

THE EXAMINER

A Weekly Journal of Politics, Literature, and News.

"This is true Liberty, when Freeborn Men, having to advise the Public, may speak free."—Euripides.

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Legislative Council Chamber,

WEDNESDAY, April 11, 1860.

RESOLVED, That the further consideration of the Bill intituled "An Act to repeal certain parts of the Act consolidating the Election Laws, and to make other provisions in lieu thereof," be delayed until the next ensuing Session of the General Assembly; and that in the meantime it be published once in the *Examiner* newspapers, so that its provisions may be made known to the public.

By order,

J. BARRETT COOPER,
Clerk of Legislative Council.

An Act to repeal certain parts of the Act consolidating the Election Laws, and to make other provisions in lieu thereof.

WHEREAS the Act passed in the nineteenth year of the reign of her present Majesty, intituled "An Act to increase the number of members to serve in the General Assembly, and to consolidate and amend the Laws relating to Elections," is oftentimes violated by persons exercising the elective franchise more than once in the one Town or District at the same Election, and also by persons presuming to vote without the qualification intended by the said Act; and it is necessary to provide against such frauds on the Law:

I. Be it therefore enacted, by the Lieutenant Governor, Council and Assembly, that the ninth, nineteenth, twenty-first, twenty-third, twenty-fourth, twenty-sixth, twenty-seventh, twenty-eighth, thirty-first, seventh, and eighth sections of the above recited Act, also the Schedules, A, B, and C, thereunto annexed, be, and the same are hereby repealed.

II. And whereas Princetown, although intended, by the original plan or design by which this Island was laid off into Counties and Townships, to be the Chief Town of Prince County, has never as yet become inhabited, and the advantages possessed by the Village or Settlement of Summerside on Township Number Seventeen, as a Port for Steam Navigation, and for all commercial purposes, as well as the growing increase in its trade, and number of its inhabitants, render it better adapted than Princetown as a site for the chief Town in the said County: Be it therefore further enacted, that so much and such parts of the heretofore recited Act as authorizes the owners and occupiers of Real Estate in Princetown or Royalty, or Township Number Eighteen, or the several Islands in Richmond Bay, or other persons resident therein, to return Members to the General Assembly, to represent the said Town and Royalty, be, and the same are hereby repealed.

III. Princetown and Royalty, together with Township Number Eighteen aforesaid, and the several Islands in Richmond Bay, shall be attached to, and shall hereafter be deemed and taken as part of the Third Electoral District of Prince County; and all persons owning or occupying Real Estate, and all residents in the said Town or Royalty, or Township Number Eighteen, or on the Islands aforesaid, shall be entitled to vote for Members to represent the said Third Electoral District in General Assembly: Provided always, that such persons shall, at the time of voting, be duly qualified in manner by law required for Electors of the said Electoral District of Prince County.

IV. There shall be one polling Division for Princetown and Royalty, and Township Number Eighteen, and the Islands aforesaid; and the Poll shall be held at or near Benjamin Woods's; and such polling Division shall be deemed the Fourth Polling Division for the Third Electoral District of Prince County.

V. Township Number Seventeen shall be separated from the Third Electoral District of Prince County, and shall not hereafter be deemed to be within, or part of, the said Electoral District; nor shall any place of Polling for the said Third Electoral District be held on said Township Number Seventeen; nor shall any person, by reason of holding a property qualification on said Township Number Seventeen, or by reason of his having resided thereon, be entitled to vote for members to represent the said Third Electoral District in the said General Assembly; and so much of the heretofore recited Act of the General Assembly as heretofore authorized or prescribed Township Number Seventeen to be part of the said Third Electoral District of Prince County, or the Electors of said Township, to vote for Members to represent the said Third Electoral District of Prince County in the General Assembly; and so much of the said recited Act as is contrary to, or inconsistent with, this Act, in such respects as this Act constitutes Township Number Seventeen aforesaid, a separate Electoral District, shall be, and the same are hereby repealed.

VI. The Village or Settlement of Summerside, together with all other parts of said Township Number Seventeen, shall hereafter be represented as one Electoral District in the General Assembly of this Island, by two members, to be qualified, elected, and returned in manner provided, and subject to the enactments and regulations prescribed in the said recited Act for the election and return of members of Assembly for Electoral Districts in the said Island; and said Township Number Seventeen shall be deemed and known as the Fifth Electoral District of Prince County; and there shall be one polling Division for the said Fifth Electoral District; and the Poll therein shall be held, as heretofore, at Saint Eleanor's.

VII. Wherever the words "Electoral District," or "Electoral Districts," or "District," are, or is expressed in the heretofore recited Act, in a general sense, and not as referring especially to any one or more particular Electoral District or Districts, such words shall be deemed, and taken to mean and include Township Number Seventeen, as constituted an Electoral District by this Act; and also to mean and include Princetown and Royalty, Township Number Eighteen, and the said several Islands in Richmond Bay, as constituted parts of the Third Electoral District of Prince County by this Act.

VIII. And whereas the Polling places in divers Polling Divisions of several of the Electoral Districts in this Island, as established by the heretofore recited Act, have been found inconvenient to the electors respectively interested therein, and it is necessary that the same should respectively be changed to the places hereinafter expressed: Be it therefore enacted, that the Polling place of the First Polling Division of the Second Electoral District of Prince County shall, in future, be held at or near Richard Wood's, on Township Number Eight; the Poll for the Third Polling Division of the said Second Electoral District of Prince County shall, in future, be held at Allan MacLean's, near the Bridge on Township Number Thirteen. In the Third Electoral District of King's County the Poll for the Third Polling Division therein shall, in future, be held at or near Grand River Bridge. In the Fourth Electoral District of King's County the Poll for the Second Polling Division therein shall in future be held at or near center's, Cross Roads, on Township Number Sixty-three.

IX. So much and such parts of Section Number Four, of the said heretofore recited Act, as prescribes a polling place to be held at or near Carey's, near the Boundary line between Townships Number Seven and Eight; also at or near Barlow's Mills, Township Number Twelve; also at or near Donald Macdonald's, head of Narrow's Creek, Township Number Fifty-five; also at or near the Schoolhouse, north end of Mink River Road, on Township Number Sixty-one, shall be, and the same are hereby repealed.

X. All electors residing on Township Number Twenty-two, on the south side of the Princetown Road as aforesaid, shall hereafter be deemed to be part of the Fourth Polling Division of the First Electoral District of Queen's County,—anything in the said recited Act to the contrary notwithstanding.

Sixty-seven; and such part of Township Number Twenty-two on the said south side of the Princetown Road as aforesaid, shall hereafter be deemed to be part of the Fourth Polling Division of the First Electoral District of Queen's County,—anything in the said recited Act to the contrary notwithstanding.

XI. In the Second Electoral District of King's County there shall, in future, be four Polling Divisions, the first of which shall comprise Township Number Thirty-eight, and the Poll shall be held at or near Carey's, at Saint Andrew's, on the said Township; the second Polling Division shall comprise and include Township Number Thirty-nine, and all that portion of Township Number Forty, south of Saint Peter's Bay; and the Poll shall be held at or near Saint Peter's Mills, on Township Number Thirty-nine; the Third Polling Division shall comprise and include Townships Numbers Forty-one and Forty-two, and that portion of Township Number Forty, north of Saint Peter's Bay, and the Poll shall be held at or near Sutherland's, Head of Saint Peter's Bay, on said Township Forty-one; and the Fourth Polling Division shall comprise Township Number Fifty-six, and the Poll shall be held at or near Connaught's, at the Cross Roads, on said Township.

XII. So much, and such part of the heretofore recited Act as prescribes that there shall be three Polling Divisions in the Second Electoral District of King's County, and what Townships shall be comprised in each of such divisions, and the places of holding the Poll therein respectively, shall be, and the same is hereby repealed.

XIII. Every male person of the age of twenty-one years and upwards, being a British subject, and not subject to any legal incapacity, and who shall also be qualified by any one or more of the several qualifications hereinafter next enumerated, shall be entitled to vote at any election hereafter to be held, for the election of a member or members to represent in the General Assembly of this Island the Town, Common, and Royalty, or Electoral District wherein his property qualification shall be situated, or being otherwise qualified by this section, wherein he shall have resided twelve calendar months next before the date of the writ for said election, that is to say: First:—Every such male person shall be entitled to vote as aforesaid for any Town, and the Common and Royalty thereof, save and except the Town and Royalty of Princetown, who shall own, or be entitled to a freehold estate of, and in one whole Water Lot, Common Lot, Town Lot, or Pasture Lot, situate within such Town, or the Common or Royalty thereof, or who shall own, or be entitled to a freehold estate of, and in any dwelling house, warehouse, shop, or other building, or any farm or piece of land, within any Town, Common or Royalty in this Island, save and except, as aforesaid, of the clear yearly value of forty shillings. Secondly:—Every such male person shall be entitled to vote, as aforesaid, for any Town, and the Common and Royalty thereof, save and except the Town and Royalty of Princetown, who shall be in the *bona fide* use and occupation, or actual possession of any dwelling house, warehouse, shop, or other building, or any farm, or piece of land, within any Town, Common or Royalty, in this Island, save and except as aforesaid, of the clear yearly value of forty shillings: Provided every person claiming to vote under either of the foregoing property qualifications, shall have owned or possessed, or been in the use and occupation of, the same, for the space of twelve calendar months previous to the date of the writ for holding the election. Thirdly:—Every such male person shall be entitled to vote as aforesaid for any Electoral District, who shall own, or be entitled to a freehold estate of, or who shall be in the *bona fide* use and occupation, or actual possession of, and in, any dwelling house, warehouse, shop, or other building, or any farm or piece of land, within such Electoral District, of the clear yearly value of forty shillings. Fourthly:—Every such male person shall be entitled to vote, as aforesaid, for any Town, Common and Royalty, or for any Electoral District on the public roads, being liable to perform statute labor on the public roads, shall have actually performed the same, or shall have commuted his said statute labor for money, and duly paid the same; or who, being otherwise so liable, shall have specially exempted therefrom by statute, on account of holding any office, situation, or employment: Provided always, that every person claiming to vote by virtue of his statute labor qualification shall have resided in the Polling Division in which he shall claim to vote twelve calendar months next before the date of the aforesaid writ of election, and shall produce to the Returning Officer, if required so to do by him, or any opposing Candidate, or the Representative of any opposing Candidate, a receipt or certificate in writing, subscribed with the name of the Overseer of Statute Labor or Collector of City Taxes, for the precinct wherein such person claiming to vote shall have resided for twelve months as aforesaid, testifying to the effect, that such person hath duly performed all such statute labor, or paid all such commutation money, as by law he became liable to perform or pay, at any time within twelve months next before the date of the said writ of election.

XIV. Where the premises constituting a property qualification shall be owned or occupied by joint tenants, or occupants, tenants in common, coparceners, or partners in trade, then not more than one of either of such descriptions of persons respectively shall vote thereon, unless their individual interest therein shall be of the yearly value of forty shillings.

XV. A temporary absence for any period not exceeding three calendar months from the Town and Royalty, or Electoral District, in which any person may be qualified to vote on a property qualification, shall not exclude such person from the right of voting.

XVI. And whereas there are many persons who are in possession of, and entitled to, leasehold estates in valuable improved farms, and other pieces of land, the annual rent whereof doth not in the whole amount to forty shillings, and unless otherwise provided for it might happen that the amount of rent payable by them in such cases, notwithstanding the increased value of the estates in their possession, by improvements and buildings made and erected thereon, would not entitle them to the right of voting, therefore every person who shall be in possession of or entitled to a leasehold estate in, and to a farm, or other piece of land, which, with the buildings and improvements thereon, would be of the fee simple value of thirty-five pounds, whether the annual rent reserved or payable therefor shall or shall not amount to forty shillings, shall, at any election hereafter to be held, be entitled to vote for a member or members to serve in the General Assembly for the Town, Common and Royalty, or Electoral District wherein the same may be situated: Provided always, that every such person shall, in other respects, be qualified, as required by this Act.

XVII. Whenever any elector shall be questioned by, or on behalf of any Candidate, at any election hereafter to be held, such elector, if he claims to vote on account of property, shall truly describe the same, and where it is situated; and if the property for which he claims to vote shall be held under lease or agreement, for a lease by parol, or in writing, the annual rent payable for the same; and if freehold, or if he claims to vote on the ground of use and occupation, or possession thereof only, as heretofore mentioned, the estimated yearly value thereof; and if he claims to vote because he shall be liable to perform statute labor, or because, being otherwise so liable, he is specially exempt by any Act of the General Assembly from performing the same, he shall specify where, or in what Town and Royalty, or Road District he is, or would be liable to perform such labor; and if exempt therefrom, the grounds of such exemption; and all the particulars of such claim to vote, as aforesaid, according to the circumstances of the case, shall be taken down in the Poll Book, and shall be conclusive against every such elector; and every Candidate against whom the vote is given, or his substitute, may object to such elector, and direct his vote to be marked "objected," and also cause the elector to be sworn, and to have administered to him the elector's

qualification oath, applicable to such elector; and the oath against fraudulent conveyances and bribery, contained in Schedules A, B, and C, to this Act annexed; and the Sheriff or other Officer presiding for taking the Poll is hereby authorized to administer such oath.

XVIII. Any person, being a Quaker or Moravian, whenever an oath is required by this Act, shall be permitted instead of such oath, to make his solemn affirmation or declaration.

XIX. If any person shall wilfully, falsely, and corruptly take any of the oaths or affirmations appointed and required by any of the provisions of this Act, and be therefor lawfully convicted by Indictment or Information; or if any person shall corruptly procure or suborn any other person to take the said oaths or affirmations, or any of them, and the person so procuring or suborning shall be therefor convicted by Indictment or Information, every such person so offending shall be guilty of wilful and corrupt perjury, and shall for every such offence incur and suffer such penalties, forfeitures and disabilities as persons convicted of wilful and corrupt perjury are or may be liable to.

XX. Every elector, qualified to vote for the Town or Electoral District in which he resides, shall vote at any election in such Town or District in the Polling Division in which he resides, and not elsewhere; and the oath of qualification to be administered to, and taken by, every such resident elector, when required, shall be the oath in the Schedule A to this Act annexed, applicable to the nature of his qualification.

XXI. Every elector, qualified to vote in any Town or Electoral District in which he does not reside, shall vote in the Polling Division in which the property on which he claims to vote for such Town and Royalty, or Electoral District, is situate, and not elsewhere; and the oath of qualification to be administered to, and taken by every such non-resident elector, in this section mentioned, when required as herein provided, shall be the oath contained in the Schedule B, to this Act annexed.

XXII. If any elector, being thereunto required, shall refuse to take any of the oaths in this Act appointed to be taken, or either of them, or to affirm to the effect thereof, then the poll or vote of such person shall not be taken; and the same is hereby declared null and void; and shall be rejected; and if any Presiding Officer or Poll Clerk shall neglect or refuse, when thereunto requested, as aforesaid, to administer any oath or affirmation to any elector in a competent state of mind to take any such oath or affirmation, or shall otherwise offend in the premises, contrary to the true intent and meaning of this Act, every such Presiding Officer or Poll Clerk shall forfeit and pay for every such offence a sum not exceeding ten pounds.

XXIII. The clear yearly value in the eleventh, twelfth, and thirteenth sections of this Act mentioned, shall be estimated by the value of agricultural or other produce which the land or property actually yields, or by the annual value of the buildings thereon erected.

XXIV. Whenever any Sheriff or Returning Officer, at any election to be held under this Act, has reason to know or believe that frauds and violence are being practised, in violation of the rights of electors, by which undue votes are tendered, or that any voter is not qualified, or has already voted at the said election, and offers to vote again, or tenders his vote under a false name or designation, or personates, or presents himself falsely, as being duly qualified to vote, it shall be the duty of such Sheriff or Returning Officer, under penalty of ten pounds currency, to administer the oath or oaths authorized by this Act, to such voter, whether he be required so to do by any party or not, of which mention shall be made on the Poll Book.

XXV. If any person shall steal, or unlawfully or maliciously, either by violence or stealth, take from any Sheriff or Returning Officer or Poll Clerk, or from any other person having the lawful custody thereof, or from his lawful place of deposit for the time being, or shall unlawfully or maliciously destroy, injure or obliterate, or cause to be made, or cause to be made in any erasure, addition of names, or interlineation of names, in, to, or upon, or shall aid, counsel or assist, in making any erasure, taking, destroying, injuring, or obliterating, or in making any erasure, addition of names, or interlineation of names, in, to, or upon, any writ of Election, or any Return, or a writ of Election, or any Poll Book, certificate, or affidavit, or any other document or paper, made, prepared, or drawn out, according to, or for the purpose of meeting the requirements of this Act; or if any person, every such offender shall be guilty of felony; and being convicted thereof, shall be liable to the discretion of the Supreme Court, to be imprisoned for any term not exceeding two years; and in addition to such imprisonment, if the Court shall so think fit, to be fined in such sum as the said Court shall award.

XXVI. Whenever any vacancy or vacancies shall happen in the House of Assembly, from any cause mentioned in the seventh, eighth or seventh and eighth sections of the heretofore recited Act, relating to supply such vacancy or vacancies, shall not, in any manner, affect the rights of any person or persons who may be entitled to contest the previous election or elections by or at which the person or persons whose seat or seats shall have been so vacated, may have been returned; and the report of any Election Committee, appointed to try such previous election, shall determine whether the number of members, whose seat or seats shall have so become vacant, or any other person, was duly returned or elected thereon, which determination, if adverse to the return of such member or members, and in favor of any other candidate, shall void the said previous election; and the candidate declared duly elected at the previous election shall be entitled to take his seat, as if no such subsequent election had been held.

XXVII. Every Sheriff shall, at the time he shall advertise the holding of the Poll or Polls, as prescribed by the heretofore recited Act, publish other advertisements, describing in substance the qualifications that are required of electors by this Act—the penalty for voting or attempting to vote more than once at such election, and for voting under a false or fictitious name, or for voting without being qualified; which advertisements shall be (as or near as may be), in the form in the Schedule to this Act annexed, marked D; and such advertisements shall be posted up at not less than five conspicuous places, within three hundred yards of the respective places in each Polling Division appointed for holding such election.

XXVIII. In all cases of scrutiny or investigation of votes, under the heretofore recited Act of the nineteenth year of the reign of her present Majesty, chapter twenty-one, after prima facie evidence, given by the party objecting to any vote or votes, sufficient to raise a reasonable doubt of the validity of any such vote or votes, the burden of proof to establish such vote or votes to be good and valid shall lie on the party to the scrutiny in whose behalf such vote or votes were polled.

XXIX. Upon every trial for perjury or other misdemeanor, and in every prosecution for any penalty or other punishment for any breach or violation of this Act, wherein it may be necessary to give evidence of the holding of any Sheriff's Court, or any Election, or the opening, duration or closing of any Sheriff's Court or Poll for the election of any member or members of Assembly, or of any particular fact which shall have transpired at any such Court or Election, it shall not be necessary to produce the Writ of Election, or any of the public notices required by law for the opening or holding of such Court or Election, but the said recited facts may be proved by the parol testimony of the Sheriff, or Returning Officer, or Poll Clerk, or other credible witness or witnesses, who can testify to the fact; and a copy of the Writ of Election, and Sheriff's Return thereon, where such return shall be made, certified under the seal of this Island, and the name of the Colonial Secretary, subscribed by himself or his lawful Deputy thereto, shall, in like manner, be of itself sufficient evidence of the said Writ of Election, and of the matters recited in the Sheriff's Return to such Writ, where

a Return shall be lawfully made thereon, or attached thereto; nor shall it be necessary to prove the signature of the said Colonial Secretary, or of his said Deputy, to any such certificate, so accompanied by the seal of the said Island.

XXX. All penalties and forfeitures imposed by this Act shall and may be sued for, recovered, levied and appropriated in manner, and subject to the rules and directions prescribed in the eighty-second and eighty-third sections of the heretofore recited Act relating to the Election Laws.

XXXI. Nothing in this Act shall have any force or effect until her Majesty's assent thereto shall be made known, and notification thereof published in the *Royal Gazette* newspaper of this Island; nor until the expiration or dissolution of the present House of Assembly.

SCHEDULES TO WHICH THIS ACT REFERS.

SCHEDULE A, (No. 1.)

Oath to be administered to an Elector claiming to vote as a Freeholder for the Town, Common or Royalty, in which he resides, saving and excepting the Town and Royalty of Princetown, and which vote is by this Act required to be polled in the Polling Division in which the Elector resides.

You, A. B., do swear that you are by law qualified to vote at this Election for the Town, Common and Royalty of County, in right of, and as owner of one whole (Town, Common, Pasture or Water) Lot, (name which) or in right of, and as owner of a freehold estate, consisting of, and of the yearly value of forty shillings, (as the case may be), which has now been entered in the Poll Book, as designated by you; and that you have not polled or given a vote for any Candidate at this Election within this or any other Polling Division; and that the place of your abode is in the Polling Division of the Town, &c., of County, and is, according to the best of your knowledge and belief, within this Polling Division. So help you God.

SCHEDULE A, (No. 2.)

Oath to be administered to an Elector claiming to vote as a bona fide occupier, or actual possessor of a building or land, of the yearly value of forty shillings, for the Town, Common or Royalty in which he resides, &c., (save and except the Town and Royalty of Princetown).

You, A. B., do swear that you are by law qualified to vote at this Election for the Town and Royalty of County, in right of your use and occupation, or actual possession, held in good faith of (a dwelling house, warehouse, shop, or other building, or any farm or piece of land, as the case may be), of the yearly value of forty shillings, which has now been entered in the Poll Book, as designated by you; and that you have not polled, or given a vote for any Candidate at this Election, within this or any other Polling Division; and that the place of your abode is in the Polling Division of the Town, &c., of County, and is, according to the best of your knowledge and belief, within this Polling Division. So help you God.

SCHEDULE A, (No. 3.)

Oath to be administered to an Elector claiming to vote as a Freeholder for any Electoral District in which he resides, and which vote is by this Act required to be polled in the Polling Division in which the Elector resides.

You, A. B., do swear that you are by law qualified to vote at this Election for the Electoral District of County, in right of, and as owner of a freehold estate, consisting of, and of the yearly value of forty shillings, which has now been entered in the Poll Book, as designated by you; and that you have not polled or given a vote for any Candidate at this Election, within this or any other Polling Division; and that the place of your abode is in the Electoral District of County, and is, according to the best of your knowledge and belief, within this Polling Division. So help you God.

SCHEDULE A, (No. 4.)

Oath to be administered to an Elector claiming to vote as an occupier, &c., for any Electoral District in which he resides, and which vote is by this Act required to be polled in the Polling Division in which the Elector resides.

You, A. B., do swear that you are by law qualified to vote at this Election for the Electoral District of County, in right of your use and occupation, or actual possession, held in good faith of (a dwelling house, warehouse, shop, or other building, or any farm, or piece of land, as the case may be), of the yearly value of forty shillings, which has now been entered in the Poll Book, as designated by you; and that you have not polled or given a vote for any Candidate at this Election, within this or any other Polling Division; and that the place of your abode is in the Electoral District of County, and is, according to the best of your knowledge and belief, within this Polling Division. So help you God.

SCHEDULE A, (No. 5.)

Oath to be administered to an Elector claiming to vote in right of a Statute Labor qualification, or Statute privilege, for any Town or Electoral District in which he resides, and which vote is by this Act required to be polled in the Polling Division in which the Elector resides.

You, A. B., do swear that you are by law qualified to vote at this Election for the Town, Common and Royalty of County, (or for the Electoral District of County, as the case may be) in right of your statute labour on a public road or highway, or paid the commutation money prescribed by law in lieu thereof, for the year ending in the month of last or present according to the Overseer's certificate in writing now delivered into my possession; and that you are the person named in the said certificate. (If the voter be an Overseer of highways, schoolmaster, or other person specially privileged by law from performing statute labour, then, in place of the above words, but save the words, stating that he duly performed statute labor repeat here as follows, namely:—) By reason of your situation or office of held by you during the time specified for the performance of statute labour, and exempting you therefrom; and that you have not polled or given a vote for any Candidate at this Election, within this or any other Polling Division; and that the place of your abode is in the Polling Division of the Town, &c., of County, and is, according to the best of your knowledge and belief, within this Polling Division. So help you God.

SCHEDULE B.

Oath to be administered to an Elector claiming to vote in any Town or Electoral District in which he does not reside, and which vote is required to be given in the Polling Division wherein his qualification is situate.

You, A. B., do swear that you are by law qualified to vote at this Election for the Town and Royalty of County, (or for the Electoral District of County, as the case may be), in right of the property and title which have now been taken down in the Poll Book, and read to you; and that, according to the best of your knowledge and belief, the said property lies in this Polling Division; and that you have not polled or given a vote for any Candidate at this Election, either in this Polling Division or any other Polling Division, in this Town and Royalty or District (as the case may be), and that the place of your abode is in the Electoral District. So help you God.

SCHEDULE C.

Oath against Bribery and against fraudulent Conveyances, to be administered alike, when required, to all classes of voters.

You, A. B., do swear that you have not received, or had for yourself, or any person whatsoever, in trust for your use and benefit, directly or indirectly, any sum of money, office, place, employment, or gift, in order to give your vote at this Election for the Town and Royalty of County, (or for the Electoral District of County, as the case may be); and that you have not before been polled, or given a vote for any Candidate at this Election, for this Town and Royalty, or Electoral District, (or otherwise, as the case may be); and that your place of abode is at (If the voter claims to vote on a property qualification here add further)—and that the property in respect of which you do claim to vote at this Election hath not been granted or conveyed to you fraudulently, on purpose to qualify you to give such vote. So help you G.d.

SCHEDULE D.

ELECTION POLL NOTICE.

The qualifications of voters for members in the House of Assembly, as required by the Act of the twenty-third year of the reign of her present Majesty, chapter are in substance as follows, namely:—

Every voter must be a male person of the age of twenty-one years, a British subject, not subject to any legal incapacity, and must have been duly qualified for at least twelve calendar months next before the date of the writ of Election, and must in addition be entitled to one or more of the following qualifications:—

First.—For a Town and Royalty, (excepting Princetown and Royalty), must own a freehold estate, consisting of one whole Water, Common, Town, or Pasture Lot, or a freehold estate of the clear yearly value of forty shillings, consisting of a dwelling house, warehouse, shop, or other building, or of a farm or piece of land; or must be in the *bona fide* use and occupation, or actual possession of any dwelling house, warehouse, shop, or other building, or any farm or piece of land of the clear yearly value of forty shillings; the qualification to be within the Town, Common or Royalty, and except as aforesaid, or who shall be an occupier of eight acres of the Reserved Lands regards a vote for Georgetown.

Second.—For an Electoral District, must own a freehold estate of the clear yearly value of forty shillings, consisting of any warehouse, shop or other building, or any farm or piece of land, or must be in the *bona fide* use and occupation, or actual possession of any such last-mentioned premises.

Third.—For other Town or Electoral Districts, the performance of statute labor or payment of the commutation money, and Overseer's certificate, for the year ending next before the Election; and a twelve months' residence in the Polling Division; or holding situation exempting from statute labor by Act of Assembly.

Every voter or voter or *cestui que trust*, in actual possession by himself or his tenant, of real estate of the yearly value of forty shillings, down, and set off, and received into possession, and value forty shillings per year. The clear yearly value as aforesaid to be estimated by the annual value of the buildings, or by the value of agricultural or other produce yielded by the land. Wilfully, falsely and corruptly swearing to any of the oaths prescribed by the Act, or procuring or suborning any person so to do, is punishable with the pains and disabilities inflicted on persons guilty of wilful and corrupt perjury.

Persons who shall procure themselves to be polled more than once at the same Election, for the same Town or District, or who shall vote under a false or fictitious name, or personate or vote in the name of any other person, or not being duly qualified to vote, and be polled according to law, shall forfeit five pounds for each offence.

(Date) A. B. Sheriff, or Returning Officer.

Provincial Parliament.

HOUSE OF ASSEMBLY.

TUESDAY AFTERNOON, March 27.

LAND COMMISSION DESPATCHES.

(Date continued.)

Hon. Mr. POPE, as a member of the Government, could not submit in silence to the imputations which had been thrown out against the Lieut. Governor and the Government. The Opposition had charged that, in saying that the address had been graciously received, His Excellency had been guilty of misrepresentation, with the sanction and connivance of his advisers. Such was not the fact. His Excellency and the Secretary of State had both received the address with commendation or connivance, either towards the House of Assembly or the House. It would be found that the expression to which so much exception had been taken, was fully justified. The cause of all this debate was that the Opposition were afraid that good would result from the Commission, and that the Government would obtain credit with the country for their policy. When they were informed by the Secretary of State that the Commission would not be granted unless it were free from any restrictions, his advisers assured the Lieut. Governor that while it was not the wish of the House of Assembly that the Commission should be fettered, they hoped that their suggestions would be carried out. The necessary negotiations were still in progress, and when members of the Opposition stated that nothing more than the despatch had been received on the subject, they but betrayed their ignorance of the state of the Commission. The Government might not see fit to put the Commission in possession of all the information they had received. The majority of the House were satisfied that all that could be done had been done; and he could assure them of his positive conviction that a Commission would shortly issue. The hon. member, Mr. Whelan, had said that the Duke of Newcastle had treated the address with contempt, and that his own expression, he had turned the back on his hand to it. That was the fact, why did Mr. Merivale write to Sir Samuel Cunard on the subject? With reference to the leader of the Opposition, he never saw him except unworthily a position as he had assumed in his debate. He was sorry for him when he heard him denounce his own faith in the Commission, and supporting Ebech as being preferable, and practical, without reference to the same Government. When he made that assertion he must have forgotten all the speeches he had made when opposing Mr. Cooper in former years; and if he preferred Ebech, why did he vote for the address praying for the Commission? That address had been passed by a nearly unanimous vote of the House; and it was futile to say that the whole scope and spirit of the resolutions and address were not the final and equitable settlement of the land question. The great object was to obtain a Commission, with competent persons to effect that result; and the Government was perfectly justified in acting in such manner as to remove any obstacles which might delay or prevent it, and to recommend the particular details to the favorable consideration of the tribunal by which they were to be adjudicated upon. He was opposed to hon. Mr. Cole's resolution, and he trusted that hon. members would feel themselves satisfied with the assurances of the Government, and that the Commission would go into effect, and would consequently feel themselves warranted in supporting the amendment.

Mr. HOLM would support the amendment. The hon. member, Mr. Cole, in impugning the independence of the supporters of the Government as being servile tools of the administration, had judged them, probably, by the standard of independence which characterized the adherents to his own administration. He was there as an independent man, and would support the Government as long as he believed they were acting with a view to the public good, and whenever he should have cause to change his opinion he would be true to himself. It had been said that the Commission would never come into existence, because it had not yet been organized, and the Government had on that account been accused of inactivity. If the Commission should never be appointed, or if, after its appointment, no good should result, so long as the matter of the Government were honest and pure they would not be justly censured for the failure. It became his opposition to impute inactivity to the present Government in connection with this matter, when it was recollected that prior to the late election the leader of the late Government and his friends circulated throughout the length and breadth of the land that the Loan Bill had passed, and that the money to be raised by it was ready, when they had not a title of proof on which to rest their assertions; and when the fact was subsequently brought home to them, they declared that they were not disappointed. He could see no reason for accusing the Government of misrepresentation, for the despatch did not relate the Commission, merely pointed out objections in order that they might be removed; and the letter from Mr. Merivale to Sir Samuel Cunard, showed conclusively that the Colonial Minister was willing to carry out the suggestions of his predecessor. After having existed in vain for years on the opposite party for a settlement of the Land Question, so little time had elapsed since the present Government came into power, that they would not be taxing their patience unduly if they gave them a reasonable period to complete the business, the negotiations connected with which were in progress.

Progress was reported.

WEDNESDAY, March 28th.

The Committee on the Land Commission Despatches was resumed. Mr. CONROY—So much time had been already occupied in the discussion of this subject, that he need scarcely have risen at all; but it was the duty of all to express their opinions.