

No notice can be taken of anonymous communications. We must know the names and addresses of our correspondents as a guaranty of their good faith. We cannot undertake to return communications that are not used.

THE UNFORTUNATE CREDITOR'S ACT

Such is the name jocularly given to the law passed in the last session of the Legislature, for the relief of unfortunate debtors. The working of this law has been such as to cause much discontent and many forebodings among business men. The number of those who have attempted to avail themselves of its provisions is much greater than was anticipated, either by its friends or its enemies. The Royal Gazette, a newspaper by the way which comparatively very few of the business men of the country ever see, is nearly filled with notices of those who have placed their affairs in the Bankrupt Court. Many of these are persons for whose relief the unfortunate debtor's law was never intended. It is whispered to us—of course do not pledge ourselves to the truth of the report—that many of the would be bankrupts, in order to avail themselves of the benefits of the Act, have resorted to practices the reverse of honest. Fearing lest the tendency of the law will be to encourage the reckless and the dishonest debtor, at the expense of the honest and provident trader, many of the most respectable merchants in the city and elsewhere, have petitioned the Legislature for its repeal.

Is not the proceeding rather hasty? Would it not be as well to allow the law to operate for at least another year. The experience of the past few months may be exceptional, and not a fair test. There being no Bankruptcy Law in the Colony previous to that passed last session, many ruined traders who had nothing, whose liabilities hung like a dead weight round their necks, and prevented them from engaging in business on their own account, were eagerly waiting to take advantage of it. Hence the rush to the Bankrupt Court. It is by no means likely that there will ever be such a rush again. Then again the law has not had a fair trial, inasmuch as those who have placed themselves in the court are not yet through it. It is yet to be proved that under it fraudulent or even questionable practices can be carried on with impunity. If two or three of those slippery gentlemen whose alleged dishonesty and sharp-practice are taught a severe, but salutary lesson, on the value of honest and fair dealing, and the danger of dishonesty and trickery, the result cannot but be beneficial to the mercantile community. Let it once be proved that the Bankrupt Act is no refuge for rascality in any form—that on the contrary rogues and tricksters are pretty sure to be found out in the rigid examination under which their affairs are placed, and that punishment is sure to follow discovery, and we are much mistaken if there will be any tribunal so much dreaded by dishonest men of all kinds as our Bankrupt Court. In judging of the working of the new law, the state of things which it was enacted to remedy must be taken into consideration. When there was no such law on our statute book, the honest but unfortunate debtor was in a miserable plight, while for the dishonest one who was wide awake there were many ways by which he could defraud his creditors and secure his ill-gotten gains. Every one knows that the old system, whenever a man's credit was called in question, the first creditor whose suspicions were raised pounced down upon the unfortunate fellow, and secured the whole amount of his debt. The next creditor who got an inkling of what was going on did the same thing without delay, leaving perhaps nothing for the remaining creditors, but the body of the miserable bankrupt. By this system two or three of the best informed and most active creditors were paid in full, while the remainder, generally the most needy of them, did not get a farthing. The unfortunate debtor was, after he had given up everything he possessed, a ruined man, with no prospect of ever holding up his head again—his unpaid debts preventing him from ever getting a fair fresh start in life. His only remedy was to leave the Island under a cloud, and to begin life again among strangers, and under great disadvantages. The only alternative left the unfortunate small trader was hopeless poverty at home, or exile. That he generally choose the latter, and that the Island has lost many valuable citizens and good business men, for want of a good bankruptcy law, every one knows.

The large trader again was in a much better situation. When he found himself getting behind hand, he could take a trip across the Atlantic—where creditors of small means were not able to follow—go through the Bankruptcy Court there, and come back to the Island in a few weeks, completely freed from the whole of his liabilities. We see by this that a year ago the small debtor had no remedy accessible to him, while the unfortunate large debtor could obtain relief with comparative ease. Then again dishonest men were at no loss for means, under the old system, to evade the payment of their just debts. The ingenuity with which they managed to defraud their creditors was really wonderful. Property was secured and placed out of reach in many ways, and the business man who was deeply in debt—who, as the saying goes, was many hundred pounds worse than nothing—frequently managed to leave the Island with a well lined pocket-book. We will see on reflection that the law complained of did not create rascality, and it remains to be seen whether it does not give to knaves of all sorts a heavy blow and a great discouragement.

It seems to us that some means of relief should be afforded the honest, but unfortunate man, whose affairs become embarrassed. To afford him this relief, without at the same time giving encouragement to dishonest men, is a problem, the solution of which has puzzled the wisest and most experienced legislators

From our City Correspondent.

Mr. Editor:—The House of Assembly has been employed, since the address in answer to the Administrator's speech was agreed to, in discussing a number of necessary but not very important measures. The Bill to extend the Jail limits of St. Eleanor's has been read a third time and now may be considered safe. There has been very little room for discussion and the printed Debates will this year be much duller than usual. It is pretty dull work listening to the speeches it will not be a very lively business to read them as reported, three or four months after they were delivered. The countryman who enters the House to hear the discussion of our Legislators, will, most likely, feel considerably disappointed. He may come in twenty times and remain an hour each time and hear nothing worth remembering. He will, most likely, find the great majority of the members present reading the newspapers, chatting or writing, and the real business done by the leader of the Government and one or two others. There is no display of oratory; some talking is done—not a great deal—in the common conversational style. The chairman or speaker puts the question and not a half dozen Members think worth while to say aye or no. The whole proceedings are as unimpressive and seem as unimportant as a meeting of school trustees. Indeed, I have seen much more fuss and heard much more loudness at a session of a Temperance Society, than I have seen in the House of Assembly when some important Bill is being advanced a stage. The reader must not think that because everything is so quiet and so commonplace that nothing is being done. These are precisely the times that the business of the Colony is progressing most rapidly. More work is done in one of these silent afternoons than in a whole week of disputing and spouting. One of the first lessons a Member of the House of Assembly has to learn is to hold his tongue. The House is at times very impatient of mere talk, unless it be very good talk indeed. The mere spouter very soon gets the conceit taken out of him in our halls of legislation; some of the clever men of the House quietly pierce the oratorical wind-bag, and it is painful to see into what small dimensions he sometimes collapses. The Hustings and the Debating Society style of speaking does not generally go for much in the House of Assembly. The man who has really anything to say is heard with respect and attention, no matter how plain his speech or to which side of the House he may belong; but the member who gets up without preparation, merely to show what a fine display he can make, and who, generally, is somewhat unmercifully treated, a man will not be very long in the House before he is estimated at his true value: mere pretension without merit—whatever use to him it may be outside is worse than useless there. The readers of your journal have, no doubt, observed that many men who cut quite a figure before they were placed in the House, become very common-place individuals after they get there, and they may have known others who were thought very little of as public men before their election, prove themselves to be in everything worthy of the honorable situation to which they had been elevated. The fact is, that the man of sterling worth and of sound sense makes a very good member of Parliament, whether he be an orator or not, and the mere show speaker whose principles are not fixed and whose arguments are not to be depended upon, had much better be permitted to remain at home than to suffer the mortification of losing his much-enjoyed local reputation without in any way benefiting either himself or his country. It is, after all, much more important to know how to vote well than how to speak well. Most people would be surprised if they knew how few are influenced by the argument and the rhetoric of those on the other side of the House. It is really melancholy to reflect upon the amount of eloquence that is daily, all through the session, thrown away upon those whose determination not to be convinced. Each member has upon all the great questions of the day, certain fixed opinions formed, after much study and reflection, and it is by no means likely that he will be talked out of them by his political opponents. The truth is, that the speeches delivered in the House are much more frequently addressed to reporters, than to the rest of the auditors present. They are intended to confirm and convince those outside the walls, rather than those within hearing.

I intend to give your readers a short description of the style of the different speakers on both sides of the House, but time does not now permit. Yours, &c. ISLANDER.

March 22, 1869.

Mr. Editor:—It seems that the British Government refuses to accede to the memorial of the people of this Colony, to pay their Lieutenant Governor's salary; and they demand an answer immediately, whether our Government will pay it or not. If we say "yes" they will call us good children? If we say "no" they will likely make an excuse for tacking us on to Canada.

Considering the manner in which the Land of this Island were given away to some twenty Lords, and the deaf ear England has always lent to the entreaties of the settlers for redress; the perfect indifference shewn to everything for the advancement of the Island; the not allowing our farmers and merchants to have free trade with the United States; the making us pay for bringing the soldiers from Halifax to help the proprietors and to coerce the tenantry; looking at these and at other things, and now their asking us to pay the Governor's salary that they will nominate, it seems as if England was indifferent about us, whether we remained under her flag, or hoisted any other. Shall we knuckle under, or shall we not—is it not a tax on us against our will; something like the tax imposed on the people of Boston, which they refused to pay.

My advice to our people is to refuse to pay—let them send their Governor if they like, and let them pay his salary? If we refuse to pay, England will think the more of us, and will commence at once to build forts and batteries. If they tack us on to Canada, so much the better; the sooner then will we become Americans, with free trade from ocean to ocean, and with a continent opened up to our sons.

Tell our Government, Mr. Editor, not to knuckle under. "No pent up Utica contracts our powers; Behold! a boundless continent is ours." SCOTUS.

Prince George, March 25, 1869.

TEMPERANCE.

A meeting of the inhabitants of Mount Pleasant, Lot 12, was held in Mount Pleasant School House, on Tuesday, the 22nd inst, at six o'clock, p. m., for the purpose of organizing "Hope Temple." This temple was organized on the first of March, 1864, and worked vigorously until last April.

Brother Richard Wickett, of the "Rose of the Forest" temple, ably addressed the meeting on the subject of temperance, after which it was resolved, that the following named persons be officers for the ensuing quarter, viz:— Bro. Samuel S. Ledstone, W. C. T.; Sister Susanna McDougald, W. V. T.; Alex. McDougald, W. S.; Terrence O'Brian, W. F. S.; Wm. McDougald, W. S.; Richard McKinnon, W. M.; James Harper, W. I. G.; Colin Green, W. O. G.; Jessie McKinnon, W. C.; Eliza McDougald, W. A. S.; Elizabeth Stewart, W. D. M.; Nancy Stewart, W. I. H. S.; Christie Stewart, W. L. H. S.

After the above officers were installed, the meeting adjourned, to meet again on Saturday evenings.

ALEXANDER McDUGALD, W. Sec'y. March 16, 1869.

VANGUARD.

Prince George, 12th March, 1869.

House in Committee on the Militia Bill. Hon. Mr. Haviland said that as long as we were an integral part of the British Empire, and protected by the flag of Old England, it was our duty to keep up a military force, however small. After some further remarks, the Bill was reported agreed to, with amendments. House adjourned.

FRIDAY, March 19. Hon. Atty. General, by message from His Honor the Administrator, transmitted a despatch from Earl Granville, in reply to the joint Address of the Legislature of this Colony, to Her Majesty the Queen, praying that the salary of the Lieut. Governor of the Colony might continue to be paid from the Imperial Treasury.

House in Committee on the Bill relating to Capital Punishment. Hon. Atty. General said that the alteration sought to be made in the bill, with the view of including under its provisions the unfortunate case now before the public mind of the Colony, was submitted by him to the Judges of the Supreme Court, and after mature consideration they were of opinion that the charge alluded to could not be entertained.

Hon. Mr. Haviland regretted that so repulsive an exhibition should ever take place in this Colony. Mr. Kelly presented a petition from divers inhabitants of Lots 57 and 58, praying for a bill to regulate the Fees of the Supreme Courts.

Hon. Mr. Haviland presented a petition from divers merchants and others of Charlottetown, praying for the repeal of the Act of last Session, relating to Unfortunate Debtors.

SAUNDERS, March 20. Mr. McNeill asked the Government if they had purchased Mr. Hodgson's Estate on Lot 25, and at what price? Hon. Atty. General, in reply, said that the Estate in question was purchased at the rate of 13s., Island currency, per acre, and that the necessary documents would be drawn out, and in a few days the whole matter would be terminated.

WEDNESDAY, March 17. House in Committee on the Board of Works. When the clause relating to the appointment of members of the Board came under several hon. members spoke in favor of having the Col. Secretary and the Land Commissioner as members of the Board.

The remaining clauses of the Bill elicited very little debate. Some Members were in favor of abolishing Statute Labor altogether, and let all pay Commutation Money. We will never have good roads until this is done.

Hon. Atty. General presented to the House the estimates of the expenditure of the Government for the current year. Hon. Atty. General submitted a Bill to provide for the carrying out of Capital Punishment within Prisons.

Received and read a first time. He (Hon. Atty. Gen.) explained the object of the bill as pointed out in the Despatch before the House on that subject, recommending the adoption in this Colony of the practice in England of having executions conducted inside the Jail.

When the despatch alluded to was received from the Colonial Office last autumn, he rejoiced that at that time this community was happily free from those enormous crimes which lead to capital punishment. Since then, however, an unfortunate occurrence of that kind took place. He referred to the Dowey case, and said that the Bill did not apply to that case.

Mr. Brecken said that he hoped the bill would be made to apply to the painful case in question. He spoke of the degrading tendency of public executions. He was of opinion that justice would be vindicated by extending the prerogative of the Crown in the case of the unfortunate Dowey. But if the sentence must be put in force, let it, in the name of humanity, be done as pointed out in the bill just introduced.

Hon. Mr. McAnlay spoke of the demoralizing effects of capital punishment, which he contended did not lead to the prevention of crime, but had a withering influence on the best feelings of humanity. He witnessed the execution of the notorious Burke, in his native country in early life, and could testify that the tendency of public executions was not the lessening of crime, but, on the contrary, the demoralization of the people.

Hon. Mr. Haviland expressed the hope that the bill would long continue a dead letter on the Statute Book of the Colony. He congratulated his native country on the fact that such painful cases as the one now pending were of rare occurrence. He hoped the bill would be so amended as to include the case in question. He concurred with the sentiments expressed by his hon. colleague, Mr. McAnlay, touching the pernicious effects of public executions. He saw no reason why the Royal Prerogative should not be exercised in the unfortunate Dowey case. Great doubt existed in his mind on the point, as to whether Dowey committed murder wilfully. He referred to the fact as proven in Court, that Dowey told the girl, McQuarrie, to stand back that Cullen might pass by without observing them. That fact weighed heavily with him, and led him to believe that no preconceived malice nor animus existed in the breast of Dowey against the unfortunate Cullen. He felt convinced that the verdict on a similar case in England would be manslaughter, and not wilful murder. He (Hon. Mr. Haviland) then cited a case in point, of recent occurrence, in the mother country, in proof of his argument. The execution, he said, of the unfortunate stranger, Dowey, on the ground of making him a scapegoat or warning to future criminals, would be highly reprehensible, and not productive of good to society.

House in Committee on the Bill to extend the limits of St. Eleanor's Jail. After some remarks from Hon. Mr. Laird, Mr. Howatt, and Mr. Davies, in favor of extending the privileges of the bill to low water mark, on the ground that parties on the limits might at times procure employment about the wharves and shores of said limits, the bill was amended to meet the views of hon. members, after which the bill was reported agreed to.

Hon. Atty. General gave notice that tomorrow the House would go into Committee on the question of Supply.

Hon. Mr. McAnlay then addressed the House, touching the question of Initiating Supply, and contended that the course pursued by the Hon. Leader of the Government did not carry out the principles of the Imperial Government.

The Resolution of the Hon. Atty. Gen., was, however, put by His Honor the Speaker. House adjourned.

THURSDAY, March 18. Hon. Atty. General presented the Report of the Medical Superintendent of the Lunatic Asylum, which was laid on the table.

Hon. Atty. Gen. also submitted the Public Accounts for the past year, which were laid on the table.

House in Committee on the Bill relating to the office of Sheriff. Mr. Cameron in the chair. Hon. Atty. Gen. explained the object of the bill was to place the power of appointing the Sheriff in the hands of the Master of the Rolls, in case of the absence or incapacity of the Chief Justice, or in the event of his being, at the time for appointing Sheriffs, Administrator of the Government.

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House of Assembly.

On motion of the Hon. Atty. General, the House went into Committee of the whole, to take into consideration the question of establishing a Board of Works. Mr. Bell in the Chair.

Hon. Attorney General (Leader of the Gov't) submitted a Resolution to the effect that it is expedient to pass an Act providing for the appointment of a Board of Works to supervise and take charge of the Public Buildings, Roads, Bridges and Wharves of the Island. Said Board to consist of Five Members, of which the Col. Secretary and Commissioner of Public Lands shall, ex officio, be members, and the Colonial Secretary to be Chairman of the said Board.

The necessity of a better system of road making was then remarked on generally, by hon. members on both sides of the House. That an improvement was loudly called for no one seemed to deny. The discussion on the subject was confined principally to the necessity of securing the services of efficient superintendents of roads for the Counties and the appointment of a Board, as non-political in its complexion as possible, with the view of conducting that important branch of the public service unrestrained by political bias. It was contemplated by the Resolutions submitted, that the members of the Board of Works be three gentlemen, one from each County, who, with the Land Commissioner and Col. Secretary, would comprise a Board of Five Members, and that said Board would have under them three Superintendents of Public Works, one from each County, whose duty it would be to report on all matters relating to their offices, to the Board at its meetings which they (the superintendents) would be expected to attend. The necessity of selecting for the offices of superintendents men of scientific skill and of practical experience, was strongly enforced in the course of the debate, and also, the desirability of making such appointments non-political and not subject to dismissals with every change of Government. Competence could only be acquired by a course of training and experience; it would be, therefore, fatal to the best interests of the Colony, to displace efficient officers of that important branch of the public service on mere political grounds.

The Resolution as submitted was adopted. Progress reported. House adjourned.

MONDAY, March 15. House in Committee resumed consideration of Board of Public Works. Mr. Bell in the Chair.

Hon. Attorney General submitted a second resolution, to the effect that the members of the Board be allowed £20 per annum each, and six pence per mile for traveling expenses, subject to deduction for non-attendance; and another to the effect that the acceptance of the position of a member of the Board of Works shall not vacate the seat of a member of the Legislature; and a Fourth Resolution to the effect that the salaries of the Superintendents of Public Works be as follows:—

Queen's County Supt., £150 0 0
King's do, do., 120 0 0
Prince do., do., 120 0 0
Including traveling expenses.

After a few remarks, relating principally to the details of the measure contemplated, the question of concurrence was put on said Resolutions, and agreed to by the House; and the following Committee appointed to bring in a bill in accordance therewith, viz., Hon. Atty. General, Laird, Kelly.

On motion of Hon. Atty. General, the House went into Committee on the Militia Law. Mr. G. Sinclair in the Chair.

The Hon. Atty. General submitted a Resolution to the effect that the whole of the regular and Sedentary Militia, until arms would be furnished to them, would be formed into a Reserve to be called out for an annual muster only, in such manner and at such times as the Commander-in-Chief might direct.

That each Captain of the Militia referred to in foregoing resolution, receive an annual allowance of Five Pounds, in lieu of all charges for contingent expenses.

That the Volunteer Militia entitled to Government allowance shall consist of nine Companies, not to exceed fifty men each. The formation of Volunteer Companies not receiving such aid not to be prevented.

After a few remarks from several hon. members, the said resolutions were severally adopted and reported agreed to.

Ordered, that Hon. Atty. General, Howland and Laird be a Committee to bring in a bill in conformity with the foregoing resolutions.

The Bill to increase the amount of deposits in the Savings Bank was committed to a Committee of the whole, and reported agreed to.

Mr. Kieckham remarked that a branch of the Savings Bank might be opened at Kings County. The Custom House officer to receive deposits and forward same to the Colonial Treasurer. As that institution had prospered so well at Charlottetown, he could see no reason why branches should not be opened at the other Counties.

Hon. Atty. General in reply said that the subject of Branch Savings Banks was under consideration, and would be entertained in due time.

Mr. McMillan presented a petition from divers inhabitants of Prince County, praying that the law relating to the inhabitants of that County be amended so that prisoners on said limits might enjoy the use of the public wharves of Summerside, as are the Wharves of Charlottetown and Georgetown, by prisoners on the jail limits of the other counties.

Said petition was then referred to a Special Committee to report thereon. Mr. McMillan, Hon. Atty. General, and Mr. Brecken to compose said Committee.

Hon. Attorney General presented to the House the Colonial Treasurer's Accounts for the past financial year, also accounts of the Stock Farm Committee for the year 1868.

Hon. Mr. Laird presented a petition of Inhabitants of Prince County, praying for the establishment of offices for the Registry of Deeds and for the Probate of Wills, and a branch of the Savings Bank. Also, a Petition of Inhabitants of Summerside, praying for an amendment of the Election Law, for the purpose of establishing an additional Polling Division in the Fifth District of Prince County. Said polling Division to be at Summerside.

Ordered that said Petitions be referred to Committee of the whole House tomorrow.

The Bill to amend the Patent Law was reported agreed to.

Hon. Atty. General, by command, presented a message from His Honor the Administrator, transmitting papers on the subject of carrying out of capital punishment within prisons. Also, submitted a despatch from Earl Granville, on the subject of Reciprocal Free Trade with the

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ANNEXATIONISTS AT FAULT.

Mr. Editor, Will you oblige by publishing the enclosed editorial of the Halifax Reporter and Times, on the letter of Mr. Elias Harker Derby, reprinted by Mr. Kirwin in his last issue. Mr. Derby's superficial and truly American attempt to coax the Dominion under the gridiron flag, is pretty severely criticised by the loyal Reporter. Hurrah for old England, and down with all traitors!

Yours truly, NO ANNEXATION.

March 22, 1869.

Elias Derby's Letter on U. S. Matters.

Elias Harker Derby, a dweller in the Great Republic, is evidently no great writer. In a letter written to the Morning Chronicle, and published by it, Elias Harker Derby has given ample evidence of his inability to do more than to "string words together."

Let us examine the asserted facts he presents to the people of the Maritime Provinces. These are:—

1st.—The governmental expenditure of the United States will be \$5 per head of the population.

2nd.—The tariff will soon be reduced even below that of Canada.

3rd.—The policy of the States is to extend free trade over the whole Continent, and to let the provinces a share in the carrying trade of the whole continent.

4th.—The antagonism of England has rendered all the efforts of Elias Harker Derby, in the direction of Reciprocity Treaty, abortive.

5th.—The opponents of a Reciprocity Treaty, in Convention and in Congress, would favor the admission of the Provinces into the Union, "in place of their products."

These five propositions embody all Mr. Elias Harker has said in a column and a half. The first statement is about the expenditure of the government—what is about the expenditure of taxation necessary to provide the government with money sufficient to meet all its demands made upon it. Mr. D. states this will be \$5 per head at some future date.

Mr. Derby deals with the future to a very large extent. With that, we have nothing to do; and it would be very unsafe to meddle with the future. It will have its own burdens, we may rest assured. It is with the present and the past that wise men deal—not with the future, which may or may not happen, and which it is just as probable will not come to pass as that they will.—Whether, at some time in the future, the expenditure of the States, will be \$5 per head, is a question foreign to the subject. What is it now? Is the debt actually decreasing? These are the questions worth asking; and to these Mr. Derby vouchsafes no reply. We will do it for him.

In Harvey's year book, a work quoted with admiration by Mr. Annand during his canvass in Cumberland, we find that the amount of public debt, per head, is for—

Table with 2 columns: Country, Amount. Great Britain, \$124.14; United States, 126.40; British America, 23.50.

Again, we find that the annual interest and charges on public debt, per head, are as follows:—

Table with 2 columns: Country, Amount. United States, \$4.23; British America, 1.12.