

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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COLONIAL LEGISLATURE.

COUNCIL CHAMBER.

TUESDAY AFTERNOON, March 31.

Hon. Mr. Beer presented a petition of the Sons of Temperance, praying for an Act to amend the spirituous liquor License Act. Laid on the table.
On motion of Hon. Mr. Beer the Bill to incorporate the Marine Insurance Company was read the third time and passed.
Hon. Mr. Yeo obtained leave of absence for one week; Hon. Mr. Lord till Thursday next; and Hon. Mr. Goff till Thursday the 9th of April. Adjourned till to-morrow at 10 o'clock.

WEDNESDAY, April 1st.

On motion of the Hon. Mr. McLaren, the joint Address to Her Majesty the Queen, praying that the Acts passed last session to give effect to the Award of the Commissioners on the Land Question may be allowed to go into operation unless cause to the contrary can be shown before a judicial tribunal, was read the third time and passed.
Hon. Mr. Dingwell obtained leave of absence till Thursday the 9th instant.
House adjourned.

THURSDAY, April 2.

A Bill to incorporate the Minister and Trustees of the Presbyterian Church, St. Peter's Bay, was read the second time, passed through Committee, and agreed to without any amendment.
A message was brought from the House of Assembly by the Hon. Mr. Hensley with a Bill to incorporate the Minister and Trustees of the Presbyterian Church, Bay Fortune.

On motion of the Hon. Attorney General the Bill to authorize the Legislative Council and House of Assembly to commit persons for contempt to the common Jail of Queen County, as amended, was read the third time and passed.
Hon. Attorney General called the attention of the House to the state of the Legislative Library, and stated that a large number of American and other works had been purchased from time to time which were now of little value, but were rather an incumbrance. His honor submitted a resolution to the effect that the Committee having charge of the Library should be at liberty to dispose of such books as they thought proper, and to apply the proceeds in procuring others. The question having been put thereon it passed in the affirmative.

The House adjourned till Tuesday next, to give the country members an opportunity to visit their homes during the Easter holidays.

TUESDAY, April 7.

On motion of Hon. Mr. Henderson, the Bill to incorporate the Minister and Trustees of the Presbyterian Church, Bay Fortune, was read the second time. The said Bill was then committed to a committee of the whole House, read clause by clause, and agreed to without any amendment.

On motion of Hon. Mr. Beer the Bill to incorporate the Minister and Trustees of the Presbyterian Church, St. Peter's Bay, was read the third time and passed.
Adjourned till to-morrow at 10 o'clock.

WEDNESDAY, April 8.

Hon. Mr. Beer presented a petition of the President and Directors of the Bank of Prince Edward Island, praying for an Act to continue and amend the Act for the incorporation of the said Bank.

On motion of the Hon. Mr. Henderson, the Bill to incorporate the Minister and Trustees of the Presbyterian Church, Bay Fortune, was read the third time and passed.

A message was brought from the House of Assembly by the Hon. Mr. Pope, with a Bill to alter and amend the Act for the preservation of the Alewives fisheries of this Island.
Adjourned till to-morrow at 10 o'clock.

THURSDAY, April 9.

A message was brought from the House of Assembly by the Hon. Col. Secretary, with a Bill to continue and amend the Act to incorporate the Bank of Prince Edward Island.

The Bill to alter and amend the Act for the preservation of the Alewives fisheries was read the second time, passed through Committee, and agreed to with one amendment. The amendment was merely a verbal one.

His honor the PRESIDENT called the attention of the House to the circumstance that, by the Act to change the constitution of the Legislative Council, by rendering the same elective, six members are to go out at the end of four years—that it was to be determined by lot during this session who should go out at that time. His honor thought that as the Session was advanced, and as the members were all present at that time, it was advisable not to delay the matter any longer.

Whereupon his honor the Attorney General proposed the following resolution:

Resolved, That this House do now proceed to determine by lot the names of the six members thereof who shall be deemed to have been elected to this House for four years, in pursuance of the 13th section of the Act passed in the twenty-fifth year of Her Majesty's reign, intitled "An Act to change the constitution of the Legislative Council, by rendering the same elective," and that the said lot be drawn as follows, viz: The names of the twelve members, subject by the Act to be drawn, shall be written on separate slips of paper, and each slip rolled up closely. The slips containing the names of the two members representing a District shall be put together in one ballot-box, and after being shaken, one of these slips shall be drawn therefrom by the Clerk of the House and immediately deposited in a separate ballot-box, conveniently placed for the reception of the same,—the like mode to be adopted for each of the six Districts aforesaid. When completed, the members whose names shall be found written on the six slips or rolls of paper so drawn and placed in the said separate ballot-box (being one for each District) shall be deemed and taken to be the members elected for four years, in conformity with the provisions of the 13th section of the said recited Act.

Their honors then proceeded to draw lots, and it was decided that the following members should go out at the end of four years:—Hon. Messrs. Yeo, Ramsay, Henderson, Goff, McDonald and Dingwell.

Adjourned till to-morrow at 10 o'clock.

FRIDAY, April 10.

The Committee of privileges and elections resumed. Evidence relating to the vote of Donald McPherson read. Alleged to be a squatter, Lot 66.

Hon. Mr. McDONALD.—Manoah Row states that he knows the voter, and that his name is not on the plan. It is said that McPherson occupies the land marked on the plan as William Gordon's. It has not been shown whether he has a deed or not, whether he purchased from Gordon or merely squatted on it after Gordon left it. The entry in the poll book only shows that he occupied the land for 6 or 8 years. There is nothing to show that he does not occupy a part of the land which was sold for land tax.

Hon. the PRESIDENT.—If McPherson bought Gordon's possession his vote is probably good; but if he only squatted after Gordon left it, he can have no vote. The question turns on this point.

Hon. Mr. BEER.—The voter says he bought the land from Gordon; and on referring to the deed we see that it was not sold for land tax. It is therefore a freehold.

Hon. ATTORNEY GENERAL.—The Sheriff's deed, together with the attached plan, were taken as prima facie evidence on the other objected votes on Lot 66. We considered the firms not colored green on the plan to have been sold by the Sheriff for non-payment of land tax. Donald McPherson's name does not appear on the colored part of the plan; therefore a doubt is thrown on the vote, and it is for the petitioning candidate to prove that it is good. The evidence of Phillip Beers does not, in my opinion, come up to the required standard. He says McPherson voted on the land marked on the plan as William Gordon's; but even if we admit that his land is colored green on the plan, there is not sufficient evidence to show that he is either a freeholder or leaseholder. We cannot take McPherson's own evidence in support of his own vote. He says in the poll book that he believes it to have been occupied for 25 years, but there is no proof that it was. We cannot take

Mr. Beers' "I think" as evidence. We must have something positive. McPherson could easily have shown how he bought the land, and he could have defined it in more positive terms.

Hon. Mr. BEER.—The most substantial proof we could have is that the occupation of the land is traced back to William Gordon.

Hon. ATTORNEY GENERAL.—What witness traced it to Gordon?

Hon. Mr. BEER.—The voter himself says so.

Hon. ATTORNEY GENERAL.—It is necessary to remind his honor that the law says positively that no man shall give evidence upon his own vote.

Hon. Mr. HENDERSON.—It does not appear to me that these two witnesses have raised a reasonable doubt on this vote. Their evidence is as much in favour of the vote as against it.

Hon. the PRESIDENT.—The doubt is raised by the voters name not appearing on the plan. We want to know how he came in possession of the land.

Hon. Mr. BEER.—The property is described in the poll book as freehold, and the occupation of it is traced back to Gordon. I am therefore confident that no reasonable doubt has been raised on this vote.

Hon. ATTORNEY GENERAL.—I think all the evidence shows that the title is in Mr. Hensley, not in McPherson, and when a doubt is raised upon a vote we cannot sustain it till it is substantiated by evidence.

His honor the Attorney General then submitted the following resolution.

Resolved, That there is not sufficient evidence before this Committee to substantiate the vote of Donald McPherson. The Committee divided.

CONTENTS.—Hon. Messrs. Attorney General, President, Ramsay, Walker, Dingwell, and Lord.—6

NON-CONTENTS.—Hon. Messrs. Yeo, Anderson, Beer, McLaren and Henderson.—5

So it passed in the affirmative.
The vote of Murdoch Nicholson, polled for Mr. McGowan, was then considered. The same evidence applied to this vote as to the preceding, and was found insufficient. Division the same as above.

The evidence of the Hon. W. H. Pope, relating to the voters on Lot 66, was then read.

Hon. Mr. McDONALD.—I object to scrutinizing those votes, on the ground that they were not marked objected by Mr. McGowan in the poll book. It was decided by this Committee in other cases that votes marked "objected by McLaren" could not be scrutinized by Mr. McGowan. Mr. Pope was asked if he objected to the vote of Richard Gill. He said he objected to 23 or 24 votes; but a general objection will not do. Till it is shown that those votes were objected to by Mr. McGowan, or on his behalf, I contend that it is not competent for this Committee to scrutinize them. Mr. Pope had no authority to object to votes on behalf of Mr. McLaren, and his doing so would not entitle Mr. McLaren to scrutinize them. He says he objected to the vote of one of the Gill's, but there is no evidence to show that he objected to the vote of Richard Gill.

Hon. ATTORNEY GENERAL.—The examination of Mr. Pope was agreed to, your honors, in consequence of a doubt being entertained of the legal effect of the omission of the name of the Candidate who objected to those votes. But though I agreed to the examination of Mr. Pope, I did not agree that it was indispensably necessary that the name of the objector should be entered in the poll book. To come to the conclusion that we had not power to examine evidence at the Bar of the House might be a bad precedent, and I thought it was the safest way to have him examined. The law says it is only necessary to have the vote marked objected. I consider that when two or three Candidates are running an election in the same interest and one of them objects to a vote, it is competent for any of the others who were in the same interest to scrutinize it. Whoever scrutinizes a vote renders himself liable for the costs if the vote is sustained. Mr. Pope says, "I object to those votes, I think all of them, on the ground that the voters had no titles, by reason of the lands in respect to which they claimed to vote having been sold by the Sheriff in 1850 for non-payment of land tax." Again he says, "all the votes marked objected, were, as well as I can recollect, so marked by Mr. McLaren." There appears to have been the consent of Messrs. McGowan and McLaren, and objected to by one of them it was intended for the benefit of both.

It is not likely that Mr. Pope or any other person, when questioned, could identify every voter whose vote he had objected to, unless there were some remarkable circumstances connected with them. I therefore consider it reasonable to admit that the direction to mark those votes objected was general. I do not see how we can say that the direction to mark them objected was not intended for the benefit of both Candidates. Therefore I think it is competent for the Committee to take those votes into consideration. It would be doing a great injustice to the petitioning Candidate to refuse to do so. I have taken a great deal of trouble to look through all the authorities within my reach, and I cannot find anything exactly applicable to this case; but I have found enough to satisfy my mind that it was competent for this Committee to call for evidence, and we were therefore justifiable in hearing Mr. Pope at the Bar of the House.

Hon. Mr. McDONALD.—I am not yet satisfied that it is competent for this Committee, or for Mr. McGowan, to scrutinize those votes which were not marked objected by him; but if the Committee have decided otherwise it is useless for me to say any more about it. I may say something however respecting the qualifications of those voters. Richard Gill voted on 100 acres of land on Lot 66—in possession for 5 or 6 years. He obtained his possession from O'Holan, whose land was excepted in the Sheriff's sale. Therefore the ownership of the land was not changed by the Sheriff's deed. While I was home a few days ago I was informed that several of the men whose votes were scrutinized and condemned by this Committee, thought it advisable to sell their farms. One man sold for £150, another for £155, another for £200, another in a treaty for the sale of his farm for £240 and another asks £250. That shows that their farms were more valuable than they were considered to be by your honors. There would be no difficulty in proving this vote as the man holds legal documents, and I would like to be allowed to bring evidence before this Committee for that purpose.

Hon. Mr. BEER.—The description of this vote as given in the poll book is very similar to the description of Murdoch Nicholson's vote.

The President then resumed the chair and the House adjourned for 1½ hour.

AFTERNOON SITTING.

Committee of privileges and elections resumed—vote of Richard Gill again under consideration.

Hon. Mr. McDONALD.—The land on which John Gill was voted was purchased by the Government. There has been no evidence produced by Mr. McGowan except Mr. Pope. In other cases there was evidence to show that the votes on Lot 66 were on the part that was colored green on the plan, and consequently on that part of the Lot which was sold by the Sheriff. In this case there is no evidence to show that the voter has not a good title.

Hon. Mr. BEER.—It was decided this morning in the case of Murdoch Nicholson, that the fact of his name not being on the plan threw a doubt upon his vote. Now this voter's name is not on the plan, and I do not know how your honors can support the vote unless you shift your ground.

Hon. the PRESIDENT.—I am not prepared to shift my ground. Perhaps his honor who spoke last will do so. If the vote is in the same position as the one previously under consideration, I will vote as I did on that occasion. We will see who will shift his ground.

Hon. Mr. YEO.—I think this vote stands in exactly the same position as the two we disposed of this morning.

Hon. Mr. DINGWELL.—Well, his honor voted to sustain the two votes which were disposed of this morning, and he says this vote is in the same position I suppose he will vote for it.

Hon. ATTORNEY GENERAL.—I do not see that this vote differs from the last we had under consideration. The evidence of Mr. Pope shows that certain parts of Lot 66 were sold for non-payment of land tax. Then here is the Sheriff's deed with the plan attached and the name of the voter does not appear on the excepted parts. It has been said that he might have bought land from the Government since Lot 66 came into their hands, but if so it was easy to have shown such was the case. It has also been said that he bought his land from O'Holan, and that may be the case but there is no evidence to prove it.

The following resolution was then proposed and it passed in the affirmative:

Resolved, That it is the opinion of this Committee that there does not appear any evidence in support of the vote of Richard Gill.

The vote of John Gill then came under consideration.
Hon. Messrs. Dingwell, President, and Lord were of opinion that as he had voted on Government land under a conveyance from his father that no doubt was thrown on his vote, either by the Sheriff's deed or by the evidence of Mr. Pope.

Hon. Messrs. Yeo, Beer, and Henderson thought a reasonable doubt had been raised by the evidence of Mr. Pope, as he had sworn that, to the best of his knowledge and belief, John Gill was a squatter.

Hon. ATTORNEY GENERAL.—I must say that I cannot distinguish between this vote and others which we pronounced bad for want of evidence. True, Mr. Pope qualifies his oath by saying "to the best of his knowledge and belief," but still there is prima facie evidence when he says it was sold for land tax. That is sufficient to call for evidence to prove the vote good. We have acted upon that rule all through this scrutiny and I have never had the slightest inclination to depart from it. We cannot take the oath of the voter himself as evidence; the law will not permit it; it is merely descriptive of his property. Neither can we take the return of the Commissioner of the Government lands as evidence. In some cases we did take up that book, but it was merely when a question arose whether the instalments had been paid or not. Mr. Pope swears that he believes him to be a squatter. Now those votes were objected to in consequence of this deed, at an early day of the scrutiny, and the parties could have easily produced their titles or their receipts to show that they held their land legally. They did not choose to do so, and the presumption in law is that they had none, or were afraid to produce them.

Hon. Mr. Yeo submitted the following resolution and it passed in the affirmative.

Resolved, That it is the opinion of this Committee that there appears no evidence in proof of the vote of John Gill. The votes of Thomas Connolly, Patrick Power, Hugh Rooney, John Evans and James Wickham, all polled for Mr. McDonald, were considered and found insufficient.

The House was then resumed and progress reported.

Hon. Mr. Goff moved, seconded by the Hon. Mr. Henderson, that the Bill to incorporate the Grand Orange Lodge of Prince Edward Island and the subordinate Lodges in connection therewith be now read the third time.

Hon. Mr. Walker moved an amendment that it be read a third time this day three months.

Hon. Mr. DINGWELL.—I second the amendment. I am sorry that the Orangemen should have pressed this measure. I believe it is calculated to disturb the peace and prosperity of this community. It is calculated to do a great deal of harm, and I do not see any benefit that can result from it. If never become law we will soon be called upon to repeat it, but I hope it will never go into operation. I believe no christian man can consistently introduce anything to give offence to his fellow men. Since this Bill was introduced I have been in the country and have conversed with a number of Protestants and Catholics all of whom condemn this Bill. I do not think Protestants need be afraid of Catholics. They have their Presbyteries and Sessions in good working order and I do not think there is any necessity for this Bill. I do not think any country can prosper unless there is peace, and we should pause before we pass a measure that is likely to be the means of disturbing the peace.

Hon. ATTORNEY GENERAL.—I expressed my sentiments on this Bill at the second reading, and I do not deem it necessary to make any further observations at the present time.

Hon. Mr. HENDERSON.—I hope, your honors, that I will be excused for mentioning what relates to myself. And it is this, that though I have been in the Army for nearly 22 years, I never struck a blow in my own defence excepting once. This fact would certainly imply that I am a lover of peace; but I am not troubled with timidity when the path of duty is clear. I am one of the last that would wish to indulge in suspicious feelings concerning the motives or actions of my fellow men; but when a succession of facts compels us to trace a series of actions, on the part of a certain class or classes of our fellow men, to principles that are pretty clearly set forth on the pages of History, it is not right that we should open our eyes and look the subject fully in the face in order to arrive at a just conclusion as to the path of duty? The last mail has brought us news of the gross breaches of the peace committed in Ireland on the occasion of the marriage of the Prince of Wales. Now, I would ask, to what principles are these gross outrages to be attributed? The only fair answer that can be given is, that they are to be attributed to the black principles of disloyalty, and hatred of our beloved Sovereign the Queen, and our noble British Constitution. Therefore, I am, if possible more thoroughly prepared to support the third, than I was the second reading of the Bill, because I believe that, in our capacity of Legislators, we are solemnly bound to countenance true loyalty and to frown upon disloyalty among all classes of our fellow subjects. And despite all that can be said to the contrary, I am satisfied that Orangemen are the constant supporters of true liberty in all circumstances. It has been said by one of your honors that this measure is calculated to give great offence to the Catholics, and to lead to strife. That offence will be taken if this Bill should become Law is quite evident, for it should ever be borne in mind by Protestants, that their very existence as such is no small offence to many Catholics; and if so the difference of their rights, or the carrying out of their principles cannot be any other than offensive to the same parties. True Protestants are always desirous to take God's ward as their rule, and that teaches them to "do to their neighbours as they would wish their neighbours to do them." But when they know that the neighbours in question cherish and hold the same principles that are held by those who are making every possible effort to undermine and supersede protestantism on British soil, it becomes them to know who the men are that they can depend upon—who will stand to defend the right in any emergency. It is worthy of remark that any little occurrences which take place and affects Catholic interests in this Island, is communicated to even the humblest members of that communion at its extreme points in an exceedingly short space of time. This is not mere hearsay, but a hard fact. And the natural inference is, that they have their organizations in sufficient operation for all purposes. It has been frequently affirmed in connection with the late elections that orangemen had excited no small influence on their details. It is that true, and I am not prepared to deny it, the results are certainly no discredit to them; for peace, good order, and general success have crowned their efforts. I am willing to secure their just rights to every class and to defend my own against fraud or force—I would not surrender a fragment of my protestant rights while I have a tongue to speak or an arm to defend them.

Hon. Mr. McDONALD.—His honor is determined not to give up any right. I would be sorry to ask him, or any other man, to give up a right which is conferred upon him by the British Constitution. We are not asking any man to give up a right by opposing this Bill. I oppose it on the ground and sound principle that the Orange Society on this Island is a secret institution got up for political purposes. (No! No! No! from several members). His honor says that the peace, good order, and general success, which attend the late elections, are to be attributed to Orangemen. That goes to show that they so far take part in elections.

Hon. Mr. GOFF.—Yes, to preserve the peace.

Hon. Mr. McDONALD.—I cannot agree with his honor that they preserved the peace at the late elections for at the polling division where I stood, there was no disposition to break the peace shown except by one person, and he is said to be a leading member of an Orange Lodge. He had a very ugly looking weapon under his coat and down into his boot.

Hon. Mr. GOFF.—Will his honor give the name?

Hon. Mr. McDONALD.—I could give the name, but he would probably deny being an Orangeman, though it is well known that he attends their meetings. This Act takes its rise from the Orange Institution in Canada, which has been said by the last speaker to be the very essence of loyalty; but when the Prince of Wales was there they showed a disposition to ride above the law. Why should we pass an Act here to incorporate a society that is not recognised in England, or in any of the British Colonies. His honor said that Roman Catholics know things that happened 100 miles away in a very short time. Well, that is a very strange argument. I do not understand what his honor means by it. His honor also speaks about being prepared for an emergency, and I am at a loss to know what he means by that. I consider this Bill an insult to a large portion of the people of this Colony. Orangemen are so well and so unfavourably known—they have led to so many breaches of the peace, particularly in Ireland—that I do not wish to see them recognised by law in this Colony. If they are recognised here I fear the same results will follow that have been produced in other countries. I hope this will not be the case, but it will have that tendency. His honor thinks that Roman Catholics are going to infringe on the rights of Protestants, but I have not heard any proof that they are doing so. If it were their intention, I would be as desirous to preserve the constitutional rights of Protestants as any person in the community. I will support the amendment.

Hon. Mr. GOFF.—Some of your honors make a great ado about this Bill, but I cannot see why you should do so. The most numerous part of the inhabitants are Protestants, and this Bill is of great importance to them. They have organized themselves into lodges, and they have shown their object to be good, and that no man who is not a christian and a good member of society, can be admitted into their association. They are sworn to be loyal—to support the constitution, and to maintain the law. They ask for an Act of incorporation to enable them to hold property. They merely wish to be put on the same footing as other societies which are obtaining similar Acts every day, and I cannot see on what grounds your honors can refuse their request. It is said that the name of "Orange," by which this society is known, is offensive to Roman Catholics, but that is no cause for altering the name, for it has, to all true Protestants, a happy association with that of King William the Third, the defender of the rights and liberties of a Protestant nation, and we, as Protestants, are bound to uphold the rights and liberties we enjoy. We ask for no favour from Roman Catholics—we want none. It is true they are our fellow subjects, and they call themselves loyal, but it is a mockery on the term. They cannot be loyal to a Protestant nation, or to a Protestant Queen. They have never failed to show their disloyalty whenever an occasion offered. What was their conduct during the Crimean war? Did not their press exult when England was in difficulty? Did they not mourn when England rejoiced? Had they pity or compassion for the wives or children murdered in the Indian Mutiny? No! The British army in the Crimea was, by one of them on the floor of the House of Assembly designated as "midnight assassins." The sympathy of the many has been with the Russian and with the Sepoy, and why should we be called upon to consult their feelings in this respect? How did the Roman Catholic party act so recently in Hyde Park and in Berkenhead? What has been their conduct in Ireland on the occasion of the marriage of His Royal Highness the Prince of Wales? Did they not show their disloyalty by their riots in Cork and Dublin, and in their refusing to join with the nation in the general rejoicing? If they have thus shown themselves disloyal to the head of the British nation, what right have they to our confidence as Protestants? Some of your honors seem to be alarmed that this Orange society will be the cause of discord and strife, but I think it will have the contrary effect. It will insure the peace of the country and the maintenance of law and good order.

The question was then put on the amendment, and the House divided.

CONTENTS.—Hon. Messrs. Walker, Dingwell, Lord and McDonald.—4

NON-CONTENTS.—Hon. Messrs. Attorney General, Anderson, Yeo, Ramsay, McLaren, Goff, Beer and Henderson.—8

So it passed in the negative.

Hon. Mr. McDONALD.—His honor who spoke last brought a general charge of disloyalty against Roman Catholics. I deny that they are disloyal. Wherever the British arms have been carried, there Roman Catholics were found fighting side by side with Protestants for their Sovereign and their country. If one or two were disloyal, should that be a ground to bring a general charge of disloyalty against the whole Catholic body? Persons professing the Roman Catholic faith have been loyal and true to their Sovereign as any others, and it is a direct insult to say that they are not. I am just as loyal to my Queen and country as I could be if I were a Protestant. I have sworn as sincerely to be faithful and true to my Sovereign as I could do if I were a Protestant. It is unjust and ungenerous to make such assertions.

Hon. Mr. GOFF.—I only stated facts which can be proved.

Hon. Mr. McDONALD.—If one or two Roman Catholic members opposed the grant of the patriotic fund there were other Catholics who supported it, and should that be any reason for bringing a general charge of disloyalty against the whole body? Or should the circumstance of a riot being created in Ireland on the occasion of the Prince's marriage be the ground for a charge against the whole Catholic Church? There are as many Roman Catholics in the Army and Navy of Great Britain, in proportion to their numbers, as of any other Church. I feel sure that Roman Catholics are just as loyal as any other body of men. No doubt there are exceptions among Roman Catholics, and among Protestants as well. I must protest against this general charge of disloyalty.

The question was then put on the original motion, and the House divided.

CONTENTS.—Hon. Messrs. Attorney General, Yeo, Anderson, McLaren, Ramsay, Beer, Goff and Henderson.—8

NON-CONTENTS.—Hon. Messrs. Walker, McDonald, Dingwell and Lord.—4

So it passed in the affirmative.

The Bill was then read the third time and passed.

House adjourned.

SATURDAY, April 11.

The Committee of privileges and elections was resumed, and the principal part of the forenoon was occupied in summing up the votes that were scrutinized and considered by the Committee. It was found that 43 votes polled for Mr. McDonald were insufficient in law, or otherwise illegally entered on the poll books, which number subtracted from 400, the whole number polled for Mr. McDonald, would leave 447. Of Mr. McGowan's votes 19 were found to be illegal, which number subtracted from 468, the number polled for Mr. McGowan, leaves 447; thus leaving the number for each candidate the same.

The House was then resumed and progress reported.

Hon. Mr. Beer presented a petition of the Shareholders of the Bank of Prince Edward Island, praying the House to assent to the Bill to continue and amend the Act to incorporate the said Bank.

House adjourned.

AFTERNOON SITTING.

A message was brought from the House of Assembly by the Hon. Mr. Hensley with a Bill to incorporate the Union Bank of Prince Edward Island.

The Bill to continue and amend the Act to incorporate the Bank of Prince Edward Island was read the second time and committed to a committee of the whole House.

Hon. Mr. Beer in the chair.

Hon. Mr. McDONALD.—It appears that the shareholders of the Bank had power under the former Act to increase their stock from £30,000 to £50,000 at any time within seven years from the passing of the Act, but they neglected to do so. And it appears somewhat singular that just at the time when a new Bank is about being established they should ask for the privilege of extending their stock. It appears to me that their object is to prevent the other Bank from going into operation. The Directors say that such is their object, and I see a large number of the shareholders have signed the petition to have the privilege extended. I am a shareholder myself to a small extent, but I do not know that this Bill is necessary. I do not know that they have ever yet used the amount of their funds, or had the amount of notes they were allowed to issue, in circulation at any one time. I do not think it would be any advantage to the shareholders to have their capital increased, but rather a disadvantage, though the petitioners take a different view of the matter. I am of opinion that by increasing the capital, and thereby throwing a large number of shares into the market, the profits to the present shareholders will be lessened. If such a Bill should be required at some future time, and I have the honor of a seat in this House, I will support it, but I do not feel disposed to do so at present.

Hon. the PRESIDENT.—I do not see how this Bill is to be a disadvantage to the stockholders generally, though it is possible that by giving greater competition to the country it might not be an advantage to the small stockholders. The petition is numerous signed by the stockholders, and surely they would not ask for a Bill that would be a disadvantage to them. Neither do I see how the passing of this Bill will interfere with the establishment of another Bank.

Hon. Mr. LORD.—I do not rise to oppose the Bill, though I must say that I am not exactly favorable to it. It is my belief that we would not see this Bill, or a petition for it, if it were not in contemplation to establish another Bank. And what is their reason for applying for this Act? They have never been straitened for want of means. Nor had they ever, I believe, more than 50 per cent of the amount in circulation which they are allowed to have by the present Act. I have heard a reason stated, and I believe there is some foundation for it, which is, that they want to keep a monopoly, and have the whole management of the metropolitan affairs of this Colony. It is only a short time since the Annual meeting of the Directors took place, and we heard nothing about an increase of their stock then. Before they could increase their stock they must have the consent of a majority of the shareholders; but here is a petition with the names of persons who are on the other side of the Atlantic, and who hold a large number of shares. Of course it was competent for their Proxies to sign the petition on their behalf, but still it is not the same as if they signed it themselves. I am a shareholder in the present Bank to a small extent, and I will also take some shares in the new Bank, for I think there is a necessity for another Bank in this Island. We know that some thousands of pounds worth of good paper has been refused at the present Bank, not because the security was not good, but because they did not wish to have a larger amount of money in circulation. I do not say that they are blameable for that, but the public should have accommodation when they require it.

Hon. Mr. YEO.—I am a shareholder in the Bank to some extent, and I think their business requires an extension of their capital. His honor who spoke last objected to the petition on the ground that some of the petitioners were not here, but what signifies that? Their proxies have power to act for them, and that is sufficient.

Hon. Mr. ANDERSON.—I am not a shareholder, and therefore am not personally interested in the matter; but as those persons holding a majority of the shares have petitioned for an Act to enable them to extend their business, I do not consider it, whether it is an advantage to the public. It is the public interest that we should view. No doubt the Bill would be an advantage to the shareholders, or they would not ask for it. The Act of 1855 gave the Bank a charter for 20 years, and during the first seven years they had the power of doubling their capital. That time has now elapsed, and they have not availed themselves of the privilege. It becomes a question whether it is politic to enable this particular Bank to double its capital, or stock, and extend the duration of its charter, when it may interfere with other Banks. If the general interests of the community require the establishment of another Bank, we should not give privileges to any one company which would prevent another Bank from going into operation. It is true, there may not be anything in this Bill itself to prevent another Bank from being organized; but still I am confident that if we grant the privileges to the present Bank which are contemplated by this Bill, it will postpone the operations of another for many years. At the time the present Bank went into operation it was sufficient for the wants of the community. They have always conducted themselves, as far as I am aware, in a very accommodating manner, and have afforded all the facilities that were in their power to give. I do not think any person is disposed to find fault with them. But we know that Banks, by a large increase of their powers, become very influential; and if, by illiberal or narrow-minded legislation, we prevent another from coming into the community, it is equal to giving the present Bank a monopoly, which may afterwards be found to be a great inconvenience and prove injurious to the general interests of the community. I have no shares in the one Bank, nor do I intend to take any in the other. I am, therefore, in a position to give an impartial vote, and I do not feel inclined at present to support this Bill. I would like to see two Banks in operation in this Island, and when one Banking Company is calling for power to double their capital, it is not fair to give the privilege for another, and I would be disposed to divide the privilege between them. That is the only way to secure fair and reasonable accommodation. If the present Bank can get a monopoly, and prevent others from coming into operation, it will be likely always to remain so. Looking at the petitions held by the community, they are signed by a large proportion of the shareholders; but they see that it is easily for their interest to have power to double their capital, and they wish to seize the opportunity to have a monopoly, and that is the point which we, as guardians of the public interests, should weigh carefully, seeing that we ought to hold the scales even. There is no immediate necessity for this Bill, as they are yet a long way from the end of their term granted; and I do not feel disposed to sanction it till I see if the other Bank goes into operation. Their capital was found sufficient for the last year, and I presume that it will for the next. If in the mean time the other Bank should go into operation good and well; if not, I will be prepared to support this Bill at a future time, if I have a seat in this House.

Hon. the PRESIDENT.—I cannot see how it will interfere with