

# The Examiner

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EDWARD WHELAN]

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

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## Colonial Legislature.

### HOUSE OF ASSEMBLY.

TUESDAY, March 4.

#### PETITIONS.

The following petitions, praying for the opening of new lines of roads, were presented, and read, and referred to the Special Committee appointed to report thereon.—By Mr. Laird, from inhabitants of New Glasgow road, and of Princetown road. By Mr. Muirhead, from inhabitants of Indian River, Barbara Weit and surrounding district. By Mr. Munro, from inhabitants of east side of Seal River, Lot 50.

The following miscellaneous petitions were then presented and read:—By Mr. Muirhead, from N. J. Brown, Postmaster, St. Eleanor's, for an increase of salary; and from Lemuel Hooper and Hugh Montgomery, for payment of a balance due on their contract in building a bridge. By Hon. Mr. Wightman, from Lawrence Curran, praying compensation for loss sustained on his contract in building a bridge, on the Union road, Lot 51; and also, from inhabitants of Montague and adjacent settlements, setting forth their purchase of Aitken's wharf, and offering to relinquish the same to the Government, and praying a grant towards the repair thereof. By the Hon. Mr. Whelan, from William Hooper, Eastern Mail Carrier, praying to be reimbursed for certain expenses incurred by him in crossing the Souris Ferry with the mails; from Peter McCallum, for a return of duties paid on goods imported by him, and afterwards sold as damaged; from John LePage, third master in Central Academy, for an increase of salary. By Mr. McIntosh, from John Donnelly and Peter Landrigan, praying compensation for loss sustained on their contract in building a wharf. By Mr. Munro, from Donald McRae, for a grant in consideration of his discovery of a mine of paint.

The following road petitions were then presented and read:—By Mr. Muirhead, from inhabitants of Margate, Lots 19 and 20. By Hon. Mr. Wightman, from inhabitants of Union road, Lot 51. By Hon. Col. Secretary, two petitions from inhabitants of Lot 34; from inhabitants of east road settlement, lot 22. By Hon. Mr. Whelan, from farmers in the western section of St. Peter's settlement. By Mr. McIntosh, from inhabitants of North Lake, Lot 47; from inhabitants of Back settlement, Bull Creek. By Mr. Munro, from inhabitants of Fork's settlement, Lot 50.

The Hon. Col. Secretary presented a petition of Hugh Fraser and other inhabitants of Trout River, Lot 21, for compensation for cutting out a portion of road through the woods.

**Post Office Petitions.**—By Hon. Mr. Wightman, from inhabitants of Murray Harbour, praying that the postal communication may be extended to the South river, near the bridge; from inhabitants of White Sands, praying that the Post Office now established in that district may not be removed. By Hon. Col. Secretary, from inhabitants of Lot 34, for a Post Office at the Old Saw Mill Bridge, Covehead road. The foregoing petitions were referred to the Post Office Committee.

**Teachers' Petitions.**—By Hon. Mr. Wightman, from Trustees of Brudenell River School, praying compensation for the services of R. B. Irving, as teacher for six months. By Mr. McIntosh, from inhabitants of Back settlement, Bull Creek, for compensation to Laughlan McPhee, an unlicensed teacher, for his services as such for six months. By Mr. Clark, from Alfred A. McKenzie, praying compensation for his services as a teacher in Charlottetown for two and a half years before the passing of the Free Education Act. The foregoing petitions were referred to the Committee on Teachers' Petitions.

Hon. Mr. Wightman presented a petition from inhabitants of Montague River, praying for the establishment of a ferry on the south side of that river. Petition ordered to be withdrawn, the remedy being elsewhere.

The Legislative Council sent down, agreed to, the Bill relating to ejections and distresses, and also the Bill relating to Light and Anchorage Duties.—House adjourned.

#### PETITIONS.

In the afternoon sitting the following petitions were presented and read:—By Mr. Munro, from inhabitants of Lot 57, for a grant to complete the wharf at Port Solkirk; from inhabitants of Lot 49, for a grant to extend the wharf at Pownall Bay. By Mr. Muirhead, from inhabitants of Tryon and Crapaud, for a grant to extend the wharf at the west side of Crapaud Harbor; from Richard Dawson and William Howat, for payment of a balance due to them on their contract for extending the wharf at the west side of Crapaud; two petitions from inhabitants of Central Bedouque, for a grant to extend the wharf at Hurd's Point.

**Petitions praying aid for Roads.**—By Mr. Yeo, two petitions from inhabitants of Lots 13 and 14; from inhabitants of Lot 12 and its vicinity; from inhabitants of Cascumpec. By Mr. Perry, from inhabitants of Skinner's Pond and its vicinity; from inhabitants of Fifteen Point and its vicinity. By Hon. Mr. Mooney, from settlers on Baldwin's road; from settlers on Johnston's road, Lots 31 and 23.

The Hon. Col. Treasurer presented a petition from inhabitants of Cascumpec, Kildare, Tignish, Nail Pond and others, for a grant to complete the wharf at Cascumpec harbour.

**Teachers' Petitions.**—By Mr. Muirhead, from the Trustees of the Central Bedouque School, for an allowance to Elizabeth Wilson, for her services as teacher for three months, previous to her obtaining a license. By Hon. Mr. Mooney, from inhabitants of the Old Princetown road, Lot 22, for an allowance to Duncan McLeod, an unlicensed teacher, for his services as such for six months. Referred to the Committee on Teachers' Petitions.

**Post Office Petitions.**—Two petitions were presented by Mr. Muirhead, from inhabitants of Lot 27 and of Tryon road, praying for the establishment of Post Offices. By Mr. Perry, from P. M. Power, Postmaster at Summerside, for an increase of salary. By Mr. Dingwell, from inhabitants of Grand River and vicinity, praying for the removal of the Post Office established at J. C. Underhay's, Lot 56. The foregoing petitions were referred to the Post Office Committee.

By Mr. Laird, from O. LePage, administrator of late N. LePage, Preventive Officer, praying that the estate of the latter may be reimbursed certain expenses incurred by him in seizing the *Schr. Dragonet*. Referred to the Committee appointed to report on J. McKinnon's petition.

The following petitions were also presented, read and laid on the Table:—

By Mr. H. Haviland, from Geo. Thresher, Senr. formerly Deputy Secretary, praying for a small annuity in consideration of his services as such, and in conformity with a promise alleged to have been made to him.

By Mr. McDonald, from William Heard, praying for a grant in consideration of the accommodation rendered to the public by the Steamer "Rosebud," in plying between Charlottetown and Pictou last season; also a petition from freeholders, merchants and other inhabitants of Charlottetown, urging the prayer of the foregoing petition.

By Mr. Yeo, from school trustees and other inhabitants of Lots 7 and 8, for aid towards rebuilding their school house, destroyed by fire.

By the Hon. Treasurer, from the inhabitants of Kildare and others, praying aid to improve the navigation of Kildare river, by cutting a channel through a small sandhill which intercepts its direct course; and from inhabitants of Cascumpec, praying aid to erect a suitable building for the accommodation of the Small Debt Court.

By Mr. Douse, from the Office Bearers of the Horticultural Society, praying for a grant in aid of its funds, in order to promote the growth and improvement of fruit, vegetables and flowers throughout the Island.

By Hon. Mr. Wightman, from the Royal Agricultural Society, praying a grant of £1,300, to enable the Society to establish a farm for the purposes of raising improved stock and growing seeds, and also for a further annual sum to pay the rent thereof, for the first three years. Hon. Mr. Wightman moved to refer the Petition to Supply; Hon. Mr. Mooney moved in amendment "that the Petition do lie on the table." The House divided. For the amendment—Hon. Mr. Mooney. Against it—Messrs. Douse, Yeo, H. Haviland, McDonald, Munro, Perry, McIntosh, Clark, Laird, Muirhead, Palmer, Longworth, Montgomery, Wightman, Whelan, Col. Treasurer, Col. Secretary. Petition was therefore referred to Supply.

**Petitions for the opening of new lines of roads.**—By Mr. Yeo, from inhabitants of Lots 13 and 14, and vicinity. By Hon. Col. Treasurer, from inhabitants of Lot 4. By Mr. Munro, from inhabitants of Brown's Creek and vicinity. The foregoing petitions were referred to the Special Committee on the opening of new lines of roads.

A petition from certain inhabitants of Cascumpec, Kildare, and adjacent settlements, praying for the erection of a light house at the North Cape, was presented, read, and referred to the Committee on Light Houses.

The Hon. Col. Secretary presented a report, plan of exploration and survey of Joseph Ball, Esqr., Surveyor General, of a projected line of road from New Harmony Settlement to the Portage road, Lot 47, made pursuant to an address of the House of Assembly last session.

Hon. Mr. Mooney presented a petition from the trustees of the Dunstaffnage District School, setting forth their grievances in being subjected to the payment of heavy costs and damages in defending an action of trespass arising out of a disputed claim respecting the extent of ground comprised in the site of the said school, and which site is vested in them as trustees for the time being. The Petition was referred to a special committee to report thereon—Hon. Mr. Mooney Chairman.

The House then adjourned.

WEDNESDAY, March 5.

#### PETITIONS.

The following petitions were presented:—By Mr. Cooper, from inhabitants of the eastern section of King's County, praying a grant for the purpose of constructing a raised road or breakwater at the east end of Souris bridge. Also, a petition from Michael Conway, Lot 44, praying compensation for re-building a bridge near Leslie's Saw Mills at the head of Souris, carried away by a freshet in the fall of last year.

By Hon. Mr. Palmer, from Alexander Maclean, Teacher of the 2nd class, Charlottetown, shewing that in consequence of the number of schools in the 2nd class being limited to two, under the Education law, and which were established before his school, he, the Petitioner, is excluded from the benefit of the higher salary for such, and can only receive the salary allowed to teachers of the first or lowest class in the City, and praying relief.

By Mr. Clark, from destitute inhabitants of Egmont Bay, praying aid to enable them to procure seed grain. Also, a petition from the Grand Division of the Sons of Temperance, praying a grant in furtherance of the objects of their association, to diffuse their principles and promote the moral and intellectual progress of the people.

By Mr. Douse, from inhabitants of Belfast, praying for an amendment of the Act of Incorporation of St. John's Church. Referred to a Special Committee to report by Bill or otherwise.

By Mr. Laird, from inhabitants of Mill Vale, praying a grant to open a new road. Referred to the Committee for opening new lines of road.

THURSDAY, March 6.

Mr. Perry, from the Committee to whom was referred the Petition of Dominick Arseaux, Egmont Bay, presented a report as follows:—"The Committee to whom was referred the petition of Dominick Arseaux, of Egmont Bay, to examine the same and report thereon, having ascertained the correctness of the allegations set forth in the petition, submit—that the petitioner duly paid his land tax, as appears by his receipt, and also by the Sheriff's return; but a mistake has been made either by the Deputy Receiver appointed by Mr. Brown, by inserting in the receipt given to Dominick Arseaux the wrong township, or by the petitioner's misinforming the said Deputy, whereby the land of petitioner was sold to James Yeo, Esqr., for the sum of ten pounds, as appears by the Sheriff's return; and as the said Dominick Arseaux was not aware of the mistake, he being unable to read, your Committee recommend that the money be refunded to him."

On a motion being made by Mr. Perry to refer the above report to Committee of Supply, the House divided:—For the motion—12. Against it—4.

The Bill to amend and consolidate the several Acts relating to the sale of spirituous liquors was read a second time, and committed to the whole House in Committee. Progress reported, and then the House adjourned.

FRIDAY, March 7.

#### PETITIONS.

A petition from inhabitants of Traveller's Rest, and its vicinity, praying for an enactment to prevent the running at large of swine, was presented, and referred to the special Committee to whom other petitions of a similar nature were previously referred.

Mr. H. Haviland presented a petition from Isabella W. Ross, widow of the late Clerk Assistant of the House, praying for some assistance for the support of her family, in consideration of the sacrifices made by her late husband in the public service. Petition laid on the table.

The Bill to facilitate the performance of the duties of Justices of the Peace, with respect to persons charged with indictable offences, was read a third time and passed.

The order of the day for the House to take into consideration the various petitions before it being read, all those petitions praying aid for roads, bridges and wharfs, were taken up, and referred to the members for the several districts.

The House then went into Committee on matters relating to roads, bridges and wharfs, when several scales of appropriation were agreed to, and progress reported.

#### HOUSE IN CONSIDERATION OF PETITIONS.

The petition from inhabitants of western section of Prince County, praying for a division of that County, was taken up, and referred to a special Committee to report thereon next session.

The petition from householders of Lots 28 and 29, praying exemption from payment of school tax, taken up. As the education Act will expire next session, it was declared inexpedient to grant the prayer of the petition.

Petition of William Chappell, praying aid for sailing packet between Bay Verte and Charlottetown. Referred to Supply.

Petition of Alex. Munro, New Brunswick. Prayer rejected.

Petition of School Trustees, Lots 7 and 8. Prayer rejected, the remedy being elsewhere.

Petition of John McIntosh, Lot 14, Mail Carrier. Referred to Post Office Committee.

Petition of James Gillanders, teacher, praying for a retiring allowance. Referred to the special Committee appointed to report by Bill or otherwise on the expediency of making provision for infirm or aged licensed teachers.

Petition of John Holland, Ferryman. Mr. McDonald moved to refer it to Supply. Hon. Mr. Longworth moved in amendment that the prayer be rejected. The House divided—for the amendment, 16. Against it, 2.

Petition of Laughlan McKinnon, Lot 14, Ferryman. Referred to members of the district to provide for, when dividing road money.

Petition of Pierce Doyle and John Macatee. Mr. McGill moved to refer it to Supply. Mr. Douse moved in amendment, that the prayer of the petition be rejected. The House divided: for the amendment, 16. Against it, 3.

The Legislative Council sent down, agreed to, the "Act to continue the Act relating to the laying down, erection and maintenance of Buoys and Beacons in this Island."

The Hon. Colonial Secretary presented to the House the detailed public accounts for the past year. Referred to Committee on Public Accounts. House then adjourned.

#### ESTABLISHMENT OF A BANK.

Having met in the afternoon—

The Hon. COL. SECRETARY said he wished to bring to the notice of the House a subject which at that time affected the prosperity of the country, and the action which he thought the Government would be induced to take in reference to it, would, if approved of, tend to advance the public interests. He alluded to the establishment of a Bank. The Act for the incorporation of such an institution had recently received the royal allowance, but he had heard from several gentlemen competent to form an opinion on that subject, the expression of their doubt that the amount of specie required to commence banking operations would not be available at that particular time, and that some months would elapse before the Act could be put into operation. Now, what he (the Col. Secretary) was about to propose was, that the Government should take shares in the Bank to the extent of ten thousand pounds—which they could do without detriment to the public service, there being sufficient money in the Treasury for the purpose; and if the House approved of his suggestion—for he merely offered it as a suggestion—and if his colleagues in the Government coincided with him in carrying it into effect, he had no doubt that it would greatly facilitate the establishment of the Bank—give confidence in, and stability to, its operations, and induce many persons to take shares who might otherwise keep aloof. There was no reason to apprehend that the Government could exercise an undue influence in the Bank, should they become shareholders to the extent indicated by him (the Col. Secretary), as the person appointed to represent the Government would have no more than fifteen votes—a number which might fall to the share of many private individuals. He was anxious to see a Bank established in the Island. The want of the accommodation which such an institution every where affords was well known, especially to the mercantile community, and long seriously felt. He therefore trusted that hon. members would take his proposition into their consideration, as on a future day he would probably submit it to them in a more definite shape.

#### PETITIONS DISPOSED OF.

The House then resumed the consideration of private petitions. The petition of the Secretary of the Wesleyan Dorcas Society taken up and referred to Supply. The Memorial of John Mackieson, Chairman of the Medical Association; referred to a special committee to report thereon; Mr. H. Haviland Chairman.—The petition of inhabitants of Lot 17, on behalf of Edward Brian, a person in destitute circumstances—Mr. Perry moved to refer it to Supply; Mr. McIntosh moved in amendment to refer it to the Pauper Committee. The House divided: for the amendment—17. Against it—3.

The petition of the Horticultural Society for a grant in aid of its funds was again read, and on motion by Mr. Douse to refer it to Supply, the House divided: for the motion—Messrs. Douse, H. Haviland, Clark, McGill, Hon. Messrs. Longworth, Wightman, Whelan, Palmer, Montgomery, Col. Treasurer, Col. Secretary, Messrs. Dingwell, Muirhead, Yeo—14. Against it—Messrs. McIntosh, Perry, Hon. Mr. Mooney, Messrs. Munro, Laird, McDonald—6. Petition referred to Supply.

Petition of Donald McRae, praying a grant in consideration of his discovery of a mine of paint, was taken up, and Mr. Munro moved to refer it to Committee of Supply. Mr. Douse moved in amendment, that the prayer of the petition be rejected. The House divided: For the amendment—Messrs. Douse, McDonald, Yeo, Perry, Clark, McGill, Dingwell, H. Haviland, McIntosh, Muirhead, Laird, Hon. Messrs. Montgomery, Palmer, Longworth, Col. Secretary, Col. Treasurer—16. Against it—Messrs. Munro, Whelan, Wightman, Mooney—4. Prayer of the petition therefore rejected.

[Mr. DOUSE strongly denounced this application, stating that it was an attempt at imposition—that, in fact, no discovery had been made, as the pretended paint could be found in large quantities all over the Island. Mr. Munro and others, favourable to the petition, referred to the certificates endorsed thereon from practical painters in Charlottetown, as to the excellent quality of the paint.]

Petition of William Hooper, Mail Carrier, was again read, when Hon. Mr. Whelan moved it be referred to Supply. Hon. Mr. Mooney moved as an amendment to refer the petition to the members for the district to provide for the application out of their road grant. The House divided: For the amendment—Hon. Mr. Mooney, Messrs. McGill, Perry, Yeo, Laird, Muirhead, Douse—7. Against it—Hons. Messrs. Whelan, Col. Secretary, Col. Treasurer, Palmer, Longworth, Montgomery, Messrs. Clark, McIntosh, H. Haviland, Munro, Dingwell, McDonald—12. Petition then referred to Supply.

[Mr. WHELAN, Mr. HAVILAND and others supported this petition on the ground, that when the petitioner undertook to carry the Mails he did so with the understanding common to all Mail Carriers, that he should be exempt from expense in crossing ferries—that Souris ferry was unlicensed for a year previous to its being bridged, and therefore beyond the control of the Government, and that petitioner had consequently to pay about five shillings a week for ferrying the mails and his team across it.]

Petition of Peter McCallum, praying for a return of certain duties, was again read, and a motion made by Hon. Mr. Whelan to refer it to a special Committee to report thereon. Mr. Laird moved in amendment that the prayer of the petition be rejected. The House divided: For the amendment—Messrs. Laird, McGill, Clark, Munro, McIntosh, Muirhead, Perry, Hon. Col. Secretary, Col. Treasurer, Messrs. Wightman, Mooney—11. Against it—Hons. Messrs. Whelan, Palmer, Longworth, Montgomery, and Messrs. Yeo, Douse, H. Haviland, Dingwell, McDonald—9. Prayer of petition rejected.

Petition of John Donnelly and Peter Landrigan, contractors for building Souris bridge, was read, and a motion made by the Hon. Col. Treasurer, that the prayer be rejected; which was agreed to.

Petition of John LePage, third Master of the Academy, was read, when Hon. Mr. Whelan moved to refer it to Supply. The Hon. Col. Secretary moved in amendment that the prayer of the petition be rejected. The House divided: For the amendment—Hons. Col. Secretary, Col. Treasurer, Hons. Messrs. Wightman, Montgomery, Mooney, Messrs. Munro, McDonald, McIntosh, Perry, Dingwell, Laird, Muirhead—12. Against it—Hons. Messrs. Whelan, Longworth, Palmer, Messrs. Clark, H. Haviland, McGill, Yeo, Douse—8. Prayer therefore rejected.

[This petition also elicited much discussion, the Hon. COL. SECRETARY and others contending that if entertained, there would be no doubt applications from the other masters for an increase to their salaries—that the Free Education Act would expire next year, when an opportunity would be afforded of revising the law relating to the Academy, with the view of giving that institution a higher character and making it more generally useful to the community. Mr. WHELAN, Mr. CLARK, Mr. PALMER and Mr. HAVILAND spoke in favor of the petition going to Supply—argued that while the salaries of other teachers had been increased, that of the petitioner was left stationary—that his allowance, including fees, did not amount to more than £70 a year—that he was obliged to pay house-rent out of this sum, or what was equivalent to doing so, he was under the necessity of occupying his own house, and therefore losing an annual rent; whereas he should have been furnished with proper apartments at the Academy, at the public expense; but the apartments there were uninhabitable from want of repair; and that if it were an act of justice to remunerate the petitioner for his services in the same ratio as other teachers, the performance of that act should not be postponed until the Education Act should expire. Mr. MCINTOSH and some other hon. members, including the COL. SECRETARY, opposed to the application, stated that there could be no objection to putting those apartments of the Academy in such repair as to render them fit for the residence of the third Master; but it was inexpedient to give an increase to the salary of one master and withhold it from the others.]

Petition of A. McLean, second class teacher, Charlottetown, was read, when the Hon. Col. Secretary moved that it was inexpedient to grant the prayer of it. Hon. Mr. Palmer moved in amendment to refer it to a special committee to report thereon. This, on division, was negatived, when the original motion was put and carried.

Petition of N. J. Brown, postmaster at St. Eleanor's, was referred to the Special Committee on Post Offices. The House then adjourned.

SATURDAY, March 8.

#### PETITIONS RECEIVED.

The Hon. Col. Secretary presented a petition from W. H. Nellis, an aged and destitute teacher, now incarcerated in jail, praying for a small grant to enable him to leave the Island when the term of his imprisonment shall expire. Referred to Supply.

A petition, praying a grant of money for the repair of Darnley bridge, was presented and referred to the whole House when in Committee on roads, bridges and wharfs.

Hon. Mr. Mooney presented a petition from James Doyle, Lot 48, praying for the opening of a new line of road. Referred to special committee on opening new roads.

Mr. McIntosh presented a petition from Hugh McVarish, praying compensation for the loss of a house, burnt down, after it had been used by the Board of Health, at Lot 42, some years since. Mr. McIntosh moved to refer it to Supply. Mr. Yeo moved in amendment that the prayer be rejected. For the amendment—12. Against it—2.

Mr. McGill, from the Committee appointed to report on the petition of certain inhabitants of Lot 30, setting forth the claim of the Loyalists to a portion of that township, presented a report, in which the Lieut. Governor is requested to direct the Surveyor General to make a survey of the eastern boundary of that township, preparatory to an investigation into the merits of the petition. The report was agreed to, and a Committee appointed to prepare an address to His Excellency. Mr. McGill shortly after submitted the draft of an address, which was agreed to, and ordered to be engrossed.

Hon. Mr. Whelan presented a petition from inhabitants of Morrell and St. Peter's, accompanied by a subscription list, praying that a sum of money may be granted in addition thereto for the purpose of improving the navigation of St. Peter's Harbor, by cutting away the bar. Referred to the following special Committee to report thereon next session:—Messrs. Whelan, Dingwell and Wightman.

Hon. Mr. Whelan presented a petition from the inhabitants of Grand River, Little Pond and vicinity, referring to a former petition for the removal of the Post Office, at Lot 56, praying that the prayer of that petition may be rejected, and the Post Office left undisturbed. Referred to the Post Office Committee.

#### PETITIONS DISPOSED OF.

The House again resumed the consideration of private petitions, when the following were disposed of.

Petition of the Grand Division of the Sons of Temperance, praying a grant to enable them by public lectures to disseminate their principles. The Hon. Col. SECRETARY and other hon. members stated that the real object of the lectures contemplated was to bring that House into contempt with the country, and by combining with politics their extreme views regarding a prohibitory liquor law, to endeavour to solicit public support to a measure which that House had already condemned. Messrs. CLARK, DOUSE and MUIRHEAD spoke in favor of the petition. On a motion by Mr. Clark to refer it to Supply, hon. Mr. Warburton moved in amendment that the prayer of the petition be rejected. The House divided: For the amendment—Hons. Col. Treasurer, Col. Secretary, Messrs. Perry, Whelan, Dingwell, McDonald, Wightman, McIntosh, Mooney, McGill, Laird—11. Against it Messrs. Clark, Muirhead, Munro, Douse, Longworth, Yeo, Montgomery—7. Prayer rejected.

Petition from destitute settlers at Egmont Bay, taken up. Mr. Clark moved to refer it to Supply; lost on division—7 for, and 10 against it.

Petition praying aid to improve the navigation of Kildare river, read and referred to a special committee to report thereon next Session. Committee—Hon. Mr. Warburton, Messrs. Yeo and Perry.