I would to have Orange lodges put down. Both Ribbon and Orange societies have been attended by evil results in the Old Country; it is then clearly the duty of the Government to suppress the Orange lodges in existence here by any means which they may fancy legitimate. They are calculated to excite angry feelings and passions in the breasts of a large portion of the inhabitants of this Colony; for, wherever these lodges are, they are an abomination to Catholics. The terms in which the Catholics are referred to from time to time by Orangemen, and in which their religion is stigmatized as "abominable idolatry" is calculated to excite their passions.

Hon. Mr LONGWORTH.—I rise to order, Mr Chairman; I do not wish to interrupt the hon. member, but I

would ask if it is right for him to travel out of the record in the manner in which he is doing, by going back to discuss Orangism and Ribbonism after the clause has been agreed to with a blank?—I think it is quite unparliamentary. Are hon. members in order in debating the principle of the matter over again?

The CHAIRMAN.—I think not.

Hon. Mr WHELAN.—Was the hon. member from Bedeque in order when he discussed this question, I would ask?—And why did you not call the hon. member from Charlottetown—Mr Beer—to order who followed in his steps? I am speaking to matters brought to my notice by them.

Hon. Mr HAVILAND.—I think the hon. member is now speaking without reflection.

Hon. Mr WHELAN.—If the hon. members from Bedeque and Charlottetown had a right to address the Committee, surely I should have the same privilege. One of these gentlemen talked about the friendly feeling existing between Orangemen and Catholics in Canada, but it was not exemplified a few years ago when the Orangemen in Hamilton burnt down a Roman Catholic Church worth £18,000.

Hon. Mr LONGWORTH.—I never heard that attributed to them before. Such a statement, I believe, never appeared in print, nor was such an insinuation ever made in Canada to my knowledge.

Hon. Mr WHELAN.—Also in Charlestown near Boston a Convent was burned down by Protestants of the same fraternity—and if we are to come to this state of things burning down Churches—

Hon. Mr LONGWORTH.—I think, Mr Chairman, it is your duty to end this debate, such a charge against the whole brotherhood of Protestants was never before made on the floor of this House, nor was such an insinuation thrown out in Britain or in any civilized country in the world. It is disgraceful.

The CHAIRMAN.—I think the debate is very irregular.

Hon. Mr WHELAN.—If I said Protestants, I did not intend to; I meant Orangemen. I would be sorry to say that against the whole brotherhood of Protestants—though everybody knows that a church in Hamilton worth £18,000, was burned by Orangemen.

Hon. Mr HAVILAND.—I rise to order; for I will not submit to listen to the insinuations and charges of the hon. member. He has no right to make them. We have quite enough to do to get out of our own difficulties without bringing such charges against the Orangemen of Canada; and unless he can prove them by the judicial records of that country he has no right to make them. Neither is he justified in making such a charge against strangers in the United States unless he is prepared to prove they are true from the judicial records of the country. I could bring such charges against Ribbonmen—

Hon. Mr WHELAN.—So you did—

Hon. Mr HAVILAND.—And I can refer for them to the Parliamentary debates of Britain.

Hon. Mr WHELAN.—I dare say I could too to the debates of the Legislature of Canada, had I time to search them up. The facts which I noticed are too notorious to be forgotten; yet I am to be hunted down because I make these observations because unpalatable to some hon. members. They, however, can get up and make the broadest charges against the Catholics, and insinuations about the existence of Ribbon societies here; and that this portion of the community are not to be trusted for their loyalty, nor the majority of the Catholics of Canada.

Hon. Mr HAVILAND.—I made no such charges.

Hon. Mr WHELAN.—The hon. member from Bedeque did. It may be well for hon. members to try to put me down, but they cannot stifle the words in my throat. It shows that my arguments are unpalatable.

Hon. Mr HAVILAND.—As far as I am concerned I never before heard of the Catholic Church being burned, and the hon. member has no right to make such unfounded charges in this House against a respectable body of people; and as a Protestant I will not stand it. I have a sacred respect for my fellow Protestants.

Hon. Mr WHELAN.—I do not couple them with Orangemen. It is an exhibition of the ignorance of hon. members to endeavor to couple my observations on Orangemen, with Protestants generally.

Hon. Mr THORNTON.—I do not rise to support the Government, but I say, that if I had introduced this subject of debate, I would press the division at once. We have had quite enough of it, and ought to come to a division.

Mr CONROY.—I must say a great portion of the language used is very disagreeable to myself.

“Question! Question!” from different voices.

Hon. Mr HENSLEY.—I quite agree with the sentiments just expressed. We have now sat four days listening to hon. members going over and over again the same ground in debating on this question, and raking up all the things they could to create a bad feeling among different members of the community. I do not say that this remark applies to one side more than another.

“For goodness sake don't stir up the matter again,”—from a voice.

Hon. Mr LONGWORTH.—The hon. member should remember that the first stone was not thrown from our side.

Hon. Mr COLES.—The word *Orangeism* was thrown out by the hon. leader of the Government—

No! No!—from several voices. The hon. leader of the Opposition brought it up on the debate in answer to the Governor's speech, and again in the debate on the Volunteer Bill.

Hon. Mr HENSLEY.—I will only say that I never listened to more disagreeable language than that which I have heard this evening.

A few more remarks having been made by hon. members, the question was put on Mr Hensley's amendment, and lost. The Speaker then took the Chair, and the Chairman reported that the Committee had gone through the Bill and made some amendments.

Hon. Mr HENSLEY then moved to amend the said report by striking out of the Bill the words “four hundred pounds,” and inserting “three hundred pounds” in lieu thereof—

Yeas—Hons. Messrs. Hensley, Coles, Whelan, Thornton, Perry, Wightman, Kelly; Messrs. Conroy, Sinclair, Cooper, Sutherland—11.

Nays—Hons. Haviland, Longworth, Laird, Gray, Pope, Yeo, M'Aulay; Messrs. Holm, Howat, Beer, M'Neill, Montgomery, Ramsay—13.

Hon. Mr WHELAN then moved that the report be received this day three months, for which motion Hons. Messrs. Whelan, Coles, Kelly; Messrs. Conroy and Sutherland—5—voted, and all the others—19—against it.

The House then resolved itself into a Committee of the whole to consider the report of the Special Committee on the opening of new roads—Mr Beer in the Chair. When a few amendments were made, the report was agreed to.

The Committee which prepared the report was appointed to prepare an address to His Excellency, praying him to give effect to the recommendations of the report.

Hon. Mr HAVILAND introduced a bill—the 13th rule of the House having been suspended—to repeal certain parts of the Act consolidating the Election laws, &c. Ordered to be read a second time on Monday next.

Adjourned at 10 o'clock.

J. D. Gordon, Reporter.

Monday, April 15.

Two Committees appointed to prepare addresses to His Excellency the Lieut. Governor, reported, viz., that in relation to the inland mail service, and that on new roads—reports agreed to.

The Bill authorizing the Trustees of the Georgetown School to sell the present school site therein, and to appropriate a portion of the Public Square as a school site in lieu thereof, was according to order, read a second time, committed and agreed to with an amendment.

The Bill in amendment of and addition to the Act relating to judgments entered of Record in the Supreme Court of Judicature, was read a second time, committed to Committee and agreed to.

Hon. Mr HAVILAND moved that the Volunteer Bill be now read a third time.

Hon. Mr COLES moved, in amendment, that it be read this day three months.

For the amendment—Hons. Messrs. Coles, Kelly; Messrs. Conroy, Sutherland, Doyle—5.

Against it—Hons. Messrs. Haviland, Longworth, M'Aulay, Thornton, Laird, Pope, Yeo, Hensley, Gray, Wightman; Messrs. Sinclair, Cooper, Howat, Holm, Ramsay, Montgomery, M'Neill, Beer—18.

Hon. Mr COLES then moved that the whole of the clause appropriating £400 to be expended for the efficient organization and maintenance of the Volunteer Force be struck out of the said Bill—motion lost on the same division as above, with the addition of Hon. Mr Perry's name to the nays.

A motion that the Bill do pass was carried on the same division as the last, reversing the order of yeas and nays.

The House then resolved itself into Committee on roads and bridges, &c.—progress reported.

Hon. Col. GRAY presented to the House a copy of a despatch from Lieut. Governor Dundas to the Duke of Newcastle, dated 30th April, 1860, on the subject of the award Act.

Adjourned.

AFTERNOON SESSION.

On motion of Col. Gray the rule limiting the sitting of the House to 7 o'clock, was suspended for the remainder of the Session.

The House then went into Committee of the whole on the Road Scale—Mr Sinclair in the chair; and, after several hon. members had set forth the claims of their respective districts, the Speaker took the chair, the Chairman reported progress, and asked leave to sit again.

The House then, on motion of Hon. Mr Haviland, resolved itself into a Committee of the whole to consider farther of a Supply—Mr M'Neill in the Chair. The Committee came to several resolutions which it was agreed the House would receive to-morrow. Some of the resolutions elicited a good deal of discussion.

Adjourned till 9 o'clock to-morrow.

Tuesday, April 16.

The Bill intituled “An Act to authorize the Trustees of the Georgetown School to sell the present School site therein, and to appropriate a portion of the public square as a School site in lieu thereof,” was read a third time and passed.

Mr HOWAT from a Committee on private bills, reported that the Committee had under their consideration an Act, intituled “An Act to incorporate sundry persons by the name of the Cascumpec Marine Railway Company,” and recommended that it be exempt from fees, as fees on similar bills had not been heretofore exacted. The bill was then read a second time, committed to a Committee

of the whole House,—Mr Parry in the Chair; and, after a time the Chairman reported that the Committee had gone through the Bill without making any amendments. The Bill was again read at the Clerk's table and afterwards ordered to be engrossed.

The petition in reference to the Agricultural Society was referred to a special Committee to examine and report thereon next Session, with power to send for persons, papers and records.—Committee, Hons. Messrs. Laird and Howat.

LIQUOR LICENSE BILL.

On motion of Mr Beer the House went into the order of the day—the second reading of the Bill to alter and amend the laws relating to the sale by license of Spirituous Liquors.

Mr HOWAT said he thought it would be advisable, as in the case of the Agricultural Society, to appoint a Committee to report next Session; and, by that time they would know the minds of their Constituents. He made a motion to that effect that the order of the day be discharged, and a Committee appointed.

Mr BEER said he could not say much on the Bill, but were it to go into effect it would materially benefit the whole Island, for too great facilities were already offered for getting intoxicating liquors. The Town, he said, was beset with man-traps in the shape of rum-shops, and men's families were, in most cases, the greatest sufferers, as that which in numerous cases should go for the necessities of life was squandered on intoxicating drinks. He was not in favor of all the principles of the Bill. He questioned whether the number of taverns for the City could be reduced to six, when there were about 200 at present in existence. The second clause in the Bill proposed that these licenses be set up at public auction and sold; and the third was respecting the sureties Tavern-keepers should get, viz: two to give bonds to the amount of £100 each.

Hon. Mr M'AULAY inquired if the hon. member had constituted himself a Committee of the whole House when he was reading the Bill clause by clause. (Laughter.)

Mr BEER proceeded to read more of the clauses, making a few remarks on each as he passed along; he said the best clause would probably be the one about which there would be a difference of opinion. (Laughter.)

Hon. Mr HENSLEY said that when the House received a petition so respectably signed the least it could do was to allow it to be read a second time. Something should be done to remove the existing evil complained of. As the Laws were about to be consolidated it would be desirable to have that one inserted. At least discretion and power should be given to the Mayor and City Corporation to regulate the number of licensed houses in the City. It was notorious that there were 50 or 60 unlicensed taverns in the City.

Hon. Mr LAIRD said he would support the amendment, that a Committee be appointed to report next year.

Mr M'NEILL said the question was one which should not be passed over so lightly, and that the motion of the hon. member from Tryon would produce that effect. The things prayed for by the petitioners should be well considered, for, intemperance in the use of strong drinks was one of the greatest curses which P. E. Island had to lament. Notwithstanding the efforts put forth for the last 20 years to suppress the vice, he was sorry to say the evil was on the increase, and the House would not be doing its duty faithfully to the people unless it put forth every legitimate effort within its power, to put down the traffic in strong drink; for seven-eighths of the crime of the country was attributable to that cause, and the preaching of the Gospel was in a great measure nullified by the use of intoxicating liquors. If persons engaged in the traffic

were to turn their attention to other pursuits they would find it would be better for themselves, and much more beneficial to the country. Last year the people of this Island paid for Brandy, Rum, Gin and Whiskey £18,000 sterling which appeared from the returns and public accounts. He hoped every member would look upon the bill in the right light, and not allow it to be nullified by the amendment proposed.

Hon. Col. GRAY said he could not allow a measure of so much importance to pass silently; he desired to see it go into Committee. He did not look at the question as a teetotaler, for he was not one, and never belonged to that Society. Though frequently requested to join a teetotal society he had never done so, for he viewed the invitation rather as an imputation upon his firmness and integrity. It was as much as to say he must bind himself by a pledge not to do wrong, which he never thought necessary. We should not abuse what was given for certain occasions; but teetotalers would abolish all spirituous or vinous liquors. Besides there were liquors, such as for example, table-beer made of hops, which was not an unwholesome beverage, but on the contrary helped to stimulate the system. He would lift up his voice against the trash imported here called "White-eye," but which might more properly be called *Red-eye*. The traffic in that abominable trash should be prohibited; and petitioners would gain a great point could they make contraband the vile trash called "White-eye." The Legislature should take into consideration the best remedy which could be devised to reform the present system of vending spirituous liquors for there were too many dens of iniquity open at present in which deleterious drugs were sold to the great detriment of those who purchased them. Tenants, when before the Commission, complained that they could not pay from £3 to £5 in rent; yet he was given to understand that many of those very men spent from £3 to £4 a year in liquors and tobacco.

Hon. Col. Gray then referred to the corporeal suffering which many persons endured on Market days, during cold weather, and to the absence of proper hotels in which they could procure a cup of tea or a basin of soup at any time, by paying a few pence. If two or three such houses were erected, he thought people would not frequent so often taverns in which bad liquors were retailed; and he thought that if two or three such houses were built they would do much towards reforming the existing evils which were deplored.

Mr HOLM said he thought the House would be doing an injustice to the respectable body of petitioners were they to dismiss the petitions in the summary manner which was proposed by the amendment. Though the House might not approve of all the principles which the Bill contained, they might amend the Bill in some particulars; but, still their duty, in his opinion, was to recognize the principle. He was in favor of the Bill going to Committee.

Other hon. members could not see that anything would be accomplished by allowing the Bill to go to Committee, and after several had spoken on the subject, Mr Howat pressed his motion, the division on which was—

Yeas: Hons. Messrs M'Aulay, Coles, Kelly, Thornton, Perry, Laird, Yeo, Pope, Messrs. Howat, Ramsay, Sinclair, Sutherland, Doyle, Conroy, Cooper—15.

Nays—Hons. Messrs Haviland, Hensley, Longworth, Gray; Messrs. Beer, M'Neill, Montgomery, Holm—8.

Committee proposed to report next session—Messrs. Hensley, Howat, Davies (absent.) M'Neill, Longworth, Mr Longworth desired another to be appointed in his place, and he proposed hon. Mr Laird.

Hon. Mr Haviland said the Committee should be chosen from those favorable to the Bill. Mr M'Neill said they

might as well put it under the table at once. Mr. Coles said the Temperance petitions had gone a begging at last. Finally it was agreed that Messrs. Beer, Howat, M'Neill, Davies, and hon. Mr. Hensley do compose the said Committee.

The Bill intituled An Act in amendment of and addition to the Act relating to judgments entered of record in the Supreme Court of Judicature, was read a third time and passed.

The Bill relating to the Cascumpec Marine Railway Company, was read a third time and passed.

The House then resolved itself into a Committee of the whole to consider the petitions praying for an amendment of the Act for the recovery of Small Debts—Mr Kelly in the Chair.

The Speaker, hon. Messrs. Gray, Hensley, M'Aulay, Perry, Haviland, Longworth and Whelan made effective speeches against granting the prayer of the petitioners, arguing that the doing so would be making a retrograde movement, and returning to a semi-barbarous practice.

Mr Beer and Mr Doyle were partially in favor of granting the prayer of the petitioners.

Mr Howat said he was bound to respect the opinions of his constituents, and was in favor of returning to the old system, at least in so far as the collecting of old debts was concerned.

Hon. Mr Yeo was in favor of the measure last year, but had since discovered it had not worked well, and so was now in favor of having it repealed.

The following resolution, moved by hon. Mr Longworth, was passed—

Resolved, That it is inexpedient to make any alteration in the part of the Small Debt Act, which provides for abolition of imprisonment for debts under ten pounds.

Adjourned till 9 o'clock to-morrow.

WEDNESDAY, April 17.

House again in Committee on petition of inhabitants of North River, &c., complaining of the refusal of Tavern license to James Treanor, Lot 32.—A resolution was agreed to that the petition be referred to the Special Committee on petition for amendment of the Liquor license law.

House again in Committee of Supply. Several resolutions, after a little desultory debate, were agreed to.

Adjourned.

AFTERNOON SESSION.

Hon. Col GRAY by command of His Excellency, presented to the House the following Message: George Dundas Lieut. Governor:

The Lieut. Governor transmits for the information of the House of Assembly,—copies of the following Despatches:

Despatch transmitting suggestions to be borne in mind on re-enactment of Act for raising a Revenue.

Despatch requesting further information on subject of "An Act to enable the Controller of Navigation Laws to grant and issue Fishing Licenses to citizens of the United States for vessels built in Prince Edward Island, and owned by them."

The House went into Committee on the amendments of the Elective Legislative Council Bill, proposed by the Council—Mr Holm in the Chair.

The Committee agreed to the amendment transferring Lot 16 to the second Electoral District; and amended the amendment of the Council by making the qualification of a Councillor £600, instead of £1000.

The vote taken on a motion of amendment proposed by Hon. Mr Thornton, to leave the qualification at £500, as first named, was taken and is as follows:

Yeas—Hons. Messrs. Thornton, Coles, Whelan, Perry, Kelly; Messrs. Sinclair, Sutherland, Conroy, Doyle—9.
Nays—Hons. Messrs. Speaker, Haviland, M'Aulay, Hensley, Laird, Longworth, Pope, Yeo, Gray; Messrs. Howat, Davies, Ramsay, J. Yeo, Beer, Montgomery, M'Neill—16.

The vote taken on a motion of hon. Mr Coles to disagree to the amendment that no person shall be eligible to the office of Councillor unless his property on which his qualification rests, be within the limits of the County in which the District for which he shall seek to be elected, is situate, was taken and is as follows:

For the amendment—Hons. Messrs. Speaker, Coles, M'Aulay, Hensley, Haviland, Longworth, Gray; Messrs. Davies, Conroy, M'Neill, J. Yeo—11.

Against it—Hons. Messrs. Thornton, Kelly, Whelan, Perry, Laird, Pope, Yeo; Messrs. Sinclair, Sutherland, Doyle, Howat, Beer, Ramsay, Montgomery—14.

The Speaker took the Chair and the Chairman reported that the Committee had gone through the several amendments and come to several resolutions.

Hons. Messrs. Coles and Thornton, then, in turn, moved the amendments which they proposed in Committee, and the divisions on their motions were the same as in Committee, by interchanging the names of the Speaker and Chairman.

Hons. Messrs. Haviland, Longworth, Perry, and Mr Howat were appointed a Committee to hold a conference with the Council in reference to the Elective Legislative Council Bill.

Hon. Mr HAVILAND moved that the House go into the order of the day, the second reading of the bill to repeal certain parts of the Act consolidating the Election laws, and to make other provisions in relation thereto.

Hon. Mr WHELAN moved in amendment that the House go into the order of the day, this day three months.

For the amendment—Hons. Messrs. Whelan, Coles, Kelly, Thornton, Hensley; Messrs. Sinclair, Sutherland, Doyle, Conroy—9.

Against it—Hons. Messrs. Haviland, M'Aulay, Perry, Longworth, Laird, Pope, Yeo; Messrs. Davies, Holm, Howat, Beer, J. Yeo, Ramsay, Montgomery, M'Neill—15.

The House then went into Committee on the bill—Mr J. Yeo in the Chair.

This measure was discussed last Session, and the same arguments were used for and against it during the discussion which took place this Session. The Committee went through the bill without making any amendments. The Speaker then took the Chair and the Chairman reported accordingly.

Hon. Mr LONGWORTH presented to the House the Report of the Inspector of Schools for the past year, which was laid on the table.

Adjourned at a quarter past 8 o'clock.

J. D. GORDON, Reporter.

THURSDAY, April 18.

Twenty-eight resolutions of Supply were reported from Committee, all of which were agreed to by the House, except the 4th that the sum of £7 14s 8d be placed at the disposal of the Government, to defray the over expenditure in relieving Indians last year, by T. Stewart, Esq., Indian Commissioner; and the 25th; that the sum of £7 10s be granted to Fort Augustus Literary Institute, for the purpose of purchasing a few standard works on history, &c.

House again in Committee of Supply.

Mr CONROY moved a resolution that £250 be granted to encourage steam communication to Cascumpec, &c.

Hon. Mr M'AULAY objected to the resolution as defective, because it did not specify how often the Steamer was to call, whether weekly or not.

Mr CONROY explained that he was satisfied to leave the matter in the hands of the Government. The reason that he did not state weekly, was that he was uncertain whether she could call so often as that.

Hon. Mr PERRY said it was no party question, and he was also satisfied to leave the matter with the Government.

Mr HOWAT could not agree to give the Government unlimited power though he was a supporter of the party. He felt called upon to oppose the grant altogether, because there was no commerce at Cascaupped to keep a steamer running there, except by grants from the Legislature, and because other ports had to pay for the shipment of their own produce.

Hon. Mr POPE supported the resolution. He thought it did not become the hon. member from Tryon to oppose it, as he had been liberally supported in regard to his Dredging machine, a Crapaud.

An amendment proposed that the sum be £200 was lost, and the resolution agreed to.

Hon. Mr PERRY moved that a special grant of £50 be given to aid in building a block to Summerside wharf. The motion was supported by Hons. Messrs. Haviland, Pope, Longworth and Coles, and opposed by Hons. Col. Gray, Speaker, Laird, and Mr Doyle.

On the question being put it was lost 11 to 13.
Adjourned.

AFTERNOON SITTING.

Mr HOWAT presented to the House a bill as prepared by the Committee appointed to report on the petition for a Dredging Machine which was read a first time. The 10th rule of the House having been suspended, Mr Howat moved that the bill be then read a second time.

Mr M'NEILL said the bill was the most unreasonable one which he ever saw come before the House. Last year a sum was voted for the purpose of enabling a Company to construct a Dredging Machine, but, when they found it was going to cost more than they had anticipated, they gave up the idea of building one, and came this year to get the money for the purpose of hiring one. In addition, they wanted to impose a tax on produce shipped from the harbor, and on vessels which load there. He believed if they got the money sought, that the whole affair would end in disappointment and ridicule.

Mr HOWAT said he felt called upon to make a few remarks. As regarded the objections offered by the hon. member from Murray Harbor, he could not see on what grounds they were offered. The sum was voted last year, and it was unnecessary to apply for a new grant this year; and, as to the taxing of grain shipped from the harbor, the people were themselves willing to have it so.

Hon. Mr WHELAN said the bill contemplated putting the principle burden on the people. They had subscribed £350, and wished to have a small tax put on grain shipped from the port to enable them to meet the expense of deepening the harbor.

Mr HOLM, after referring to the principle upon which the sum was voted last year, said that large grants were given for getting steam communication to other parts of the Island; and that though a vessel could only take in half of her cargo there, still there was not another port in the Island from which more grain was shipped excepting Georgetown, Charlottetown and Summerside. Over 250,000 bushels were shipped last year from Crapaud.

Hon. Mr POPE said to think of building a machine which would effect the object contemplated, was out of the question, for it would require not less than £8000 to build a proper one. When a gentleman in New Brunswick had one, and the necessary appliances for working it, he thought it would be far better to hire it than to construct an inferior one which very probably would not, after all, answer the purpose. At present, grain had to be taken off to vessels in scows at great risk and expense, and sometimes whole scow loads of grain were lost. There could not be any objection on the part of the House going into Committee on the bill.

Hon. Mr THORNTON said the bill before the House was of rather an extraordinary character. He was entirely opposed to imposing a tax on trading vessels going to Crapaud, or on grain

shipped from the port. He was of opinion that the project would prove a failure and moved that the bill be read again that day three months.

For the amendment—Hons. Messrs. Thornton, Coles, Perry, M'Anlay, Kelly; Messrs. M'Neill, J. Yeo, Owen, Sutherland—9.
Against it—Hons. Messrs. Pope, Longworth, Gray, Yeo, Haviland, Laird; Messrs. Sinclair, Howat, Beer, Ramsay, Montgomery, Holm, Conroy—13.

The House then went into Committee on the bill.—Mr J. Yeo in the Chair. The several clauses of the bill were then read and fully discussed.

On motion of Hon. Mr Pope, the tax on vessels trading to Crapaud was removed. The tax on grain shipped from the port was set at 4d per bushel.

The Speaker then took the Chair, and the Chairman reported progress, and asked leave to sit again.

Hon. Mr LONGWORTH presented to the House a petition of William Heard, Chief Engineer, and William McGill, and other engineers of the fire department of Charlottetown, setting forth the total inadequacy of the engines belonging to that department, and that a suitable one with hose and hose reel will cost £400, one-half of which may be raised by public subscription, provided the other half be granted by the House, and praying for such a sum as the House might deem meet to grant.

Mr DAVIES presented a petition of Wm. W. Lord, R. R. Hodgson, and others, merchants and ship owners, setting forth that for several years past they have been subjected to a very heavy tax on their vessels passing through the Gut of Canso; and that in 1825 a series Resolutions were passed by the House, and that if the matter were fairly represented to the British Government, the petitioners believed a stop would be put to the unparalleled tax; and they prayed the House to take the premises into their careful consideration and adopt such measures as would further the shipping interests of this Island. Laid on the table.

Hon. Mr PERRY presented to the House the report of the Committee on the petition of Peter Francis, &c., which is as follows:—

Your Committee to whom was referred the petition of Peter Francis, on behalf of himself and other Micmac Indians, setting forth, that in or about the year 1847, the Island called Indira Island in Murray Harbor, was sold on account of the non-payment of Land Assessment, and praying the House of Assembly to adopt such measures as will speedily restore to them the said Island,—have to report that they have been informed from reliable authority that the said Island was in the possession of the Micmac tribe upwards of Seventy years; and that it appears by the Journals of the House of Assembly, April 6, 1843, a sum of fifty pounds was granted and placed at His Excellency's disposal for the purpose of purchasing the said Island, to be reserved for the use or occupation of the Aborigines of the Colony, but in consequence of the then claimant of said Island, deeming the sum not sufficient, he did not dispose of it to the Government and it was subsequently sold as above stated, for non-payment of Land Tax, and is now in possession of two families named Herring.

Your Committee submit, that an Address be presented to His Excellency the Lieutenant Governor, to ascertain whether the parties in possession would dispose of their claim thereto, and the amount of compensation looked for, with the view of restoring to the Indians the said Island, to be occupied by them as in former years.

Adjourned.

J. D. GORDON, Reporter.

FRIDAY, April 19.

House went into Committee on the report of the Special Committee on the petition of Peter Francis—report agreed to without amendment. The same Committee was appointed to prepare and present an Address to His Excellency in pursuance of said report.

House again in Committee on the Bill relating to the Crapaud Dredging Machine Company—Bill agreed to with several amendments.

The Election Bill having been read a third time, Hon. Mr Haviland moved that it do now pass.

Mr SINCLAIR moved in amendment that it do pass this day three months.

Yeas—Messrs. Sinclair, Sutherland, Coles, Kelly, Hensley—5.
Nays—Messrs. Haviland, Longworth, Laird, M'Aulay, Perry, Pope, Gray, Owen, Holm, Davies, Howat, Ramsay, Montgomery, Bear, McNeill, J. Yeo—16.

EDUCATION BILL.

The order of the day for the second reading of the Bill to consolidate and amend the several laws relating to Education, was then taken up.

Hon. Mr LONGWORTH in moving that the House go into the order of the day, explained that there was no new principle in the Bill, two or three alterations, however, were intended to be made. It was contemplated to give the Board more power in regard to districts, and the control of School Houses. It was thought also that the Act did not give sufficient encouragement for Teachers in the country to communicate instruction in Latin. It was purposed to allow the Teachers to make arrangement with the parents who desired their children to study this branch, but the charge in no case to exceed 10s per quarter. It was also intended to insert something more strict in Teachers' certificates in regard to their morals.

Hon. Mr HENSLEY said he agreed with most of the amendments alluded to by the hon. member, and entered into a fuller explanation with respect to the necessity of some of them.

Hon. Mr COLES was opposed to giving the Board control of school houses. He thought the majority of the inhabitants of a school district ought to have the control of the school house.

The Bill was then read, and the House resolved itself into a Committee of the whole thereon; Mr J. Yeo in the chair.

When the clause was read in reference to the number of members in the Board of Education—

Hon. Col. GRAY said that for a Board which held superintendence of the whole educational affairs of the Colony, and having vast powers, he thought the number of seven members was too few. He moved that the number be increased by two additional members, and hoped the House would see the propriety of supporting the amendment.

Hon. Mr COLES considered the increase was unnecessary. By adding two more members to the Board, it would raise the number to nine, which was almost equal to the number of members in the House of Assembly. It would also increase the expense.

Hon. Mr LONGWORTH thought the increase in the Board was quite necessary. So many teachers had passed lately that it was far too much to require the members of the Board to attend the whole time at each meeting, as they had often to do when so few in number, and one or two happened to be absent. The hon. leader of the Opposition had remarked it would be an extra expense; but at the most it could only cost £18 a year more than at present; but as nothing was allowed each member for every meeting he failed to attend, the probability was that the whole expense would not be greater though the number was increased.

After a little further discussion, the Hon. Col. Gray's motion was agreed to.

When the section was read requiring teachers to attend the Normal School before receiving license—

Hon. Col. GRAY remarked that by this clause, which was the same as in the present Act, it was imperative on every young man coming to the Colony, though he had received a collegiate education, to attend the Normal School five months before he could receive a license. He held that a person who was qualified to teach should not be required to pass his time at that institution. What would we say of a soldier who had served a number of years in the army being required to go and begin and learn the foot drill. He moved that a clause be inserted to the effect that every person who had received a certificate from the Professor of any British or Colonial collegiate institution should have the same privilege in obtaining a license for a District Teacher, as those persons holding certificates of attendance at the Normal School in this Island.

Hon. Mr COLES said it was the present party in power that had extended the time of attendance at the Normal School to five months; before it was only three months. But if a person was to obtain a license without being required to attend the

Normal School, that institution had better be done away with altogether, as it was a great expense to the country.

Hon. Mr KELLY moved the following resolution in lieu of the whole section, and said he hoped there would be no objection to it:—

“Every person who shall have studied in and received a certificate or diploma from any public, British, or Provincial training institution according to Stowe's system; and every person who shall have studied in and received a certificate from the Professors of Prince of Wales College, St. Dunstan's College, or any other provincial institution of a similar character, of having received instruction and training in such institutions for a period of not less than five months, or if a female from the Ladies of the Congregation De Notre Dame, or any other high public seminary for the education of ladies in any part of Her Majesty's possessions, certifying that such female has attended and received instruction and training in such institution for a like period of five months, shall be entitled to the same privilege and advantage in obtaining a license of qualification for a District Teacher as those persons holding certificates of attendance at the Normal School in this Island, provided such certificates or diplomas as aforesaid shall have been duly obtained within two years previous to the application of the person therein named for a license to teach as aforesaid.”

Hon. Col. GRAY said he was not in favor of mentioning any particular denominational collegiate institution, but all institutions of that kind. In Nova Scotia there were some four or five such institutions, and he meant to include them all by his resolution.

Mr BEER remarked that he could not go for introducing anything denominational in the Bill, and thought the subject should not be mentioned.

The Committee rose, progress was reported, and the House adjourned.

D. LAIRD, Reporter.

AFTERNOON SITTING.

House in Committee again on the Education Bill.—Clause read in reference to the Normal School.

Hon. Mr LONGWORTH remarked in reference to Hon. Col. Gray's addenda, that it applied to all collegiate institutions; and that any one producing a certificate from the Principal of one of these institutions, to the effect that he had received competent instruction in accordance with Stowe's System, that he could present himself to the Board of Education for examination previous to receiving a license to teach, without attending the Normal School five months.

Mr CONROY asked if that would include St. Dunstan's College. He understood that a Bible Class was a prominent feature in Stowe's System.

Hon. Mr LONGWORTH said it would include St. Dunstan's College.

Mr CONROY contended that the pupils of St. Dunstan's would be excluded if saddled with the obligation of being taught on Stowe's System. There was another thing, too; the parents of children sent to school to town, had a regard for the morals of their children, and, when sent to the Normal School at 18 years of age, and were boarding in the meantime in low public houses, the injury they received, to his own knowledge, much overbalanced any knowledge gained at the Normal School. So far as he was concerned, he would feel contented were they receiving instruction at St. Dunstan's college, where they would be removed from the influence of street education in the town.

Mr BEER said there was nothing in the clause before them to compel a young man who wished to commence to teach, to go to the Normal School, provided he learned the system of teaching elsewhere.

Hon. Col. GRAY thought the hon. member from Tignish had misconceived the object of the addenda. It was intended to prevent a young man from being under the necessity of going to our Normal School five months who had already been properly trained at any other institution. It did not prevent any from receiving instruction at St. Dunstan's, or at Sackville, or any other institution. It was to prevent a young man who already knew how to perform his work, being sent back to school to learn the same thing over again. According to the law as it stood, every one who wished to teach must be taught according

to Stowe's System; well, it was no matter, or should not make any difference, where he was taught, if he only possessed the necessary instruction.

Hon. Mr KELLY wished to impress upon the notice of the Committee that they had no fancy for Stowe's system. It was well enough for those who fancied it; but he thought they should teach their teachers and children as they pleased, provided that their teachers were as competent to pass the Board of Education as others.

Hon. Col. GRAY showed that they could not pass the required examination unless they were trained in a certain way.

Hon. Mr COLES said it was hard to say what the system was now, as taught at present in this Island. The Stowe system was introduced by Mr Stark; but when Mr Webster came, he altered it according to the Nova Scotia system. We had, then, no Normal School system here. It was all a farce. If the intention was to get a certificate from the Prince of Wales College, it was a delusion, for it was not taught there. It was a delusion to speak so—a bit of clap-trap. It would be difficult for the Professors in St. Dunstan's to say what the system, as laid down in this Colony, was; for he repudiated the idea that it was the Stowe system which was taught here. It was a kind of mongrel system—half-Yankee, half-Nova Scotian.

Hon. Mr LONGWORTH.—It is a very good one.

Hon. Mr COLES said it was nothing like that taught by Mr Monk—it was not the Stowe System at all. If the Committee intended to give those who study at St. Dunstan's the privilege of passing the Board of Education by presenting a certificate from the Principal of that institution, the Committee should say so.

Hon. Mr LONGWORTH spoke again, but owing to frequent interruptions the speaking was principally in the conversational style.

Hon. Mr HAVILAND said if the resolution of the hon. member from the third district were carried, they might as well lock up the Normal School. The object of that Institution was to train teachers according to Stowe's principles, so that the teachers throughout this Colony might have an uniform system of teaching; and, if the amendment of the hon. member was carried it would strike at the very root of the Normal scheme. If hon. members wished to do away with the Institution, they had it in their power, but he (Mr H.) for one would endeavor to keep it up, and therefore would oppose the amendment.

Mr CONROY wished the hon. member to say what the Stowe system was.

Hon. Mr HAVILAND said, if the hon. member from Tignish would go into the Library, he would find two or three works on the subject, which he could consult for himself.

For Mr Kelly's amendment: Hons. Messrs. Kelly, Coles, Thornton, Perry; Messrs. Conroy, Doyle—6. Against it: Hons. Messrs. M'Aulay, Yeo, Montgomery, Gray, Pope, Longworth, Haviland, Laird, Hensley; Messrs. Davies, Ramsay, Holm, M'Neil, Howat, Beer—15.

It was then moved that Hon. Col. Gray have leave to withdraw his amendment.

Hon. Mr PERRY said he thought that when the hon. leader of the Government introduced his amendment, it was based upon equitable grounds. He was still of that opinion, and that the amendment of the hon. member from the third district went a little too far. He was sorry the amendment of the hon. leader of the Government was likely to be lost.

The motion for the withdrawal of the amendment was then put and carried.

After a little further discussion on the next clause, on motion the Speaker took the chair, and the chairman reported progress and asked leave to sit again.

SATURDAY, April 20.

The Hons. Messrs. Pope, Hensley, Haviland, Thornton and Mr Davies, were appointed a Committee to report on the petition of Mr W. Lord, etc., laid on the table last Thursday, in reference to vessels passing through the Gut of Canso.

Hon. Mr LONGWORTH from the Committee appointed to prepare and bring in Bills pursuant to the resolutions reported from the Committee of the whole house on the consideration of the report of the Commissioners appointed under the Act intituled, An Act to provide for the revising and reprinting of the Laws, presented a bill, to repeal a certain Act relating to Statute Labor for Charlottetown, Common and Royalty, &c., which was read, and ordered to be read a second time on Monday.

House in Committee again on the

EDUCATION BILL.

The clause relating to giving the Board of Education the control over district school houses, etc., was taken up.

Hon. Mr COLES objected to it, and said it would prevent the people from hiring a teacher independent of the Board of Education. The Board could suspend a teacher, and prevent him from teaching in a district school, but if a majority of the people were willing to hire a teacher whose license was cancelled, he thought they should have that privilege, independent of the Board. He thought, too, that it was unfair not to give a teacher a chance to recover his position, if he was so unfortunate as to have his license cancelled.

Hon. Mr HAVILAND said that unless the Board had power to close schools, the suspension of a teacher's license would be a mere farce.

In the course of the discussion several instances were mentioned of the immoral conduct of some teachers of Common Schools in this Island, some of whom had even been guilty of seducing some of their own pupils: and it was argued that the Board should be invested with power to carry out the Act in its letter and spirit. In arguments employed on the other side, it was said by an hon. member there was a little special pleading. The clause was then put and carried, on the following division:—Yeas: Hons. Messrs M'Aulay, Hensley, Speaker, Pope, Gray, Longworth, Haviland, Perry, Thornton; Messrs Owen, Ramsay, Montgomery, Beer, M'Neil, Davies, Holm—16. Nays: Hons. Messrs Coles, Laird, Kelly; Messrs Doyle, Howat—5.

Adjourned for one hour.

AFTERNOON SESSION.

House in Committee again on the Education Bill.

Some of the remaining clauses were passed, after being fully discussed, when the House adjourned.

MONDAY, April 22.

The order limiting the time for the reception of private petitions having been suspended—

Hon. Mr COLES presented a petition of John Forbes and other inhabitants of Fullarton's Marsh, praying the House to suspend action for the present on the petition from Lot 48 praying for the passing of an Act authorizing the erection of a Dyke to prevent the tide overflowing Fullarton's Marsh. Referred to Special Committee.

The House then agreed to go into Committee on Ways and Means to-morrow.

On motion of Mr HOWAT, the House resolved that the amount voted to Paupers—£500—be divided in the same proportion as the sum was divided last year between the different Counties.

The Bill respecting Statute Labor for Charlottetown was then committed to a Committee of the whole House, Mr Sinclair in the chair. It passed through Committee without being amended.

The amendments made by the Council to the Bill in reference to Judgments entered of record in the Supreme Court, were committed to a Committee of the whole House—Mr Beer in the chair—and agreed to.

After some little further conversational debate. Mr Haviland's motion was agreed to.

Eight resolutions reported from Supply were agreed to by the House. The principal of these were that, £80 be paid to Messrs D. Laird, and J. D. Gordon for reporting the proceedings before the Land Commission, when the said report was complete; £800 for repairs, &c., in and about Government House; and a sum sufficient for erecting an additional school room to the Normal School building.

The House again spent a short time in Committee of supply.

Adjourned.

D. LAIRD, Reporter.

AFTERNOON SESSION.

House in Committee again on supply—Mr Howat in the Chair.

After the grant for the school at Georgetown was discussed, Hon. Mr Whelan, taking the benefit of a promise made by some members of the Government, when the House was in Committee of supply previously, and granted £230 to the Dredging Machine Company, to the effect that if the people of St. Peter's would perform the same amount of work, as the people of Crapaud had, and would give a similar pledge that they would entertain their application as favorably as they had entertained the application of the people from Crapaud—Mr Whelan taking the benefit of that promise presented to the House the following resolution:—

Resolved, That the sum of £250 be granted and placed at the disposal of the Lieut. Governor in Council to be paid to the Committee appointed by the inhabitants of St. Peter's Bay, to superintend the erection of a breakwater at the entrance of St. Peter's harbor so soon as the Government shall have learned by proper enquiry, and to their satisfaction that the work has been made a durable and substantial one, and has procured at average tides a depth of at least ten feet of water on the bar; the Government not to be liable to be called on for the payment of the said amount within a lesser period than two years after the work is completed in conformity with the terms of this resolution.

The last part of this resolution originated in an amendment of hon. Mr Longworth.

Division on Mr Whelan's resolution—

Yeas: Hons. Messrs Hensley, Haviland, McAulay, Whelan, Coles, Longworth, Laird; Messrs Sutherland, McNeill, Davies, Beer, Montgomery, Sinclair, Conroy, Doyle.—15

Nays: Hons. Messrs Thornton, Pope, Gray; Messrs Owen, Holm, Howat, J. Yeo.—7

The House then went into the consideration of voting a sum for the publication of

REV. GEO. SUTHERLAND'S GEOGRAPHY, ETC.

Hon. Mr HAVILAND made a motion to the effect that a sum of £ be voted for the publication of the Rev. Mr Sutherland's book, agreeably to the recommendation of the Board of Education. He said, the Board had reviewed the work and had spoken of it very highly, and thought it would be a valuable addition to the school books of this Island. He said that at present there was no history of this Island published either natural or civil, and in this respect this Island was surpassed by the neighboring Colonies. He had had the pleasure of perusing the work in manuscript, and as far as his judgment went he thought it was a credit to the gentleman who composed it, and would be of great benefit to the Colony. It would contain over 160 pages, and consisted of 3 parts, 1st, a Geography of this Island drawn with care; the author having visited the several parts of the Colony—and every

natural feature of importance was brought to notice; 2nd, the natural history of the Colony, its climate, Geology, etc., and 3rd the Civil history of the Province, which contained a narration of important facts from the period of its discovery to the present time. The book, was written impartially, neither praising one political party nor censuring another. He did not know where the rising generation of this Colony would go to glean the same facts in relation to the civil history of this Colony as were contained in the work. It also contained a great deal of statistical information of great value.

Hon Mr WHELAN said he was always willing to encourage applications of that kind. He observed by a notice on the order book that it would be made, and he had hoped that the hon. member would have had sufficient influence with the author to have procured a copy of the work, as he understood such was his intention, to have laid on the table of the House. The members should have an opportunity of consulting its pages in order to ascertain its peculiar character; for, as regarded statistics, etc., it might be finely colored. He was not prepared to vote a sum for the object proposed in the dark. There was nothing upon which there was so great a diversity of opinion as on the merits of books. By and by the House might have a similar application from the author of the "Island Minstrel," and very likely his claim would be quite as good.

Hon. Mr HENSLEY said he would ask the hon. member from Georgetown, if the matter then before the House might not stand over till the day after to-morrow. Though he was a member of the Board, the work was read at a meeting at which he was not present, and he had not read much of it, and would be at a loss to know how to vote unless he had an opportunity of perusing it farther. So far as he had consulted it, he approved of it, and thought the work would be very useful.

Hon. Mr LAIRD said they had not sufficient information about the work to enable them to vote for or against granting a sum for its publication. They knew nothing about it; it was more mysterious than the resolution respecting the breakwater at St. Peter's. He thought it would be better to allow the book to be published, and it would then be seen whether the country approved of it or not, and if they did the application might come before the House again at its next Session.

Hon Mr HAVILAND said the Board of Education had passed a resolution recommending the work for the public Schools, and that they should pay some deference to their judgment as regarded what books were necessary for the public schools of this Island.

Hon Mr THORNTON said birds of a feather flocked together; it was well enough for the Board to do so, but it was a novel thing to ask the House to do. The Board might not be competent judges of the merits of the work. Some years ago, on the suggestion of the Head Master in the Academy, the Legislature granted money for the publication of some works, one in Latin and another in English, compiled by himself, and the books were nicely bound, but now, were lying about in all directions, being quite useless. These, too were works for the schools. He would say with the hon. member from the Second district, that they should see the work before being called upon to vote a sum of money for it. He did not approve of that begging system, let a man take the money out of his own pocket and not come begging to the Legislature to be paid for his time and trouble.

Mr DAVIES said he thought it was the duty of the House to encourage this work, for it was well known there was great expense attending the publication of books which authors were not always able to meet. He, however thought there should certainly be a copy of the work laid on the table.

Hon. Mr. MAULAY said only a small portion of a community were able to value the labor of scholars, or to appreciate the toil to which they were subjected in composing literary works. There was one department in what might properly be called literature, which if once lost could never be reclaimed, that was the historical department. Of this Island there was no history, for the few facts respecting it contained in McGregor's work could not be called a history, and for its early history were dependent very much upon traditional facts connected with the early history of this Island were about to slip out of grasp of memory, and if they once escaped could never be recalled. In relation to the Geographical history of this Island it was different. As regarded its Geology he would be delighted to see any work touching on the subject. He valued the man of literature, and from what fell from his hon. colleague, and the hon. member from East Point, he was sure the work for which they were called upon to vote a sum of money, was one of merit. He would like to have the honor of perusing it, but were hon. members for the sake of the paltry sum of £60, or £70 going to throw it aside. Rather than lose the work, he was willing to vote a few pounds to have it published.

Some hon. member, it was then stated, had sent for the MS. and in the meantime there was no farther discussion on the subject.

Adjourned.

WEDNESDAY, April 24.

The report of the pauper Committee was taken up in Committee of the whole House and agreed to.

The Revenue Bill was according to order read a second time, committed, and agreed to with several amendments.

Hon. Mr. COLES wished to know if the Blue Book for the past year would be laid before the House before the session closed. They were not yet forward, though they ought to have been sent home to the Colonial Office last October.

Adjourned.

AFTERNOON SESSION.

House in Committee of Supply.

The House then on the resolution in reference to a grant of £50 for the Georgetown School, was as follows:

Nova—Hon. Messrs. MAULAY, THORNTON, HENSLEY, HAVILAND, GRAY; Messrs. OWEN, McNEIL, CONROY, DAVIES, SUTHERLAND—10.

Halifax—Hon. Messrs. LONGWORTH, POPPE, LAIRD, COLES; Messrs. BARR, MONTGOMERY, J. YEO, HOWE, HOGG, DOYLE, SINCLAIR—11.

An answer to a question of the hon. Leader of the Opposition about the Blue Books.

Hon. Col. GRAY said that the cause of the delay in the appearance of the books for 1859 and 1860, was, as usual, to be traced to the printer. He then gave a lengthy explanation, which called forth considerable discussion, and which we think unnecessary to transcribe.

Hon. Mr. LONGWORTH moved that the standing order in reference to the time limiting the presentation of bills be suspended, in order to enable him to present a small bill in relation to the mode of granting licenses for the sale of spirituous liquors in the City, by giving the power to the Mayor and City Council.

It was argued then that the principle of the bill was the same as the one which had been disposed of in Committee, and could not be entertained. After much discussion, the question whether the order should be suspended, was put and lost 13 to 7.

The Education bill was read a third time and passed. Hon. Mr. Longworth moved the following as a rider to the bill:—

“This Act shall be, and continue to be in force for the period of two years from the passing thereof, and from thence to the end of the then next session of the General Assembly and no longer.”

The House resumed the consideration of

REV. MR. SUTHERLAND'S BOOK.

Hon. Mr. COLES said the House would be pledging itself to the statements set forth in the book, by voting a sum for its

publication. It was yet unfinished, and he would have no objection to vote a sum were it finished and laid before them. If it was worth writing, and was so highly recommended by the Board, he thought there would be a grant demanded for it, which would be sufficient to pay at least for its publication. He would have no objection to give a pledge for a small sum to assist in getting it published, if a Committee were appointed to examine it and give a certificate in its favor. Now, that the MS. had been submitted, if a sum were voted for its publication, they would themselves pledge to its contents; therefore it would be better to leave the matter to competent judges to determine.

Hon. Mr. HAVILAND said the learned gentleman who wrote the work was probably not prepared to pay for its publication. It might be well enough to talk about promising a sum, after it was published, but the object for which the grant was sought was to pay the expense of publication. In this Colony there were not speculative printing establishments as in other countries, where parties would publish the work at their own risk, and trust to the chances of its sale to pay all expenses.

Hon. Mr. HENSLEY said all the members had not had an opportunity of knowing what the contents of the book were. He had read parts of it, and would like to see 3 or 4 verbal alterations made; he had no doubt the author would expunge them were they pointed out to him. It was desirable to have the book for the Schools, but, in his opinion, it should be previously submitted to the inspection of the Government, and obtain their approval.

Hon. Mr. WHELAN said the proposition of the hon. gentleman who had just sat down, was manifestly absurd, for, were it acted upon, the title of the book would be “The history of P. E. Island, Geographical and historical, with emendations by the House of Assembly, which would cover the whole affair with ridicule; and certainly the learned author would refuse to comply with such a condition. Most authors would, unless exceedingly hard pushed for means to publish a small work. He had perused a few pages of the MS., and listened to a few more as they were read, and had candidly to confess that the work did not come up to his expectations. With reluctance he had to say he failed to trace any indications of talent in it, and he could not vote for the resolution, though willing to encourage literary enterprises. He felt bound to say that the public interests would not suffer in the slightest degree were it left unpublished. He would not complain of the spirit in which it might be supposed to have been written, he would not make that objection, but rather say that it did not possess any spirit at all. It principally consisted of dry facts, such as could be gleaned from any old Almanac or Family register, strung together without connection. It was easy to string together 145 pages or 10 times that number, of facts much more interesting, and having quite as much relation to affairs of this Island as many introduced in that compilation. He would be willing to give £70, or to go as high as £300 to encourage the publication of a work giving a detailed account of P. E. Island—a work similar to Halliburton's history of Nova Scotia, or Cooney's history of New Brunswick. The cost of the publication of the work before them would not be much, and if the Board saw good to extend its patronage to the author after it was published, with the number of schools on this Island, about 300 in operation, if each school took 3 copies, at 2s a copy—the price mentioned in the resolution—it would give a handsome remuneration, besides paying the cost of its publication.

Mr. DAVIES said he did not see how hon. members could expect to have a history of this Island without giving something to a writer of one for its publication. This Island was differently situated from Canada, Nova Scotia or New Brunswick, for in this Colony a work of this kind would necessarily have but a limited circulation. He had felt the need of such a work to put into the hands of intending immigrants. On sending vessels to England, persons inquiring for a work of this kind, have to be informed that there is none. In his opinion, the calculation of the hon. member from St. Peter's, about so many schools, taking a certain number of copies of the work, was quite fallacious, and if acted upon, it would be found would never reimburse the author for his labor in composing the work.

Hon. Mr. LONGWORTH said it would have been better had all hon. members had an opportunity of perusing the book for

themselves. Though the work might not possibly be one of the highest order, still it could be said in its favor, that it did not pretend to be such an one. It was more for the use of schools, and in a school book for youth, persons of good judgment would not expect the characteristics named by the hon. member from St. Peter's. They would not, either expect such a work as that of Munro, or the Rev. Mr Conney, which were voluminous, and written for a purpose quite different from the object for which the Rev. Mr Sutherland composed his work. He thought, so far as he was acquainted with the book, that it would be very useful in the public schools of this Colony. The hon. member, too, had pronounced his judgment on the work, though he had only read a few pages of it. The author, in his opinion, showed great discretion in not drawing conclusions and commenting on political facts mentioned in the book. He left these to speak for themselves; for the purpose for which the book was designed, in his opinion, it would be very servicable.

Hon. Mr M'AULAY said it should not be forgotten that of all men who came before the tribunal of public opinion there was not one surrounded with greater difficulties than the author of a literary publication. There were such a diversity of character that it was quite impossible to please all, or even the half of readers. He would meet with the cold crabbed cynic, who, in poring over the labors of the author's mind, would see nothing but deformity, and in perceiving which, he would only see the reflection of his own mind. Passing the cynic, he would perhaps meet one who was a competitor for public favor, whom jealousy would prompt to make a great fault out of a very trifling circumstance—he would convert hillocks into mountains, and such an one would begrudge to others the greatness he himself had failed to secure. It was characteristic of little, jealous minds to endeavor to make competitors for public favors appear as ordinary as possible. Next came a person of a different stamp, one who had prejudices in favor of certain sentiments and the modes of expressing them, and any deviation from his pre-conceived notions on these points met with his greatest censure. Taking the little manuscript before them, they only saw a synopsis of facts imprinted on white paper, and placed there to save them from oblivion. A few years more, and probably they would have been beyond the reach of any one. By collecting and transmitting them to paper, however, there was the preservation of useful and interesting knowledge, and such was the manuscript before them. He (Mr M'Aulay) would liked to have seen the facts and sentiments contained in the volume clothed more fully, but as it was by refusing a small sum for its publication, he believed the House would be neglecting an important part of the public interests, and of their own duty. From the parts of the MS. which he had heard read, he would say it was solely intended for schools. If a small grant were given to assist in publishing the work, he had no doubt but what the author would at a future period publish a second edition which would appear in a different form.

Hon. Mr THORNTON then ran over and commented upon several notes which he had taken of parts of the MS., which he had read or heard read, of which the following are specimens. Mr Thornton said he glanced through the MS. and saw things which, in his opinion, rendered it unfit to be placed in the hands of pupils attending our public schools, and he would state his reasons for thinking so. The majority of the Board pronounced the work good, they could have their opinion, and he would enjoy his. Up to the 27th page, he thought the work pretty good and suitable for schools, for it contained merely a narration of facts; after that the author went into other matters, and made allusions to circumstances which, in his opinion, should not have been made; and among other things there was an account of the Belfast riot which was calculated to stir up angry feelings in the breasts of many. Such things were not needed in a work calculated for the public schools. Again, he found singular remarks under the head of religion—about the cross, e.g., being the symbol of Catholicism, and about the Bible being the only superior authority in matters of religion. Again, the Presbyterians united formed the largest body of Protestants—a very partial statement.

Hon. Mr HAVILAND.—It is a fact, however.

Hon. Mr THORNTON.—Then passing by Episcopalians and Wesleyans he came to Catholics, telling where the

Irish settlers immigrated from, viz., chiefly from Ireland, and some from Newfoundland, etc., which was very important information, certainly. Not 10 members knew the contents of the work, yet they were called upon to vote a sum of money for its publication. Further on, the history of Escheat was given, etc. At page 101, it was stated a bear was once seen swimming across Bedouque harbor, and that a great whale was killed at Tracadie. Concerning the appropriation bill, the learned gentleman was ignorant, but he (Mr T.) was on the Committee on the occasion to which he referred, and this was the secret of the matter.—When the Assembly and the Government differed, the Assembly compromised, and agreed to separate the Revenue and Appropriation bills, but attached to the agreement was a promise from the Governor through his Secretary, that in future the Estimates for the current year would be laid before the Assembly; this was the first time, he believed, it was done in the Colony, and the practice was since followed.

Hon. Mr HAVILAND.—That is one of the strongest arguments in favor of our having a history of this Island. There is a bit of information now communicated which the public would not have known had it not been for this circumstance.

Mr THORNTON having made a few other remarks on the Manuscript work, said he thought it was not one calculated to be placed in the hands of pupils, and one for which they had no right to vote away the public money.

Hon. Mr COLES wanted the Chairman to read the MS. through, and then said that another gentleman—Mr Bagater—was publishing a history of this Island of 200 pages at his own expense, and that perhaps it would not be doing justice to him to vote the sum proposed for the work before them. He thought perhaps it would be better to offer £50 for the best work, and to appoint Professor Inglis, the Rector of St. Dunstan's, and the Head Master in the Normal School, judges. He was just then informed by the Queen's Printer—he said that Mr Bagater had a large quantity of his books already struck off, and all at his own expense.

The discussion on this subject was kept up for a long time, and a fair specimen of the speeches for and against the book have been given. Hon. Col. Gray, and Hon. Mr Pope spoke in favor of the work, after which—

Hon. Mr HENSLEY made a motion of amendment to the effect that a sum of _____ be granted to Rev. Mr Sutherland to assist in publishing his book, provided the same receive the approval of a Committee of 5 or 6 persons to consider and revise the work.

Hon. Mr WHELAN said he could not vote for the amendment, for he would not set himself up as a standard of composition. He was not disposed to grant anything previous to the publication of the work.

Hon. Mr M'AULAY said he would not act on the Committee were he appointed.

The question was then put on the amendment and lost; after which the vote was taken on the resolution, and was as follows:—

Yeas: Hon. Messrs M'Aulay, Pope, Gray, Longworth, Haviland; Messrs Beer, Holm, Davies, Montgomery—9.

Nays: Hon. Messrs Whelan, Coles, Thornton, Hensley, Laird; Messrs Owen, Howat, Conroy, Doyle, Sutherland—10.

On motion of hon. Mr Longworth a resolution was moved to give a grant towards purchasing a fire engine for the city. It was argued that as there was public property in the City to the value of about £40,000, and as there were extensive and expensive improvements to be made in the fire department, that a small grant should be given from the public funds towards the object.

Mr. HOWAT said that the resolutions for Charlottetown were like mosquitoes—the more you killed—the more would come; (Laughter) and the resolutions for the city were coming in rapid succession. It was remarkable that gentlemen representing country districts were presenting them in the wholesale manner in which they were doing. It recalled to his mind a line in a song which he used to hear sung—“My heart is in the Highlands wher’e’er I go.” (Laughter.) He would oppose the resolution in every possible way he was able. The sum of £100 was proposed to be placed at the disposal of the Mayor and Common Council of the city, for the purchase of a fire engine, for the protection of the public and other buildings of Charlottetown.

Division on motion.—Yeas: Hons. Messrs. Haviland, Longworth, Pope, Gray, Coles, Hensley, Speaker; Messrs. Beer, Holm, Davies, Conroy—11. Nays: Hons. Messrs. Laird, Thornton, M’Aulay; Messrs. Montgomery, J. Yeo, Howat, Doyle, Owen, Sinclair, Sutherland—10.

Adjourned at 8½ o’clock.

THURSDAY, April 25.

A Committee was appointed to report on the Contingent expenses of House.

Hon. Mr. Haviland presented the Appropriation Bill, which was read a first time, and the tenth rule of the House having been suspended, read a second time and committed to a Committee of the whole House, Mr. M’Neill in the chair.

When the clause was read appropriating a sum to erect an additional room to the Normal School.

Mr. OWEN moved that the whole clause be struck out. After a few remarks from two or three hon. members, the question was put on the motion when there appeared for it: Messrs. Owen, M’Aulay, Sutherland, Kelly, Howat, Haviland, Montgomery, Pope, J. Yeo—9. Against it: Messrs. Hensley, Coles, Thornton, Davies, Holm, Laird, Beer, Gray, Longworth—9. The chairman gave his casting vote in favor of Mr. Owen’s motion, and the clause was accordingly struck out.

The other clauses of the Bill were agreed to. The Bill for incorporating Covehead Church, was read a first and second time and passed through Committee.

Hon. Col. GRAY from the joint Committee to prepare an Address of condolence to Her Majesty the Queen, reported a Draft, which was read and agreed to.

Mr. M’Neill from the Committee on the petition of D. C. Campbell, prescriptive officer, Montague, praying remuneration for services, reported favorably of the application. It was agreed that an address should be presented to His Excellency to make an order to pay a sum of money for the same.

Adjourned.

AFTERNOON SITTING.

Messrs. Davies, Howat and M’Neill, were appointed a Committee to prepare an address to His Excellency thanking him for his various communications and messages to the House during the present Session.

The House then resolved itself into a Committee of the whole to consider the report on the Public Accounts—Mr. J. Yeo in the Chair.

The report was then read clause by clause, and many remarks were made on each of the clauses which were read at this time. There was a lively discussion in reference to some missing jars of wine which had been bought on the occasion of the banquet given in honor of the Prince of Wales. Explanations were made which appeared to be satisfactory to hon. members.

The Bill for raising a regence was read a third time and passed.

Adjourned.

FRIDAY, April 26.

Mr. DAVIES from the Committee to prepare an address to the Lieut. Governor thanking His Excellency for his various communications and messages during the Session, reported a draft which was agreed to.

House again in Committee on the report of the special Committee on the Public Accounts. Mr. Davies having replied to some remarks made by the hon. leader of the Opposition yesterday, and two or three hon. members having expressed themselves on the subject, the report was agreed to with two or three trifling amendments.

Hon. Mr. HAVILAND introduced a bill to amend the Act for the transfer of the Inland Posts within this Island, which was read a first and second time, committed to Committee, and agreed to with an amendment.

Hon. Mr. LONGWORTH introduced a Bill relating to Land Assessment at present imposed by Law on the Town and Royalty of Princetown, which was read a first time.

The Inland Post Bill, the 10th rule of the House having been suspended, was read a third time and passed.

Adjourned.

AFTERNOON SITTING.

Hon. Col. GRAY by command of His Excellency presented to the House the following papers:—

Copy of Circular from Governor Dundas to the Governor General of Canada, to the Governors of Newfoundland, New Brunswick and Nova Scotia concerning the taking of immediate action in reference to placing Light houses on the East Point and North Cape of this Island.

Copy of Despatches of April 8th, and 9th from the Governors of Canada and New Brunswick, in reply to the foregoing. Laid on the table.

The Act for the incorporation of Covehead Church was read a third time, and passed.

An Act relating to Felony and cases of misdemeanor was read a second time, and committed to a Committee of the whole House—Mr. M’Aulay in the Chair. A few amendments were made to the Act as it passed through Committee. The tenth rule of the House having been suspended, the amendments were again read, and the bill as amended was passed.

The bill relating to Land Assessment was read a second time committed to a Committee of the whole House, Hon. Mr. Hensley in the Chair—amended, and ordered to be engrossed. The Committee on the petitions in relation to the Fullerton Marsh Dyke was instructed to report by bill or otherwise, to the House, next Session.

Hon. Mr. LONGWORTH then moved the following resolution.

The House of Assembly of Prince Edward Island now in Session having learned with deep sorrow and regret that actual hostilities have commenced between the Northern and Southern sections of the United States of America, with whose people we are bound by the ties of a common brotherhood, most sincerely express its fervent hope that peace with all its attendant blessings may speedily be restored to that country.

This resolution gave rise to a long debate, of which the following is an outline.

Hon. Mr. LONGWORTH said war was likely to become general throughout the Union, and that in all probability it was only the commencement of a fearful struggle which might rend the Great Republic in pieces, and that we could only trust that the All-wise disposer of events would avert that evil from that nation in a way which we knew not. A leading party suggested the propriety of applying to Lord Lyons, the representative of Her Majesty’s Government in the States, to get the influence of Britain to end the hostilities existing in that country.

but the Government of the U. S. rejected the proposition, saying, they were able to take care of themselves. He (Mr L.) hoped their expectations would not be disappointed, but it showed they placed great confidence in themselves. It was the duty of the Legislature to sympathise with them, as the interests of this Colony were so intimately connected with their country.

Hon Mr COLES said he seconded the resolution with pleasure. Any disturbance in the United States would be injurious to the best interests of this Colony. The civil war appeared to have taken a wider range than was at first anticipated by the Colonists, or even by the people of the States themselves. Even if the war were to be terminated to-morrow, evil consequences would be experienced, and bitter feelings would rankle in the breasts of many for a long time to come. There appeared to be no lack of volunteers from the North to resist the aggression of the Southerners. The working out of Republican principles appeared to have proved a failure; and he thought there was something at the bottom of the failure deeper than the institution of slavery, or a change in the Presidency, which was not fully set forth.

Hon. Col. GRAY said a remark fell from the hon. leader of the Opposition which he could not allow to pass without a disclaimer. To him it appeared almost an aspersion on the Southerners to say that they were the aggressors in the present instance. He (Col. Gray) denied that there was any aggression in the affair; or he would rather say if there had been any practised it was that of the Northern section of the Union against the Southern section. Independent of either section he rose to speak in behalf of that country in which his father lived for 16 years. He himself having lived in Norfolk, Virginia, for some years might be supposed to feel interested in the Southern men, though he was not an advocate for slavery. He felt that he should resist the reflection cast upon them by the hon. leader of the Opposition.

Hon. Mr COLES said he did not justify the North any more than the South.

Hon. Col. Gray said he took down his words; viz., "to resist the aggression of the Southerners." He Col. Gray would say that the Southerners were a noble race of men, but originally it was enjoined upon them to import a certain number of slaves for the cultivation of the soil. They were in the early settlement of the country bound to introduce slavery, and in course of time, slaves became the patrimony of families as much as any other kind of property. In his (Col. Gray's) opinion the policy of the Northern section of the Union was very bad. At their public meetings expression was given to sentiments indicative of rancorous hatred towards everything Southern. Even ministers of the Gospel were found inciting their people to giving utterance to the worst passions of the human breast. And what did they see elsewhere, even in Canada, an Editor of a newspaper proposing a servile insurrection of the slaves?—He (Col. G.) had seen enough of the negro in his own land not to contemplate with shuddering such an idea. More resembling the wild beast of the forest was the negro when his worst passions were aroused. He (Col. G.) thought the South was hardly treated. The Southern States asked permission to govern themselves, and otherwise offered to meet the Northern section in every possible way, and being refused were driven to assume their present attitude. Last year John Brown went to Virginia with a band of men to create an insurrection of the slaves which, had he been successful, would have terminated in the massacre of the white population; and, afterwards when he was punished for his misdeed, his conduct was lauded and commended by the North. His punishment was too mild; he should have been hung in chains, rather

than by the neck. Had the Northerners acted like honest men they would have said to the Southerners—"We permit you to leave the Union." It was questionable, however, how far the South was justified in perpetuating Slavery; and though he could proceed to speak at great length on the subject he would not trespass on the time of the House. Notwithstanding all clap-trap about slavery there were numbers of American slaves who would not accept of their freedom, nor leave their masters, were the privilege offered them. One might go to Manchester, and they would see 800 or 900 young girls in factories, who would give indication of harder treatment than did many American slaves. Even in London there were instances of apprentice girls being starved to death. In all countries there were individual cases of hard treatment to be found. While he deplored the sad events which have taken place within the last few weeks, still he thought the South was cruelly treated by the North. He spoke advisedly too when he said that in South Carolina the people remained firmly loyal years after the Northerners had declared their independence. The North was ever the hot-bed of opposition to the British Government. It was settled by men from Britain who resisted the British Government before they left their country, and who never after cherished a friendly feeling for Britain. The first shot fired against Britain was in the North—in Massachusetts. He could not refrain from rising to take the part of the Southerners when he heard them called the aggressors in the present case.

Hon. Mr HAVILAND said it would not do to give a silent vote on the resolution, though it had taken him unawares. The resolution did not express sympathy with the North any more than with the South, and hon. members might entertain their individual opinions on the subject under discussion. There was now before them the startling fact, that the immense Republic of America, which ruled so many millions of people was on the point of breaking up, at least of going through a fiery ordeal; and as a British subject, and native of America he regretted to see the Republic in its present condition. Next to our own country hon. members would admit, it had proved the greatest refuge for the oppressed of all lands, and next to our own it possessed the most liberal form of Government, having more of the privileges of self-Government than any other country either in the Old or New World. Now it was to be feared the Republic would not come through the trial and retain all its former privileges. The people of that nation might emerge from the dire conflict with two miserable, instead of one great Republic, or find themselves the subjects of a military despotism. But he could not agree with the hon. Leader of the Government, who thought the Northerners were the aggressors in the present instance. With all due deference to his opinion, he thought the Southerners were the aggressors. They had the institution of slavery in all the Southern States, but it was not the intention of President Lincoln or his Government to interfere with slavery as established in these States; but the policy of his government was that in all States to be hereafter created or territories settled, slavery should not be instituted or acknowledged. This was the great cause of the present conflict, but the Southern States contended that they had a right to take this institution with them like other goods or chattels wherever they went.

Hon. Col. GRAY said he thought the hon. member was mistaken,—that such was not a doctrine of the Southern man, but that they only claimed an equal right to territories with Northmen.

Hon. Mr HAVILAND said that their claims would depend upon the respective numbers of Northern and Southern men. But he believed there was another great

cause of the present difference—the commercial policy of the two sections of the Union was different. The South was in favor of having free trade with all nations, and the North was disposed to protect their own manufactures by a high tariff. He could not see any analogy between the slaves of America, who were bought and sold like cattle, and that of the factory girls of Manchester. Though the latter may be obliged to work hard, still they received a compensation for their labor, and had liberty to work or to refrain from working; but with the slave there was no alternative, he was obliged to work willing or unwilling.

Hon. Col. GRAY said the hon. member was drawing an inference from his remark which he never intended.

Hon. Mr HAVILAND said as regarded the loyalty of Massachusetts, he considered himself a loyal subject of Britain, but had he lived in the last century, and been a native of Massachusetts at the period referred to, he would not have been found on the side of King George, but on the side of independence, for one of the dearest of rights was, that no man be taxed without his consent.

Hon. Mr HAVILAND concluded his speech by referring to the manner which the Prince of Wales was received in the Northern States, which he characterized as an ovation, and to the fact that he was grossly insulted in one of the Southern States—Virginia.

Hon. Mr WHELAN said he did not expect they were going to pitch into the squabbles of the United States as hon. members were doing, but it appeared there was nothing of greater importance before the House. It appeared that the harmony which had existed for 80 years between the two sections of the Union had lately been rudely disturbed, though, as yet there had been no great blood-shed. He could not, and no one could help being greatly amused at the accounts which came to hand about the taking of Fort Sumter. The bombardment was terrific and lasted some 36 hours, during which time there was a continuous roar of cannon,—that shot was thrown of an immense size, that the Fort was honeycombed, in different parts, the garrison was in flames, and that Fort Moultrie must have been in ruins; yet, after all the terrific firing and fighting not one solitary life was lost, and only 5 men wounded. There was something so monstrous in all this, that one could scarcely put any reliance in telegrams from the South. He rejoiced to think, however, that the present crisis would produce the effect of checking the traffic in human flesh, and of retarding the progress of slavery. It would too, in all probability produce a kindlier feeling between the people of the Northern States and British America, and tend to break that baleful spirit to which the hon. member from Georgetown referred, which manifested itself in a high protective tariff. The result, too, might be the formation, by a union of the Colonies, of one grand Empire on the shores of the Atlantic. The observation of the hon. leader of the Opposition appeared to raise the ire of the gallant Colonel, who to the surprise of everyone who heard him, became the advocate in defence of the Southern States in their inroads on the liberties of the human race. He stated that if there was any aggression in the case it was not on the part of the South, but rather on the part of the North. He begged leave to differ entirely from the hon. leader of the Government; for, most undoubtedly the South made an aggression when it endeavored to get possession of property belonging to the Federal Government, and resisted the laws of the Union in reference to the collection of the taxes. And, since Lincoln took his seat in the Presidential chair, in what particular he would ask, had his Government infringed on the rights of the South?—They acted according to the constituted authority of the Federal Government. The President would have been in fault had he done anything less than he did in upholding the Constitution of the country. In regard to

the newspaper paragraph, he, (Mr W.) would be glad to see a servile insurrection, if it would terminate forever the cursed traffic in human flesh which the Southern States had carried on for the last 83 years in defiance of the principles to which their forefathers had affixed their names. The principles of the Constitution secured liberty and happiness to every body; but those who happened to have a black skin have since been sold, whipped, scourged to death, and hung up by their necks like mere brutes. Even within the last few months there were instances of hundreds of persons being tarred and feathered by the abettors of slavery, for defending the rights of humanity. Instances of barbaric treatment perpetrated by Southern men were of common occurrence.

Hon. Mr WHELAN then went on to speak of the modest claim, as he termed it, that the Federal Government should relinquish their claim to property belonging to the Federal Government, at the request of the Southern Confederacy, of the tyranny practised by the Government of George III. against the 13 Colonies of America, and of the men of the North who were now true to the instinct of their forefathers—the Puritans who were strongly imbued with the spirit of liberty.

A few other hon. members spoke briefly on the resolution, and others who had already spoken on it addressed the House again. After a prolonged debate the resolution was put and carried without a division being taken.

The bill relating to Land Assessment was then read a third time and passed, after which the House adjourned at a quarter past 8 o'clock.

J. D. GORDON, Reporter.

SATURDAY, April 27.

Hon. Mr LONGWORTH presented a Bill to continue the Act relative to accidents by fire in Georgetown, which as read a first time.

Ordered, that the powers of the Committee to whom was referred the petition of W. W. Lord, R. E. Hodgson, and other ship owners and merchants, complaining of the exaction of a tax on vessels passing through the Gut of Canseau, be extended, and that the said Committee do report thereon next session.
Adjourned.

AFTERNOON SESSION.

The Bill to continue an Act relating to accidents by fire etc., was read a second time, and the House went into Committee on it—Hon. Mr Kelly in the Chair. No amendments were made to it in Committee and the Chairman reported accordingly.

The Bill to continue certain Acts therein mentioned was next read and committed to a Committee of the whole House—Hon. Mr Whelan in the chair. No Amendments were made to the Bill.

The engrossed Bill from the Council intitled an Act to promote vaccination was then read a first time.

Hon. Col. GRAY moved that the 10th rule of the House be suspended, that it might be then read a second time.

It was then moved by Hon. Mr Laird seconded by Mr Howat that it be read a second time that day 3 months.

After a discussion it was agreed that the farther consideration of the Bill should be deferred till next session, and that in the mean time it should be published in the *Royal Gazette* for general information.

The standing order was then moved, and the House took up the report of the special Committee on the Contingent accounts of the House for the present Session.

MONDAY, April 30.

Hon. Mr HAVILAND presented to the House the Blue Book, for 1859.

A Committee was appointed to prepare an address to His Excellency the Lieut. Governor, that he would be pleased to forward to Lord Lyons, the British Ambassador at Washington a copy of the resolution agreed to by the House on Friday last, in order that the same may be communicated to the President. The Committee—Hons. Messrs Longworth, Colos, Pope, Heneley, and Mr M'Neill—in a short time presented a draft address which was agreed to.

The House adjourned, and having again met, were summoned by a message from His Excellency the Lieut. Governor to attend at the Bar of the Council Chamber. His Excellency having, in Her Majesty's name, assented to a number of Bills, prorogued the General Assembly until Thursday, the 6th of June next.

D. LAIRD, Reporter.

[Omitted, after Hon. Col. Gray's speech on the Elective Legislative Council Bill, Page 77.]

Hon. Mr THORNTON.—I rise, Mr Speaker, to support the Bill; I am glad to learn it is a Government measure, as it was not so in 1859. If they learn at Home that we are determined to have an alteration in the constitution of the Legislative Council, I think the Royal allowance will not be withheld from the Bill. I am pleased with the alteration in the Bill since '59, in respect to the number of Councillors for each County. Though Queen's County may now have the preponderance over the two other Counties in wealth and population, such may not be the case in the course of twenty or thirty years. They, in the course of that number of years may rise to an equality, in these respects, with Queen's County. I would have liked the Councillors to have run for the whole County. I am not satisfied with the age a man must have attained,—30 years—before he can offer as a candidate. One of the most talented statesmen in England took the helm of State at the age of 21 years. I shall speak to the details of the Bill in Committee.

Mr COOPER said.—Though in favor of the elective principle, still I am opposed to the power being vested in the people; for, if it be, I consider that the Legislative Chamber will only be a second edition of the House of Assembly. Whatever happens to be the popular opinion of the day, however erroneous it may be, still a Councillor will be elected accordingly,—be elected probably to represent their prejudices. I think the Government, in the first instance, should have the nomination of four or five, and that the remainder should be elected by a two-third vote of this House; and, if that would be insufficient, say a three-fourth vote. No Person of extreme views would then stand a chance of being elected; but a man would be likely to be chosen in whom both sides of the House would repose confidence. By having a Council elective in this manner, the members to go out in rotation, I think there would be a balance wheel in the centre of the Government which would keep it working steadily.

Mr. SINCLAIR.—I am one of those who would be willing to dispense with an upper Chamber altogether. I have been listening attentively and have not yet heard any arguments advanced in favor of the second Chamber which would induce me to change my views on this subject. As regards Bills passing through this branch of the Legislature in an imperfect state, and needing revision in a second branch, I may say I have seen small Bills passing this House in an imperfect state, and the other Chamber also, which when they came down to the lower House again were corrected. If there were no such body, the lower House would be more particular and careful in passing measures; for, frequently, Bills are sent up in an imperfect state, to furnish the second Chamber with some work. I think the hon. member who introduced the Bill has not shown any arguments for the necessity of two Chambers. Another reason why I think there is no reason for the upper House is, that we have no less than four branches with whom to contend. We saw last year a Bill sent to the Colonial Minister, which was returned because he would not submit it for the Royal allowance; so I think it would be a sufficient check to have our laws submitted to the Colonial Minister. Another advantage in having no second Chamber would be in point of expense. In a small Colony like this, not many laws now require to be placed on our Statute Book. If, however, we are to have an elective Legislative Council, I would not offer any objection to the present Bill, for I think it is a great improvement on the one submitted before by the hon. gentleman who brought in the present Bill. In my opinion, if the clause was carried out which removes from the Governor the power to dissolve that body, great injury would result. I understood from the Act passed in Canada that a clause

was introduced to provide against this, in the event of the two branches of the Legislature coming to a dead lock. In that event the Governor had power to dissolve the lower House; and if, notwithstanding, the same thing occurred again when in Session, he had power to dissolve the upper House. If, however, we are to have a second Chamber, I am in favor of an elective one. I believe the present is the time to make a change, and the change, I think, which would prove most beneficial, would be not to have any upper Chamber at all. (Laughter.)

Mr DAVIES.—I certainly think, Mr Speaker, Charlottetown should have a representative in the second Chamber. I say this without disparagement to either Georgetown or Summerside. I believe the City is not fairly represented in the House of Assembly; that is, taking wealth and population as the basis of representation. In Committee I shall propose an amendment to the Bill; that will be, to have one member to represent Charlottetown in the Council, which will make 13 Councillors in all. The views of the hon. member from Princetown are certainly novel, and were his suggestions adopted in reference to the Upper Chamber, the change would be something new in the British constitution. I am in favor of an elective Legislative Council, and think the elective principle would prove much more beneficial than the present system.

Mr CONROY expressed himself in favor of the Bill in the few remarks which he made when speaking on the question before the House.

Hon. Mr WHELAN.—I cannot see, Mr Speaker, any reason why I should change my views, heretofore expressed on this subject, as to the propriety or expediency of the proposed change in the constitution of the upper branch of the Legislature. I see not a sufficient reason for changing the constitution of that branch of the Legislature, though the Council as constituted represents the views and feelings of this House,—notwithstanding that the representative of Her Majesty in this Colony, and his advisers, have craved that Council in defiance of the wishes of the people. Five new Councillors were added last year to carry out their measures, yet when asked to give their authority for so doing, they declined. Though the Government have a Council there obedient to their will, that is not a sufficient inducement to cause me to change my views; for, I shall still oppose a change in the upper branch. The hon. member from the East Point expressed my views in a condensed form a few minutes ago, when he said that an elective Legislative Council would be but a second edition of the House of Assembly. I perfectly coincide with him, for I believe it would only be an echo of the House of Assembly. Suppose, for example, the Bill were to come into operation next year, and the Councillors elected were instructed by their constituents to carry out a policy in reference to the Land Commission directly opposed to the policy advocated by the majority in this Assembly, what position would we be in if the Crown had not power to dissolve that body? They would remain there during the term of years for which they were elected. The same class of voters, in both cases, are to elect members for both branches of the Legislature, and the natural inference is that the candidates for both will receive the same instructions from their constituents; and in that event there would be a continual clashing of interests and opinions between them, and it would be found impossible to reconcile existing differences. It is admitted on all hands, that the elective principle signally failed in Canada. In New Brunswick the principle was advocated on both sides of the House for two or three sessions, and after all, set aside as impracticable.

Adjourned till 10 o'clock to-morrow.

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