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LAND ASSESSMENT.

Treasurer's Office, Charlottetown, P. E. Island, January 14, 1854.

IN pursuance of the Act of the General Assembly of this Island, made and passed in the Eleventh year of the reign of Her present Majesty, intituled "*An Act for levying further an Assessment on all Lands in this Colony, and for the encouragement of Education,*" and of an Act made in amendment thereto, and passed in the Twelfth year of her said Majesty's Reign, intituled *An Act to explain and amend the present Act for the Assessment of Land, and the encouragement of Education*, and also of an Act made and passed in the Fifteenth year of Her said Majesty's Reign, intituled *An Act for the encouragement of Education, and to raise Funds for that purpose by imposing an additional Assessment on Land in the said Island and on Real Estate in Charlottetown and Common, and Georgetown and Common;*

I do hereby give Public Notice that I have made Proclamation, according to the terms of the said Acts, of the undermentioned Town Lots, Commonal Lots, Water Lots, Pasture Lots, Islands, and parts of Townships in this Island, in arrears for the non-payment of the several sums due and owing thereon to Her Majesty, under and by virtue of the first mentioned Act, viz:

	ACRES.		ACRES.
Township No. 1,	457	Township No. 49,	233
" 3,	3943	" 52,	1109
" 8,	4172	" 53,	1000
" 9,	5000	" 54,	1273¾
" 11,	2256	" 55,	765
" 13,	1000	" 57,	481
" 17,	10¼	" 58,	600
" 18,	3839¾	" 60,	1900
" 20,	2306¼	" 62,	3377
" 23,	88¼	" 65,	1226¼
" 24,	211	George's Island,	8
" 25,	1067¼	Governor's Island	300
" 26,	526¾	Savage Island,	150
" 28,	456¾	Kildare Island,	250
" 31,	726¼	Cavendish Sand Island,	288
" 32,	2935¾	Cascumpec and Hog Island,	500
" 38,	1063	Fish Island,	150
" 39,	800	Bedford Bay Island,	46
" 40,	935	Savage Island,	23
" 41,	984	Prim Island,	66
" 42,	442½	Pownal Island,	45
" 43,	2416	Goose Island,	12
" 44,	2839	Boot Island,	4
" 46,	850	York River Island,	4
" 47,	1317	Sandy Island,	80
" 48,	921	Enmore Island,	10

First Hundred of Town Lots in Charlottetown,—1-2 of No. 41.

Second Hundred,—1-4th of No. 58.

Fourth Hundred,—No. 40, 4-4 of No. 86.

Pasture Lots in Charlottetown Royalty,—1-2 of No. 72, and 1-3 of No. 238.

Town Lots in Georgetown:

	Town Lots in Georgetown:				
	Range,	Letter.	No.	Range,	Letter.
8,	2	G,	½ of 3,	4	A,
16,	3	B,	13,	4	A,
15,	3	B,			

Water Lots in Georgetown,—No. 10.

Pasture Lots in Georgetown Royalty,—No. 35, 186, 186, 188, 1-6 of 243, and 290.

Town Lots in Princetown:				
No. 5,	Row 2,	Division 1,	Letter B.	
1,	do 3,	do 5,	do C.	
2,	do 4,	do 1,	do D.	
8,	do 10,	do 1,	do J.	
4,	do 2,	do 3,	do B.	
8,	do 3,	do 5,	do C.	
9,	do 5,	do 1,	do E.	
1,	do 7,	do 1,	do G.	

Pasture Lots in Princetown Royalty,—3-4 of No. 151, No. 240, and 1-2 of No. 437.

And the owners of the said Lots and Tracts of Land so in arrears and proclaimed as aforesaid, are hereby notified, that in case the sums charged on them as aforesaid, together with the costs which have been incurred, shall not be paid before the next Easter Term of the Supreme Court of Judicature, to be held at Charlottetown, which will commence on Tuesday the 3rd day of May next, application will be made to the Supreme Court, during the said Term, for Judgment against the said Lots and Tracts of Land, respectively.

STEPHEN RICE, Treasurer.

MAILS.

THE MAILS for the neighbouring Provinces, &c. will be forwarded on and after the 15th December instant via Cape Traverse and Cape Tormentine.

They will be made up on that day, and every following Friday, at 12 o'clock noon, and a mail for England will be made up every week at the same time, and forwarded to Halifax.

THOMAS OWEN, Postmaster General.
General Post Office, Dec. 5, 1853.

Georgetown Mails.

THE Mails for Georgetown will, during the remainder of the Winter and until further notice, be made up and forwarded every Tuesday and Friday morning, at nine o'clock, instead of Mondays and Fridays.

THOMAS OWEN, Postmaster General.
General Post Office, Jan. 20, 1854.

PRINCE EDWARD ISLAND ALMANACK FOR 1854.

FOR SALE by GEO. T. HASZARD.

MINIATURES! LIKENESSES.

THE Subscriber has just received a handsome stock of Plates and Cases, gold and plated Lockets and Broaches for Likenesses, done by top or side light.

Also, a first rate Camera, for sale, with instructions in the old stand.

W. C. HOBBS.

LEGISLATIVE COUNCIL CHAMBER,

TUESDAY, April 18.

ADDRESS TO HIS EXCELLENCY ON THE STATE OF THE COLONY.

(*Continued.*)

The Hon. Mr. HOLL:—I rise to second the motion of his Honor Col. Gray, as I consider the subject brought before the Council by his Honor Capt. Swabey a direct interference with the privileges of the House of Assembly, and an altogether unconstitutional proceeding. I am the more surprised at the course his Honor has taken, as his sentiments are greatly at variance with those entertained by him on a former occasion, and which, I will, with permission, read an extract from a speech of his Honor, delivered in a debate on the question of paying the Members of the Legislative Council in 1848.

"The Legislative Councillors were not sent there as the members of the other House were, to represent the local opinions and wants of particular districts. Were their Honors to suppose so, or act on that supposition, they would place themselves in a very false position. The duties assigned them by the constitution were dissimilar. Each individual member of the lower House is presumed to know and carry out the wants and opinions of, so in this way the whole of a country may be said to be represented. It imposes, however, on each individual member the necessity of his devoting the whole of his time and talent for the advancement of the particular locality he sits for. His sphere, therefore, although he had a voice in the Councils of his country, was, in a certain sense, circumscribed—the duty of Legislative Councillors was of a somewhat different kind; it was more their's he imagined to review the different and sometimes conflicting views and opinions of the several members of the lower House, and then to decide on them; and this, from the position they occupied, from their not having mingled in the exciting scenes inseparable from popular assemblies, and being free from the local interests and prejudices he had alluded to, they were enabled to do so with that calmness and dispassion so essentially necessary in the enacting of laws, which had so powerful a tendency either to advance or retard the prosperity of a country."

It is quite evident from this extract that his Honor is travelling beyond the limits he has laid down for himself, and according to his own doctrine, is interfering with the privilege of the other branch of the Legislature. His Honor has alluded in his Speech to our not having brought forward the measure which occasioned the return of the present majority of the House of Assembly, namely to exclude certain Salaried Officers from holding seats in the Legislature. I conceive it is not for this branch of the Legislature to dictate to the House of Assembly, the precise moment at which it shall bring that measure forward. I consider that is for the majority of the Representatives of the people to choose their own time and the public convenience, in introducing that measure, provided they fulfil their pledge within the term of their parliamentary career. The interference of the Council is altogether unconstitutional and I maintain that if the majority of the House be acted upon, emanating as it does from the nominees of the Crown, Responsible Government does not exist in this Colony; and that his Honor's views expressed on the occasion referred to in 1848 to which I have drawn your Honor's attention, are altogether in opposition to the principles by which he is governed in bringing the present matter before us. I, for my part, considering the position I have taken, I will now draw the notice of your Honors to certain passages of a work I hold in my hand entitled "the British Constitution, Lord Brougham is stated to be the Author, and I think you will allow such authority to be good. He writes as follows: "The ruling Powers are three—The Sovereign—the Lords—and the Commons; of whom the Lords represent themselves only—The Commons represent their constituents, by whom they are for each Parliament elected." I must here remark, that it is comparing small things with great, to draw a comparison between our Legislative Council and the House of Lords, we are indeed but a feeble representation of the "Lords" of Great Britain. Lord Brougham goes on to say, "Its Veto (the House of Lords) upon *all measures that pass* the Commons, the weight derived from its judicial functions, its general superiority in the capacity and learning required for excelling in debate, its more calm deliberations on all questions unbiassed by mob clamour, &c. give the upper House an extraordinary influence on all questions of national concernment." Another point, on which the Commons claim the exclusive right to begin proceedings, relates to the election of Members, they hold that the House must part with this right to any other body; and further, they will not suffer any Bill touching it to begin in the Lords." I therefore conclude, that the course His Honor is pursuing is out of place, and that the matter should originate with the House of Assembly, and that our part is to judge such measures on their respective merits, when they come before us in due course. Popular measures emanating from that Branch may then be fully discussed by ourselves. I now turn to his Honor's observations on the prosperity of the Colony during the term his Honor and his Colleagues held the reins of Government. To attribute that prosperity to them, or to any act of theirs, with all deference, I must say is "an argumentum ad absurdum." I will not attempt to deny that the Colony did flourish during the time of their administration, but I cannot admit that the improvement was attributable to anything but the unprecedented discoveries of Gold both in Australia and California, which stimulated every branch of Commercial industry, and caused the great increase in the value of our Staples, consequent upon a large flow of capital to this part of the world, under any administration such results must have ensued, and the great increase in the Revenue was occasioned by causes altogether independent of the Government, and, therefore, for the late Government to take credit to itself for the financial improvement of the Colony, is an utter absurdity, and it is only consistent with it, to allow, that the late Government, of which his Honor was a Member, was equal in its influence to the Gold Mines of Australia and California, however great their virtues may have been. I now come to a principal point in his Honor's argument, namely, the influence of the departmental system of Government of which we have, in his estimation, been guilty. Now I must beg his Honor to point out the law in our Statute Book, which refines distinctly and clearly the offices in question. I deny that any such law exists, and until it can be proved from our Statute Book, that in our appointments we have departed from the course prescribed therein, I must contend that the present Government has not rendered itself liable to the aspersions cast upon it by his Honor Capt. Swabey, his Honor talks of the unfortunate situation of the Colony occasioned by its present representation. If it be in such a state, it is to be attributed to another cause, namely the obstruction of this Council to the measures introduced by the House of Assembly, it is quite evident by the treatment I have received in my moving in these measures. Here, I conceive, is the true position of the case. Here we have a body irresponsible to the people obstructing the business of Country, and whatever evil consequences may arise I hold this body to be responsible for them. I must say, that I consider it a factious opposition. The party of which the present Government is composed, has a large majority in the House of Assembly, and it is the fear that their power will become too popular for their adversaries if uninterupted, which induces the minority of the Representatives of the people to fall back upon the Council and to rely upon its obstruction and opposition.—Let but the present Government and the party by which it is supported, bring forward for the good of the country, the measures which they contemplate, and it is quite possible, that, our opponents may have to wait four—eight or perhaps twelve years before the reins of Government will fall into their hands.—The present Government is honest in its intentions and consists of honorable men; —as for myself, I hold not, nor ever have held an office of emolument, I have never sought for office, and have never received a shilling of the Public money.—The emoluments of office present less attraction for me, than the desire to promote the best interests of the people. I shall be regretted if successful in my attempt at accomplishing that object. With these views I shall oppose the Address—I consider it an unconstitutional interference, and tending to check the progress of measures calculated to benefit the colony, and I therefore second the motion—" that the President do take the Chair."

The Hon. Mr. JOSEPH HENSLEY.—I regret that I, as well as the mover of this Address, should be labouring under an hallucination, as stated by his Honor Captain Gray.

The Hon. Mr. GRAY.—I beg his Honor's pardon, I cannot accept the title he has been pleased to give me, for I have no right to it. It is true, I was a Captain in Her Majesty's Guards, but ceased to be so when I left the Army. Moreover, I can claim no Military title, or rank whatever, unless the appointment I hold as Lieut. Colonel in the Militia of this Island, confers it.

The Hon. Mr. JOSEPH HENSLEY,—I am sure that I beg his pardon if I am in the mistake I have made, but his Honor's onslaught, on the Speech made by the hon. the mover of the Address, was so impetuous, that I trust I may be excused for having supposed that he had assumed rank in the Country. However, I differ from his honor, as to the propriety of the course, now proposed to be adopted by the Council. I do not think, that in having up this Address, we are assuming to ourselves, a jurisdiction which we do not properly possess. It is absurd to suppose, that a body having a voice in the passing or rejection of every measure, should have the right to resolve itself into a Committee, to take into consideration, the state of the Colony for which it has to Legislate; and, if necessary, to make such representations on that state, as it may deem necessary, even, with any show of reason be denied that the system of Government introduced in 1851, and since then until very lately, acted upon so closely in circumstances very similar to ours, that Departmental officers should be taken from the Legislature. True it is, that there is no express statutory enactment ordaining that such should be the case, but the inference to that effect, is clearly deducible from the wording of the preamble of the Civil List Bill passed in 1851, which refers to the Responsible Government ought to be introduced into this Island as similar to that in force in Canada New Brunswick and Nova Scotia, undoubtedly the Departmental System. It may perhaps be advisable that I was appointed Attorney General, I held no seat in the Legislature. This arose from an unavoidable necessity at the time, because there was no Lawyer in either House, upon whom the appointment could be conferred. But every effort was made to supply this deficiency. I contested the Election at Georgetown, and did so honorably, and am not ashamed to acknowledging an honorable defeat. I was subsequently appointed to this Board, so that when the Legislature was in Session, the office of Attorney General has been held by one of its Members. I maintain then that the Departmental System having been established by the vote and consent of both branches of the Legislature in 1851, has been invariably recognized, and has actually become our form of Government and that the Government of the Country has no business of its own will merely, to make any fundamental change in the Constitution of the Country of this House, and the House of Assembly. Before the change was made, they should have carried resolutions, if not enactments, authorising it. But how does the matter stand at present? We, without any such authority, a Treasurer and also a Keeper of Plans, have been appointed who hold no seats in the Legislature. It is rather a curious fact however, that the principal Collector of Excise is still a member of the Lower House. His Excellency in his Speech, at the opening of the Session, referred to an address which was presented to Government by him by certain members of the Assembly, requesting him to have an early meeting of the House, in order by legal enactment, to exclude departmental officers from the Legislature. His Honor Mr. Holl says, no enactment is necessary for that purpose, but nevertheless as the majority of the Government to which he belongs, signed that requisition, I consider we cannot do otherwise than conclude that as a body when they came into office, they either considered or professed that they considered such an enactment to be necessary. Otherwise the statement that they thought the House should be convened for the purpose of passing that enactment, resolves itself into an unfounded pretext made for some interested purpose. But how has the Government acted? The House has been between two and three months in Session, and yet they have not even submitted a resolution to us on the subject, nor do I think any thing has been submitted to the House of Assembly. But a new light has broken in upon them, they now say we find all the changes we want can be made without a legal enactment. See, have we not acted up to our political creed, and excluded from the Legislature all departmental officers but the Colonial Secretary and Attorney General! We have been faithful to our professions. They have however, not settled upon, but have acted under one system, and then under the other, as it suited their own purposes. They commenced by appointing members of the Legislature, the Colonial Secretary and Attorney General and then they offered the Treasury, to a Member of this House. How does that agree with their creed? That offer however was declined, and it is well it has been, I am confident that we should have seen a member of the House of Assembly appointed to the office of Solicitor General. Afterwards, a seat in the Legislature, which, becoming vacant, the old idea of purifying the Legislature forsaken for a time is revived, and a gentleman formerly a member of this House, having resigned, received the appointment. Consistency! And so at last they are beginning to act a little upon the system with which they professed to commence. I conceive that this House has a perfect right to pursue an independent course in Legislation and to exercise and maintain their views in some cases even tho' in opposition to the other branch of the Legislature. Where a majority of the people clearly demand a constitutional change, I think, we ought to listen to them, and as far as I am concerned, even if my own opinion was a little adverse, I should as a general principle feel a desire to concede the point. But I do not think that the alteration in the form of Government lately made has been called for. I need not again state my reasons as I have done so on a former occasion. His Honor Mr. Holl says that measures connected with a change in the constitution should emanate from the other House. He is at so, we are not now emanating any measure at all. We are simply remonstrating with his Excellency against the course pursued by the Government in making a change of system without the authority of the Legislature or any good reason shown. Before we change a system, we should have proof that it works badly, and that the system proposed to be substituted for it works better. The country has never been so flourishing or advanced as now, as it has been within the last 3 years. Far be it from me to say that this is owing to the Government of the country —it has been principally brought about by the unanxious bounty of Providence in bestowing upon us abundant harvests and many other blessings which we have enjoyed, and for which we cannot be too thankful; but then it cannot be said that the present state of the country has been such as to make a change necessary. No ground for a change in the system has been shown. It is perhaps said, that the corruption was so dreadful, among members of the lesislature under the departmental system, which allows them to hold office, that a change was necessary to prevent it and bring about a purification, and to render public men, more upright and disinterested. I am not aware that such fearful corruption did exist. But let us see how it is proposed to be remedied. The system, the adoption of, which we sought for, is somewhat similar to that in force in the United States, except that in the latter, the system is much stricter, as all salaried officers without any exception, I believe, are excluded from both branches of the legislature. Let us refer to the Americans themselves, and learn whether they find their system to be all perfection and whether it prevents those corruptions which it professedly was formed to do. The late Mr. Justice Story, treats the matter very fairly, and if your Honors will allow me, I will read an extract from his work, on the Constitution of the United States. It is to be found commencing on page 94, and is as follows, "Another clause regards the disqualifications of Members of Congress. "No Senator or representative shall during the time for which he is elected, be appointed to any civil office under the United States, which shall have been created, or the emoluments whereof, shall have been increased during such time. And no person holding any office under the United States, shall be a Member of either House of Congress during his continuance in office." The object of these provisions is sufficiently manifest, it is to secure the Legislature against undue influence and indirect corruption on the part of the Executive. Whether much reliance can be placed on grounds of this disqualifying nature has been greatly doubted. It is not easy, by any Constitutional or legislative enactments, to shut out all, or even many, of the avenues of undue or corrupt influence upon the human mind. The great security for society, then, in which it must forever rest in a free government, are responsibility to the people through elections and personal character and purity of principle." again at page 95 it is said, "The universal exclusion of all persons holding office, is it must be admitted, attended with some inconveniences. The Heads of the Departments, are in fact, then precluded from proposing or vindicating their own measures in the face of the nation in the course of debate, and are compelled to submit them to other men, who are either imperfectly acquainted with the measures, or are indifferent to their success or failure. Thus that open, and public responsibility for measures, which properly belongs to the executive in all governments, and especially in a republican government, as its greatest security and strength, is completely done away. The Executive is compelled to resort to secret and unseen influence, to private interviews, and private arrangements to accomplish his own appropriate purposes; instead of proposing and sustaining his own duties and measures by a bold and manly appeal to the nation in the face of its representatives. One consequence of this state of things is, that there never can be traced home to the executive any responsibility for the measures which are planned and carried at his suggestion. Patronage may be quite as effective under a different form. It may confer office on a friend or a relative, or a dependant. The hope of office, in future may seduce a man from his duty, as much as its present possession. And after all the chief guards against venality, in all governments must be pleased in the high virtue, the unspotted honor, and the pure patriotism of public men. On this account it is that I mean, rather the exclusion of the Heads of Departments from Congress, has not led to the use of indirect and irresponsible influence on the part of the Executive, over the members of Congress, far more than could exist if the Heads of Departments held Seats in Congress and might be there compelled to avow and defend their own opinions."

I trust your Honors will see that a Judge Story was not at all convinced of the extreme excellence of the system in force in the United States. And to show your Honors that political corruption flourished in Legislatures in the United States by the exclusion of Departmental officers from the Legislature, but that it exists to a fearful extent at least in the opinion of some of its citizens, I will here read an extract or two form a magazine published by Messrs Harper in New York. The Editors are well known to be extreme Yankees in their views, and would not put forth such opinions as they have done on this subject, unless the corruption alluded to, actually existed. In the Number of the Magazine for December 1853 they write as follows:

"Political corruption! Why, it has become a jest and a by-word among us—a settled phrase denoting a fixed fact in our history—a fact now conceded by all parties, and which no intelligent man ever thinks of denying. We hear it from all sides. There is political corruption and that too on the broadest scale—corruption in all parties—corruption in leading partizans—corruption in political measures—corruption in political services—corruption in the dispensation of offices—corruption in the management of the Press—corruption among almost the entire class of those who may be called politicians by profession—a growing corruption, or what is equally bad, a growing indifference to corruption among the masses of the People." "Again, referring to political corruption, More cautious and less candid governments it has grown to such a pitch among us, as to arrest the attention even of the most superficial thinkers and the most careless observers."

There is much more in the same strain in that and subsequent numbers of the same work, and in other works, to which I cannot now refer. But it proves to me conclusively, that this system of excluding Departmental officers from the Legislature, which it is asserted, would do away with corruption, even if it did exist, not only has not succeeded in the United States, but has produced a state of affairs far worse than could have existed under our own system. My opinion is, that corruption is more likely to be kept down by adhering to the Departmental system under which, when an office is conferred on a Member of the Legislature, he goes back to his constituents, who pronounce their opinion on the appointment and the conduct of the government in making it; thus multiplying one of those great securities for society, in the opinion of Judge Story, responsibility to the People through Elections. But now holding these opinions and seeing that the government have ventured, without authority, to change the system, I think we should be altogether wanting in spirit if we did not remonstrate against it. I shall therefore support his Honor Mr. Swabey's motion.

The Hon. Mr. GRAY—Allusion has been made to certain points which renders me desirous to say a few words to your Honors, on this my first occasion of meeting your Honors in debate. I accepted the appointment I hold under the constitution in this House and the Executive, without giving any pledge. I am, and ever have been, for Responsible Government, properly administered, and I shall ever consider that the proudest victory I can gain over myself, where-ever I may happen to be placed, and sought for, is somewhat similar to that in force in the United States, except that in the latter, the system is much stricter, as all salaried officers without any exception, I believe, are excluded from both branches of the legislature. Let us refer to the Americans themselves, and learn whether they find their system to be all perfection and whether it prevents those corruptions which it professedly was formed to do. The late Mr. Justice Story, treats the matter very fairly, and if your Honors will allow me, I will read an extract from his work, on the Constitution of the United States. It is to be found commencing on page 94, and is as follows, "Another clause regards the disqualifications of Members of Congress. "No Senator or representative shall during the time for which he is elected, be appointed to any civil office under the United States, which shall have been created, or the emoluments whereof, shall have been increased during such time. And no person holding any office under the United States, shall be a Member of either House of Congress during his continuance in office." The object of these provisions is sufficiently manifest, it is to secure the Legislature against undue influence and indirect corruption on the part of the Executive. Whether much reliance can be placed on grounds of this disqualifying nature has been greatly doubted. It is not easy, by any Constitutional or legislative enactments, to shut out all, or even many, of the avenues of undue or corrupt influence upon the human mind. The great security for society, then, in which it must forever rest in a free government, are responsibility to the people through elections and personal character and purity of principle." again at page 95 it is said, "The universal exclusion of all persons holding office, is it must be admitted, attended with some inconveniences. The Heads of the Departments, are in fact, then precluded from proposing or vindicating their own measures in the face of the nation in the course of debate, and are compelled to submit them to other men, who are either imperfectly acquainted with the

His Honor the PRESIDENT (Mr. Young.)—I do not wish to give a silent vote upon this Address; and, if I had consulted only my own feelings, I certainly would have done so. At the commencement of this Session, I had marked out such a course, as I thought was required of me, and that was strict neutrality in the Legislature, to eschew any high words in your Honors, on this my first occasion of meeting your Honors in debate. I accepted the appointment I hold under the constitution in this House and the Executive, without giving any pledge. I am, and ever have been, for Responsible Government, properly administered, and I shall ever consider that the proudest victory I can gain over myself, wherever I may happen to be placed, and sought for, is the victory over my own feelings, and I trust I may be enabled to do so. I had marked out such a course as that which the late one had adopted, I would not have given the opposition which now, I am compelled to offer. But, Sir, when the present Government have spent weeks, and yet have not defined their line of policy, and violated the principles of self Government, it is now, I think, the duty of every man, to come to the rescue—to take his proper place, and vote, for the people, the evils, which otherwise, must inevitably be the result. I charge the present Executive Council with violating the principles of Government,