

The Examiner.

A WEEKLY JOURNAL OF POLITICS, LITERATURE AND NEWS.

EDWARD WHELAN]

This is true Liberty, when Free-born Men, having to advise the Public, may speak free.—EURIPIDES.

[EDITOR AND PUBLISHER

Vol. VIII.

CHARLOTTETOWN, PRINCE EDWARD ISLAND, MONDAY, MAY 2, 1859.

No. 43.

To Arrive from the West Indies Direct.

Molasses, Sugar, Salt.
BY J. & T. MORRIS.

THE Subscribers will sell by AUCTION, immediately on the arrival of the Brigantine "AFTON," from the West Indies—

40 Puncheons choice MOLASSES,
8 Hhds. do. SUGAR,
3,000 Bushels coarse SALT.

The above Salt is suitable for packing Herring and Mackerel for Market.

TERMS OF SALE.—£20 and upwards 6 months' credit on approved joint Notes of Hand.
April 4, 1859. SAMUEL A. FOWLE & Co.

COTTAGE FOR SALE.

TO be sold by PUBLIC AUCTION, on TUESDAY, the 3rd day of May next, at 12 o'clock, on the premises, that neat and well finished COTTAGE in Hillsborough-street, containing eight Rooms and Kitchen, with Stable and Coach-house attached, at present occupied by Mr. W. E. Dawson. Terms—one-half the purchase money down; the remainder in two years, on security on the property.

WILLIAM DODD, Auctioneer.
April 18, 1859. (Isl. & Mon.)

Valuable Property for Sale.

THE undersigned being authorised, offers for sale one of the most eligible situated properties in the City, fronting on Queen's Square 175 feet, immediately opposite the Market House, on the north, by Grafton-street 168 feet. If not previously disposed of, it will be sold in Building Lots at Public Auction, on TUESDAY, the 31st May next, at the hour of 12 o'clock, noon. A plan of the property can be seen, and any information obtained by applying to

JOHN BALL.
Charlottetown, April 18, 1859.

Intestate Estate Sale.

TO be sold by Public Auction, at the Colonial Building, in Charlottetown, on WEDNESDAY, the fourth day of May next, at the hour of twelve o'clock, noon, pursuant to a licence duly granted for that purpose by his Honor the Surrogate and Judge of Probate of this Island, bearing date the ninth day of June, 1857, part of the REAL ESTATE which belonged to the late John Anderson, of Charlottetown, master mariner, deceased, intestate at the time of his death, that is to say: ALL that piece of ground commencing at a distance of eighty-four feet from the corner of King's Square, thence running northwardly forty-two feet along Hillsborough-street, thence at right-angles eastwardly eighty-four feet, or until it strikes land in possession of John Rider, thence southwardly forty-two feet, thence westwardly to the place of commencement—comprising one-quarter part of Town Lot No. Eighty-two (82), in the fourth hundred of Town Lots in Charlottetown; and also ALL that other piece of ground commencing at the northern angle of the said Town Lot, thence running westwardly along Fitz Roy street forty-two feet, thence at right angles southwardly thirty-two feet (a little more or less), thence at right angles eastwardly forty-two feet, thence northwardly to the place of commencement—bounded on the east by land belonging to Mr. George Beece, and being part of the said Town Lot No. Eighty-two, in the fourth hundred of Lots in Charlottetown; and of which said Real Estate the said intestate, John Anderson, died seised and possessed in fee simple.

Dated at Charlottetown this 7th day of March, 1859.
CATHERINE ANDERSON,
Administratrix of Estate of late John Anderson.

CITY STEAM MANUFACTORY.

THE Subscribers take leave to acquaint the citizens of Charlottetown and the Island generally, that having entered into Co-Partnership they are prepared to execute all orders in their line with promptness and dispatch.

In consequence of having labour-saving machinery of the latest and most improved kind, they feel confident that they can manufacture articles much cheaper and better than can be imported or made in any establishment in the Island; and also hope that by an uninterrupted attention to business, to secure a share of public support.

Cabinet Making and Upholstering,
of the latest and most durable styles;

SASHES and DOORS

made to order at the shortest notice.
Also—Planing, Turning, Straight and Sweep Sawing, Iron Turning and Drilling of every description done in a superior manner.

PATRICK HICKEY,
GARRETT GILLESPIE.

Ch. Town, Jan. 10, 1859. (Isl. 3m.)

STONE CUTTING.

THE Subscriber wishes to make known to the public at large, that he constantly keeps on hand a variety of HEAD STONES, (Marble and Freestone,) of different styles and of the best material. He would especially recommend parties residing out of Charlottetown to give him a call and examine the specimens he has on hand, and ascertain the different prices, before paying in advance for work which may not give satisfaction when received.

JOHN CAIRNS.
Grafton Street, Charlottetown, March 7, 1859. Ex. 3m.

CITY TANNERY.

WEST END OF GRAFTON STREET.

FOR SALE at the above Establishment—
100 Sides Neat LEATHER,
200 Calf SKINS,
200 Sides City, and Country Slaughtered Sole LEATHER,
300 Sides Britons Ayres Sole LEATHER, to be ready New Year's.

N. B. CASH paid for GREEN HIDES.

WANTED IMMEDIATELY, a quantity of HEMLOCK BARK, for which Cash will be paid on delivery at the above Establishment.
Charlottetown, Dec. 13, 1858. Mon & Pro

Bricks! Bricks!

THE subscriber's premises will be opened on Mondays, Wednesdays and Saturdays, between the hours of 10 a.m. and 4 p.m.
J. P. BEEBE.
Charlottetown, 18th April, 1859. (Mon. & Sat.)

FLOUR AND CORN MEAL.

200 BLS. Extra Superfine American Family FLOUR.
200 do Fine Canadian do FLOUR,
100 do Kilm. dried CORN MEAL,
Tea, Sugar, Molasses, Soap, Candles, and other GROCERIES.

For sale cheap for CASH ONLY at
SELL'S PROVISION STORE, Market Square.
March 21, 1859. Gw

COTTAGE TO LET.

TO LET, for one or more years, that pleasantly situated COTTAGE on Princeton Road, about one mile from the City, formerly the property of W. H. Cardiner, with STABLE and GARDEN attached. Also one or two Acres of LAND, with the same, if required. Apply to Messrs. W. Dodd, or
WILLIAM DODD.
April 25, 1859. Gw

Seeds. Seeds.

Fresh Seeds, the growth of 1858.

M. W. SKINNER is now opening a case fresh Garden and Flower SEED, which are the growth of 1858.

It is only necessary to say to his usual customers that these Seeds are from the same Seedsmen from whom he has been supplied for the last three or four years, and which have given such general satisfaction.

A large variety of choice Flower Seeds.
Charlottetown, April 12, 1859. 13i

For Sale,

THAT FARM, consisting of 59 acres, lately occupied by Richard Milford, Esq., situate on Mill Creek, West River. On the Farm is an excellent Dwelling House, as well as new Out-buildings, consisting of Barn, Sheep-house, &c. Within a mile of the Farm are both Grist and Saw Mills, as well as Blacksmiths' Forges and a Cartwright, and a short distance from the shore is a never-failing bed of muscle-mud. For further particulars apply to Mr. William E. Dawson, Charlottetown, or to
April 18, 1859. (Isl.) JOHN MILFORD, Royalty.

Lime! Lime!

TO be had at DODD'S KILN, Princeton Road, LIMESTONE burnt from British and Provincial Stone.
FARMERS can be accommodated with a Credit of six months. Orders for the above article left at DODD'S BRICK STORE will be punctually attended to.
The highest price given for LIMESTONE.
April 8, 1859. Gw THOS. W. DODD.

NOTICE.

THE Co-partnership heretofore existing between the undersigned, under the firm of McLellan and Campbell, is this day dissolved by mutual consent. All parties due the said firm are hereby notified to pay the amounts due by them to Alexander Campbell, who is only authorised to collect and discharge the same.

JOHN McLELLAN,
ALEXANDER CAMPBELL.

According to the foregoing notice, all parties due the late firm of McLellan and Campbell are hereby notified to pay their respective amounts due by them to the undersigned otherwise their accounts will immediately be handed to an attorney for collection.

ALEXANDER CAMPBELL.
Summerside, P. E. I., April 11, 1859.

Charlottetown Gas Light Company.

NOTICE is hereby given that the Annual General Meeting of the shareholders in the above Company will be held at the Company's office, on TUESDAY, the 31st day of May next, at 11 o'clock in the forenoon, for the purpose of electing Directors, and the general transaction of business.

By Order,
WM. MURPHY, Sec'y.

TO LET.

THE 'PAVILION HOTEL.'

TO LET, AND IMMEDIATE POSSESSION given, that eligible situated and well adapted HOUSE and premises lately known as the "PAVILION HOTEL," which, from its standing on the highest ground in the City, and its proximity to the public offices and wharves, renders its situation for a HOTEL the most desirable in the City, for either transient or permanent boarders.

The building comprises on the first floor one large Dining room 25 by 25 feet, one reading or Bar-room 25 by 15 feet, one large inner Kitchen, outer Kitchen, and large Scullery, with many conveniences, one Pantry, one small Sitting-room, two spacious Halls, and two pair Front Stairs, and one pair back Stairs, and Water Closet. On the second floor, one Dining-room 25 by 14 feet, eight Bed-rooms and one large Pantry and Closet; and in the Attic seven Bed-rooms; and having spacious cellars. The house having lately undergone a thorough repair, is in excellent order, and having a good Stable, Coach-house, and out-office, attached.

For terms and particulars, please apply to
Charlottetown, Dec. 20, 1858. H. HASZARD.

Elections! Elections!

JUST opened for the occasion, one Cask GLENLEVIN WHISKEY (five years old). It is said this genuine article possesses the wonderful qualities of converting your opponents to your Political views, consequently no aspirant to the Red Benches should be without it. For sale by
March 7. N. RANKIN, Great George-street.

COLONIAL LIFE ASSURANCE COMPANY.

BONUS YEAR.

SPECIAL ATTENTION is directed to the advantage of joining the Company on or before 25th MAY, 1859, as the SECOND DIVISION OF PROFITS will take place as at that date.

The Fund to be Divided will be the Profits which have arisen on the Business of the Company since 25th May, 1854, when the last Division took place.

To entitle parties to Participate in the Division, proposals must be lodged at the Head Office, or at one of the Branch Offices or Agencies at Home or Abroad, on or before 25th May, 1859.

THE COLONIAL was established in 1846, and its present income is Ninety-five Thousand Pounds sterling per annum.

Subscribed capital—ONE MILLION STERLING.
Constituted by Act of Parliament.
Agencies in all the Colonies, where Premiums are received and claims settled.

HEAD OFFICE—5 George Street, Edinburgh.

Governor:

RIGHT HONORABLE THE EARL OF ELGIN AND KINCARDINE.

NOVA SCOTIA HEAD OFFICE, HALIFAX.

(50 BEDFORD ROW.)

BOARD OF DIRECTORS:

The Honble. M. E. Almon, Banker.
The Honble. W. A. Black, Banker.
Lewis Bliss, Esq.
Charles Twining, Esq., Barrister.
John Bayley Bland, Esq.
The Honble. Alexander Keith, Merchant.
General Agent and Secretary—MATTHEW H. KITCHIE.

Medical Advisers, Charlottetown, P. E. Island:

Drs. HENRY A. & HARMOND JOHNSON.

AGENTS—Charlottetown—J. LONGWORTH.

Georgetown—W. SANDERSON.

St. Cleonor's—T. HUNT.

Every information regarding the Company's conditions and rates, (which are most favourable to the assured,) will be afforded by
JOHN LONGWORTH, Agent.
Charlottetown, April 18, 1859. Gw

Provincial Parliament.

HOUSE OF ASSEMBLY.

THURSDAY, 14th April, 1859.
AFTERNOON SITTING.

Hon. Col. GRAY reported from the Committee on the standing rules. The report was made the order of the House for to-morrow.

HOUSE IN COMMITTEE ON THE DRAFT ADDRESS.

Hon. Mr. COLES—Before the adjournment, the hon. member, Mr. Longworth, had read the fifth clause of the bill, and had argued from that, as though the Legislature in passing it had given the Government a new and dangerous power. The truth was, that Government previous to the last had the control and management of the Reserves, and had exercised their authority over them. As an instance he might mention that the hon. member's brother, the Hon. Francis Longworth, years ago, had obtained license to occupy some Reserves at Rustico, in direct opposition to the wishes of the proprietor. And several other parties had received similar licenses from former Governments. The clause to which the hon. member had manifested so strong an antipathy, was merely explanatory of the rights of the Government—a mere declaration of the power the Crown always possessed. He trusted that hon. members would not say that they did not regret the loss of a bill which had for its object the relief of the tenant from the obligation to pay rent to which his landlord was not entitled. The construction put upon the clause might suit the taste of the hon. member and his legal friends, whose profession naturally disposed them to pervert common language by all sorts of construction. If his colleagues agreed with the opinion of the hon. member, that no Government should have the power of disposing of the Reserves, let them introduce a bill giving them to the tenants, and it should receive his hearty support. Such a measure would have the twofold effect of satisfying the tenantry, and setting the question at rest. At present they were dissatisfied, and no wonder that they should be, when they were compelled to pay rent for land which the Government might at any moment call upon them to surrender. As the members of the Government had stated that he was only anxious to keep up agitation, why, now they had the influence of the proprietary party in their favor, did they not introduce a measure for the final settlement of the question? He could answer for himself and his political friends, that they would cheerfully support any measure from whatever source it might emanate, which would give to the people of the country a title of what was due them.

Mr. HOWAT—If he understood the hon. member right, the tenants were not to be interfered with. If such were the case, what, he would ask, was the meaning of the fifth clause of the bill? The hon. member read the clause (which is given above.) It appeared from that section, that, not content with controlling the proprietors, the hon. member wished to have the control of the tenants as well, by vesting in his Government the unqualified right to dispose of these Reserves. The bill would have deprived the tenants of all right to that portion of their lands which came within the description of Fishery Reserves. How any honest man, in view of the Section he had just read, could entertain a sentiment of regret that such a Bill had not become the law of the land, he was at a loss to comprehend. He lived on a shore farm, having a rent of 94 chains. Would he, for the paltry saving of a few shillings' rent, risk the loss of the front of his farm, whence he obtained a large amount of manure? The measure would be of small benefit to the country generally, but would be disastrous to individual agriculturalists. He was himself a freeholder, as well as tenant, and in the latter relation he had no idea of losing the front of his property for the sake of the few shillings which he now paid in the shape of rent. Such a course would resemble the conduct of the dog in the fable, who lost the substance in trying to grasp the shadow.

Hon. Mr. COLES—The Government had the power to grant licenses, and take the land, for which the hon. member, and other tenants, were paying rent, so that there was no more security for the hon. member than there would be if the Bill had been sanctioned. He repeated that the only object of the Bill was to relieve the tenants from the rents they were paying for the Reserves.

Mr. HOWAT—The hon. member should bear in mind that the fifth Section of the Bill allowed the Government to lease the Reserves to the tenant, or any other person, making no distinction, and giving no preference to the tenant. If a man became at any time an arrear for his land tax, his property would be sold. Now, no proprietor would give a tenant of his land for a few shillings' rent, if the Government converted the tenants of the proprietors into tenants of the Government. The moment that change in their position took place, their duty to the public generally would compel any honest Government to treat all with the same even measure of justice; they should not be suffered to grant indulgence to their political friends and supporters, and rigidly exact their dues from others. He would go for any honest measure calculated to benefit the tenantry.

Mr. COOPER—The Government had the power of managing the Reserves, but should not take rent for them. It was inadvisable, that the Government should have no right whatever to the Reserves. He believed that the only object of the Bill was to relieve the tenantry from the rent charged them for the Reserves.

Hon. Mr. PALMER—The hon. member might have been behind the scene, and thus known more than others about the history of this Bill; but he would content himself with endeavouring to take its meaning from the words of the Bill itself. The hon. member had stated that the Bill was intended to prevent payment of rent for the Reserves, which, he assumed, had always been in the Crown; which, however, he, somewhat singularly, had asserted had power to lease, but not to receive rent for, property admitted by himself to belong to the Crown. The real object of the Bill was to make the tenants pay rent to the Government. It went further, it contained no specific stipulations as to the amount of rent, or nature of the lease, and contained clauses to coerce the people into a convenient state of plant submission to the Government. Giving the hon. member, Mr. Cooper, the benefit of his assumption, that the Reserves were vested in the Crown—although that question had not been decided it was still at issue—yet even if the proprietors admitted the right, as asserted by the hon. member, that the Reserves were vested in the Government, yet they were vested in them not absolutely to do with them as they pleased, but solely as Trustees for Fishermen. Therefore, their authority was but limited, and the hon. member would find that, if the Government did not interfere with the tenants' occupation of the Reserves, the applications for them would be so few and far between that but few would be disturbed. In practice, too, it would be found that a tenant would rarely object to the occupation of a small portion of the front of his farm, for the establishment on it of an extensive fishery, the prosecution of which would largely enhance the value of his residue, and afford a good market at his own door for large quantities of his produce.

Mr. DOUSE had already stated his views on the question, and he was happy to say that he had been confirmed in them by the observations which had fallen from the hon. member, Mr. Howat. As an instance of what the tenantry might expect, under the Bill, he would state that the late Government had given a licence for the occupation of some Reserves on Wood Islands to a Mr. Findlay, who took forcible possession, and deprived the poor tenant of his buildings and improvements. He maintained that the Government were not justified in such a course. He would rejoice to see all the shores settled by fishermen, but the hon. member, Mr. Coles, well knew that the action of the late Government on the subject was all a farce. That hon. member knew as well as any one, that Escheat, the Loan Bill, and the Reserve Bill would never be realized. In 1855 that hon. member expressed himself in the following terms in the debate on the subject of Escheat:—"When the Worell Estate was offered to the Government the question of Escheat did not enter into their consideration, nor was it requisite, in investigating the title, that the validity of the original grants should be tested. That question the Government considered settled." Again he said, in the same speech:—"Before I have done I think I shall be able to show that the British Government have expressed a

positive determination not to allow the establishment of a Court of Escheat in this Colony." After citing several passages from the reply of Sir Charles Fitzroy to an address which had been presented to him by the inhabitants of King's County on the subject of the Land Question, the hon. member proceeded to state that the passages which he had just read were "the plain declarations of Her Majesty's Representative, that Escheat would not be conceded." Again, in the same speech, after having quoted an extract from a despatch of Sir George Grey, Under Secretary of State for the Colonies to the same effect, the hon. member said: "I ask what words can be used more expressive of the decision of the Government of Great Britain? Does it not emphatically declare that the Government will not sanction the establishment of a Court of Escheat?" Again: "I would ask if Lord John Russell's despatch in 1839, the year in which Mr. Cooper was a delegate to England, does not state, as plainly and emphatically as words can, the determination of the Imperial Parliament not to sanction Escheat in this Island." He (Mr. Douse) could cite many statements of the hon. member to the same effect, but those which he had given were quite sufficient to show the sentiments of the hon. member when he was at the head of a Government. Now he appeared, after his defeat, in the character of an agitator for Escheat. The truth was, his only motive was a wish to keep the country in hot water as a means of getting back into power. He would wish to see the pursuits of commerce and agriculture occupy the attention of the people, who, he hoped, would no longer suffer themselves to be galled by those who knew that their professions were "all smoke." He was satisfied that the hon. member, Mr. Cooper, could not be unconscious of the folly, not to use a worse term, of exciting the minds of the people on this subject, after so long experience of the utter uselessness of the agitation. For himself, all his means were in the Island; he laid out his money in building ships, and carrying on commerce. While such had been the nature of the business in which he had embarked, he fully agreed with the hon. member Mr. Coles, that agriculture and fisheries were the best and surest foundation for the prosperity of the country.

Mr. DAVIES thought that it was a pity that if the late Government had intended to take the Reserves, they had not expressly stated so in the Bill. These Reserves were comparatively little value to the Government, but were worth a great deal to the tenant, as forming a valuable portion of his farm; and any tenant would be happy to see them used for fishing purposes. He agreed with the opinion of the hon. member, Mr. Howat, that it would be better to leave them as they were. Mr. Cooper had stated that they belonged to the Crown. The Colonial Minister, it appeared, entertained a different opinion; for he considered that the possession of the proprietors for the period of sixty years, and the payment of the taxes, barred the right of the Crown; and that consequently the proprietors could not now be divested of the property in those Reserves.

Hon. Mr. POPE—The question of Escheat had been brought into this discussion quite unnecessarily. Doubtless there would be an extensive flow on that subject at another period of the session. The Fishery Reserves Bill of the late Government was an unjust, dishonest, and iniquitous measure—got up solely as a desperate attempt to prop up a tottering Government. That measure had been concocted in the hopes of securing for the late Government a few votes along the shores. The despatch on the subject stated that the Bill would take from the proprietors and give the property to the tenantry. The hon. member, Mr. Coles, said the same. Then why did not the Bill expressly state so? Why was there not some clause inserted in the Bill confirming the tenants in their possessions? The late Government, had the Bill received the Royal assent, would have used the influence of their position to coerce the tenants of Reserves into becoming their supporters at the late general elections. They could have made use of the Bill as they did of the bonds on the Worell Estate. The hon. member, Mr. Coles, had stated that the right to the Reserves was in the Crown, but if so, only to be used for the purposes of the Fishery Reserves. No objection would be made by any tenant to the occupation of his Reserves for fishing purposes. If the only object of the Bill was the settlement of the tenants on their Reserves, why was the fifth clause, which the Hon. Mr. Longworth had read, introduced into the Bill? The real object of the Bill was not the confirmation of the possession of the tenants of their Reserves, but it was intended to be an engine of coercion to drive them to support the late Government. The despatch said that the legal maxim, that no time barred the right of the Crown, had been abandoned as unjust in principle and injurious in practice. He would ask, how many men in this Island, alive at this day, could tell how much time had elapsed since the lands had been first occupied, and would it be just to those who, and whose forefathers, had labored in summer's heat and winter's cold to purchase the fee simple of their farms, to invest a Government with the power, after the undisturbed possession of so many years, to strip them of the fruits of their hard labor?

Hon. Mr. WIGHTMAN would inform the hon. member that a similar Bill had been before the country some 18 or 20 years ago.

Hon. Mr. POPE—No.

Hon. Mr. WIGHTMAN—Yes, and it was high time that the long vexed question was settled, in order to quiet the minds of the people. He would ask the hon. member, Mr. Palmer, what was the use of inserting the reservations in the original grants? Was it not their duty to have laid off the Reserves? Had they done so there would remain no cause of dispute at this day. The first occupation of those Reserves by the Proprietors was neither more nor less than an act of simple usurpation. Certain portions of land were granted to the subject; other portions were reserved in the Crown. He admitted that it would be a great hardship to deprive a man of the fruits of his labor. He would be sorry to say that any Government would be justified, in the assertion of their strict rights, in taking the property of the tenant and giving it to another. The tenant should assuredly have the preference. As a member of the late Government, and a supporter of the Bill, he would state that it had never been the intention of the late Government to have charged a large sum for license to occupy the Reserves. They would have been issued at a nominal rate. The object of the Bill was to deprive the proprietors of the claims which they had usurped. He would be happy to support any equitable arrangement for the settlement of the question.

Hon. Mr. COLES—The hon. member, Mr. Douse, could not rise without referring to the subject of Escheat. He recollected the time when that hon. member had supported the establishment of a Court of Escheat—the time when the hon. member for Charlottetown had declared that the views of the venerable gentleman, Mr. Cooper, should be carried out; he praised the late Government for its opposition to them. He (Hon. Mr. Coles) had no cause to be ashamed of the course he had pursued on the question of Escheat. He had for years labored in vain to effect a settlement of the disputes between the proprietors and the tenants, without the necessity of extreme measures. But now when all milder measures had been tried without effect, when the combined influence of the Government and the proprietary party had rendered futile all other means, he would support the institution of a Court of Equity, or any other Court invested with competent authority to put a final settlement to the question. Surely he should not be censured if on the question of Escheat he had become a convert to the views entertained by so fallacious a Conservative as the hon. member, Mr. Douse. The question of Escheat was not now before the Committee. The hon. member, Mr. Davies, had expressed his concurrence with the views enunciated by the hon. member, Mr. Howat, that the long possession of the proprietors confirmed their titles to the Re-