

The Colonial Herald

AND

PRINCE EDWARD ISLAND ADVERTISER.

NEW SERIES.]

CHARLOTTETOWN, SATURDAY, MARCH 6, 1841.

[No. 188.]

LAND ASSESSMENT.

Treasurer's Office, Charlottetown,
Prince Edward Island, January 18th, 1841.

IN FURTHER PURSUANCE of the Act of the General Assembly of this Island, made and passed in the Seventh Year of the Reign of His late Majesty King William the Fourth, intitled *An Act for levying an Assessment on all Lands in this Island*—I do hereby give Public Notice, that I have made Proclamation according to the terms of the said Act, of the undermentioned Town Lots, Water Lots and Pasture Lots, and parts of Lots or Townships in this Island, in arrear for non-payment of the several sums due and owing thereon to Her Majesty, under and by virtue of the before-mentioned Act, viz:

Town Lots in Charlottetown.

Town Lot Number 75, in the Third Hundred.

PASTURE LOTS Numbers 430 and 469, in the Royalty of Charlottetown.

Town Lots in Georgetown.

Number	1st Range	Letter
4	"	C.
5	"	"
6	"	"
7	"	F.
8	"	"
9	"	"
10	"	"
11	"	"
12	"	"
13	"	"
14	"	"
15	"	"
16	"	"
17	"	"
18	"	"
19	"	"
20	"	"
21	"	"
22	"	"
23	"	"
24	"	"
25	"	"
26	"	"
27	"	"
28	"	"
29	"	"
30	"	"
31	"	"
32	"	"
33	"	"
34	"	"
35	"	"
36	"	"
37	"	"
38	"	"
39	"	"
40	"	"
41	"	"
42	"	"
43	"	"
44	"	"
45	"	"
46	"	"
47	"	"
48	"	"
49	"	"
50	"	"
51	"	"
52	"	"
53	"	"
54	"	"
55	"	"
56	"	"
57	"	"
58	"	"
59	"	"
60	"	"
61	"	"
62	"	"
63	"	"
64	"	"
65	"	"

Pasture Lots Numbers 25, 103, 114 and 269, in Georgetown Royalty.

Pasture Lots Numbers 91, 202, 326, 484 and 485, in Prince-town Royalty.

6,545 Acres on Township Number	8
1,000	15
1,475	25
2,332	37
2,073	38
7,400	52
1,000	55
346	65

And the owners of the said Lots and Tracts of Land, so in arrear and proclaimed as aforesaid, are hereby notified, that in case the sums charged on them by the said Act, together with the costs which have been incurred, shall not be paid within Ten Days before the next Term of the Supreme Court of Judicature, to be held at Charlottetown, application will be made to the said Supreme Court, during the said Term, for Judgment against the said Lots and Tracts of Land respectively.

J. SPENCER SMITH, Treasurer.

Treasurer's Office, 15th February, 1841.

WARRANTS to No. 11, of the date of the 2d January, 1840, will be paid at the Treasury on demand, together with the Interest due thereon.

J. SPENCER SMITH,
Treasurer.

Parties holding Warrants, which come within the meaning of the above advertisement, are particularly requested to present the same for payment.

Office hours, from 10 till 2.

Treasurer's Office, Dec. 12th, 1840.

ON the 8th day of November, 1838, it was ordered by His Excellency the Lieutenant Governor in Council, that in future all BONDS be enforced within One Month after they become due. In obedience thereto, I hereby notify all persons having Bonds in the Treasury, which come within the meaning of the above Order in Council, that unless their amounts be forthwith paid, they will, without distinction, be placed in the hands of the Attorney General, to proceed thereon for recovery.

J. SPENCER SMITH, Treasurer.

Saint Margaret's Agricultural Society GRAIN SHOW.

THE following PREMIUMS, for the best samples of GRAIN, will be awarded on the 17th of March next, at the House of the Secretary. Show to commence at the hour of 10 o'clock.

For the best Wheat,	0 15 0
Second best do.	0 10 0
Third best do.	0 5 0
For the best Barley,	0 15 0
Second best do.	0 10 0
Third best do.	0 5 0
For the best Oats (Black),	0 15 0
Second best do.	0 10 0
Third best do.	0 5 0

To be paid out of the Goods in Store.

By Order of the Committee,

JOHN M'EAUGH, Secretary.

N. B.—Each Sack to contain Two Bushels, and to be the growth of 1840.

The following gentlemen are appointed judges:—
Mr. John Macdonald (James's Son, West River); Mr. James M'Eachen, Lot 44; and Mr. Donald Macdonald, Naufrage, Lot 43. Big Bush, 12th Feb., 1841.

GRAIN SHOW.

BEDEQUE AGRICULTURAL SOCIETY.

THE Society offers the following PREMIUMS for Grain and Seeds, to be exhibited on Thursday the 25th March next, at 12 o'clock:

For the best Wheat (2 bushels),	One set Plough Mounting,	12s. 6d.
Second best do. (do.),	1 set Horse Traces,	8s.
Third best do. (do.),	1 Hay Knife,	5s. 6d.
For the best four rowed Barley (2 bushels),	1 set Plough Mounting,	12s. 6d.
Second best do. (do.),	1 set Horse Traces,	8s.
Third best do. (do.),	1 Hay Knife,	5s. 6d.
For the best Black Oats (2 bushels),	1 set Plough Mounting,	12s. 6d.
Second best do. (do.),	1 set Horse Traces,	8s.
Third best do. (do.),	1 Hay Knife,	5s. 6d.
For the best Timothy Seed (1 bushel),	1 Scythe,	6s.
Second best do. (do.),	1 piece Scrap Iron,	3s. 10d.

The Grain to be left at the House of Mr. Thomas Hooper the day previous to exhibition, and none but Members are allowed to compete. The Secretary will attend and receive the Grain from 10 o'clock until four in the afternoon, and none will be received after that hour.

One bushel of the Rohan Potato will be divided among the Members of the Society immediately after the Grain Show.

JOHN CRAIG, Secretary.

Bedeque, February 15th, 1841.

INTELLIGENCE OFFICE.

THE Subscriber begs most respectfully to inform the Inhabitants of Charlottetown, that he has this day opened an INTELLIGENCE OFFICE, at his new Store, Kent Street, where he offers to procure Servants for Families, at the shortest notice possible.

JOHN TYBRING.

N. B.—Families in want of Servants, and Servants in want of places, will please call as above.
Charlottetown, February 26th, 1841.

HOUSE OF ASSEMBLY.

TUESDAY, February 23.

This being the day appointed for the Call of the House, all the Members answered to their names, with the exception of the Hon. Joseph Pope and Joseph Dingwell, Esquire—the former absent from the Island, the latter from indisposition.

REDEMPTION OF THE TREASURY WARRANTS.

The House having resolved itself into a Committee of the State of the Colony, Mr. Gorman in the Chair—

Mr. YEO submitted the following Resolution:—

RESOLVED, That it is expedient that a Bill be introduced, to authorize the Treasurer of this Island to take up all Treasury Warrants now afloat, or which may hereafter be issued by the Administrator of the Government, from Moneys lying in the Treasury, arising from the proceeds of the Sale of the School Lands of this Island, and the Land Assessment, so far as such money will or may go—with a guarantee that said money shall be refunded out of the general Revenue of the Island, at such time or times as said money may be required for its original purpose.

Mr. THOMSON said, that the money in the Treasury might as well be used by the country until it is called for. It is a folly to be paying interest on the Warrants afloat, while there is money lying dormant in the Treasury. We only seek to have the use of this money till it is called for, and then we will refund it again.

Mr. PALMER had some very strong objections against the measure. The question was one of a rather novel nature in this House; it therefore required to be approached with much caution, involving, as it does, such an important principle in the pecuniary affairs of the country, and affecting, as it does, so large a sum of money. The money alluded to in this Resolution had already been appropriated and set apart to particular purposes, under different Statutes yet in force, and we are now going to make, as it were, a second appropriation. By one of these Statutes, the proceeds of the Glebe and School Lands are to be appropriated for the purpose of promoting general Education in this Island—in such manner, and under such regulations as His Majesty, his heirs and successors, may hereafter be pleased to prescribe. Now, do not hon. members see the inconsistency—the impropriety—nay, the absurdity—of meddling with this money, and endeavouring to lay it out contrary to the purpose for which it has been already appropriated by this Legislature? The control and disposal of it therefore, now rests with Her Majesty, and is clearly beyond our reach. Who knows, also, but what this money may have already been disposed of by Her Majesty's directions? For aught that appears to the contrary, there may already have been some disposition of this money, or part of it; but we have not even inquired by Address, whether this is or is not the case. Before we would be justified in going into this measure, we should first ascertain this fact; after which, it will be time enough for the Legislature to interfere with it. As for the money arising from the Land Assessment, it is just as absurd to interfere with it. This money has likewise been appropriated to public purposes—for by an Act of the Legislature, it appears that this money is devoted to the purpose of erecting public buildings in the Colony. It is true, that a guarantee on the part of the Colony may be given, that the money shall be raised again, and applied to its original purposes; but hon. members must recollect, that this must be done in express and unequivocal terms, by an Act of the Legislature; and he (Mr. P.) was doubtful if a majority of the House, holding the opinions the yet seemed to do, as to the original policy of these Acts, would assent to a Bill of this nature. How, indeed, they could do so, with any regard to consistency, he could not imagine. But, supposing it possible to reconcile these inconsistencies, and to get over these difficulties, the next question that presents itself to our notice is, the policy of taking the specie out of the Treasury, and replacing the same with paper currency, perhaps without the least probability of converting it into specie again—if we do, it may be with some trouble and delay. Once let it out, and it will be found that it cannot be called in again in a moment; it would require months on months, and even years, to put us in our present financial plight, were we to accede to the principle of this Resolution.

Mr. CLARK said, that the more he had heard on the subject, and the more he considered it, the more was he persuaded of the expediency of adopting this principle of the Resolution. He could not see how the House would be making a second appropriation of this money; it would be only availing ourselves of the use of the money for a certain time—to be repaid when called for; and as there are a number of Warrants afloat, for which the country is paying interest, this interest might easily be paid out of these dormant funds, now in the Treasury. There would be no danger in authorising the Government to pay off the interest on these Warrants out of this money. Such would not be a second appropriation, as some hon. members would have it. The Resolution has no such object in view; it only went to authorise the loan of this money for beneficial purposes.

Mr. LONGWORTH thought there was nothing hazardous in allowing the measure to go into effect. Its adoption would be a saving to the country of at least £400 per annum. Under such consideration, he would go with the measure.

Mr. SPEAKER said he was at a loss to see what great advantage it would be of to the country. He granted it might be the saving of two or three hundred pounds a year, but that would be but trifling, in comparison to the risk the country would run in collecting it in again; besides this, there are many evils that would be likely to effect the colony were we to adopt this measure. It would be the means of disabling us from making good our undertaking with the Home Government; for, by the Land Settlement Bill of this Session, we have placed at the disposal of the Government, for the purchase of the lands, this very money, namely, that arising from the Land Tax. Were this money to be set afloat, the only persons likely to profit thereby would be the present holders of Warrants, who would receive in lieu thereof, the specie in the Treasury, and lend it out to private individuals on very profitable terms. In the end, this money would totally disappear from the country, leaving in its place the Treasury Warrants to pay for the purchase of the lands. Were the measure carried out, it would, in all probability, be the means of inducing Government to refuse their assent to the Land Settlement Bill, when they would find, that instead of the money promised in the Bill, they were to receive only paper Warrants.

Mr. YEO said, he was greatly surprised to hear what fell from hon. members respecting the Resolution which he had submitted to the Committee. He could not see how the proposed measure would be injurious to the Colony. All that is asked for by the Resolution is, to apply the money now lying in the Treasury to redeem or pay off the Warrants afloat, in order to save the interest accruing thereon. This would be a saving of from four to five hundred pounds per annum to the country. The refunding of this money could be secured upon the public revenue, and applied, when wanted, to its original purposes. He felt persuaded that this measure had been overlooked in the House of Assembly heretofore. The proceeds of the Glebe and School Lands—say £3000—had not been beneficially applied

to the public service for the last four years. The Interest on this would have amounted to £720, but which had been lost to the country. Hon. members wish to make it appear that there will be a great risk in getting the money replaced again—why, in six months time, Treasury Warrants could be issued to replace the whole of it, if necessary. He could not conceive how hon. members, or, indeed, any person, could oppose a measure of such utility, except those who hold Treasury Warrants on interest; by some of the money-traders of Charlottetown, for instance. He had been informed, that some of the Warrant-traders have been offering to purchase all the Warrants they can get—offering at the same time to advance money on that head. For his part, he could not imagine what so many Treasury Warrants were issued for. Was it to oblige the money-traders of Charlottetown, or to impoverish the Colony? He could not say whether it were for the one or the other, or for both.

Mr. RAE objected to the Resolution on many grounds. His objections were, first, that the plan was really borrowing money. So far as my Lord Bishop was concerned, we might depend, that if we took the money deposited in the Treasury—but of which, said Bishop had, by the Imperial Government, been made Trustee—then he would look for interest. The circumstance of its lying unproductive did not entitle us to have the use of it without interest, and he (Mr. R.) would be very unwilling that said fund, under its present manager, should draw interest from the productive classes in this Island. Again, he did not like the principle of borrowing money to be paid by the re-issuing Warrants. We were already fully as far in advance as prudence would warrant, and he thought the expenditure of future years would occasion the issue of as many warrants as could be circulated without depreciation. His greatest objection to the Resolution was, that last Session and this Session we had passed a Bill for the settlement of the Land, and in that we enacted, that "all moneys that may have been collected under and by virtue of the said recited Act"—that is, the Land Assessment Act—"shall remain in the hands of the Treasurer of this Island, and for the use and disposal of Her Majesty's Imperial Government, to liquidate, in part, the outlay and advances that may be made by the Crown in the purchasing of Lands in this Island." Some four or five thousand pounds had been collected under this Act, and in that measure which was the most important of all, had been destined to go towards the redemption of the cultivators from bondage; and now, in the same Session, and before the Council have entered on such Bill, the hon. gentleman asks us to appropriate these moneys, to take up Warrants issued to defray the ordinary expenditures on roads, bridges, &c. In any case, such a contradiction would expose the House to derision. In this case, it would have a most malignant effect, for it would be made use of to shake the confidence of the Imperial Government and the proprietary claimants in regard to our seriously intending to pay them for the Land. No man at all conversant with business would look on such a resolve as either honest towards these parties, or prudent in regard to the interests of our constituents. If we meant to be led astray—if we meant to give the Council and the Imperial Government an unanswerable argument against the Land Bill—if we wish to be held up as destitute either of the prudence and consistency, or, still worse, of the regard to justice, so necessary for the House both to possess and to be believed to possess—then let us agree to this Resolution, not otherwise.

Mr. YEO stated that the Resolution did not go so far as to include the money arising from the sale of the Glebe Lands, as some hon. members misapprehended; it only referred to the land tax, and the proceeds of the sales of the school lands. He felt surprised to see so much opposition offered to a measure promising so much good.

Mr. CLARK said he was not aware of any bad result that would be likely to follow the adoption of such a measure as the one before us. He would like to hear where the risk would lay; he could see none. Are we going to question the good faith of Government? We are not. This measure will not encourage stock-jobbers. It was not intended by the Resolution to interfere with the proceeds of the Glebe lands; its object is, to make the Land Assessment money, and the proceeds of the sales of the school lands, available to public exigencies. These moneys are lying useless in the Colonial Treasury, while the country is paying interest on Warrants, which might be applied towards the paying off those Warrants, the interest upon which is running the country into debt.

Mr. MACINTOSH said that he thought it quite impolitic to entertain this measure. He conceived that, in the event of this measure going into effect, the Treasury Warrants, in the course of time, would become greatly depreciated in value. Yes, they would even become a drug in the money-market; he would therefore vote against the Resolution.

Mr. LE LACHEUR said it was any thing but politic to entertain the principle of this Resolution, for the reasons already mentioned by hon. members. It is far better for us to link upon retrenching our appropriations. We have been long enough going beyond our means. We have nothing to do with the money mentioned in the Resolution. We might as well meddle with private property.

After Mr. Thomson had again spoken in favour of the motion, and Mr. Palmer and other hon. members against it, the Resolution was negatived, on the following division:—

YEAS—Messrs. Yeo, Hudson, Montgomery, Thomson, Clark, Longworth, W. Dingwell, Beck, Hon. J. S. Macdonald—9.

NAYS—Mr. Speaker, Messrs. Le Lacheur, Macfarlane, Fraser, Macneil, Forbes, Rae, Dalziel, Macintosh, D. Macdonald, Palmer, Maclean—12.

Mr. RAE then submitted a Resolution to the Committee, on the expediency of re-enacting the Fishery Reserves' Bill of last Session; which was agreed to, and the Report ordered to be received to-morrow (Wednesday.)

WEDNESDAY, February 24.

Mr. THOMSON presented two Petitions from Georgetown, the one praying that a Contract may be entered into with the owners of the Steamboat Pocahontas, for the employment of that vessel for the conveyance of the Mails to and from Pictou—the other praying an aid for the erection of a Market House at that town. Laid on the table.

Mr. DALZIEL presented a Petition from divers Inhabitants of Lots 59, 61 and 63, praying an aid to widen the shore road; also, a Petition of divers Inhabitants of Three Rivers and Murray Harbour, praying an aid for the erection of a Bridge below Aitken's Mill Dam. Both of these Petitions were referred to Messrs. Dalziel, Le Lacheur, Thomson, Clark, and the Hon. J. S. Macdonald, to examine the same and report thereon.

Mr. W. DINGWELL presented a Petition of divers Inhabitants of Lots 43, 55 and 56, praying a grant, in aid of private subscriptions, towards the construction of a Wharf or Slip at Grand River Ferry.—Laid on the table.

FISHERY RESERVES BILL.

Mr. GORMAN reported the following Resolution from the Committee on the State of the Colony:

Whereas there does not appear to be any answer from the Imperial Government, to the Bill and Address passed and transmitted by this House in its last session, in reference to the Fishery Reserves, Resolved, therefore, That with the view of bringing that important subject to an amicable termination, which is so essential to the benefit of Fishermen in this Island, that a Committee be appointed to prepare and bring in a Bill of the same tenor as that passed by this House last session.

Mr. PALMER said, that he considered the House was proceeding most injudiciously on this subject. If a Bill precisely similar to that of last session be transmitted to the Home Government, it will in all probability meet with the same unsatisfactory result. In order to prevent this he would recommend the propriety of adopting a new course. As the House still see no prospect of a concurrence with the Legislative Council in the principle of this measure, he (Mr. Palmer) thought it therefore necessary to address Her Majesty, setting forth the grounds of the objections entertained by the House of Assembly to the amendments of the Legislative Council, and the reasons which weigh with the House in adhering to the principles of the Bill of last session as agreed to here; and the Legislative Council at the same time should be asked to join the House in the address, setting forth the objections that that body may entertain to the enactments agreed to by this House. This he conceived would be the proper means and the one likely to succeed; by this the Home Government will be the better able to form a just opinion on the question, and at the same time be enabled to benefit the Colony by recommending some feasible measure on which the Legislature may act. He (Mr. Palmer) would therefore submit an amendment to the Resolution embodying his views on the measure before the House. He knew very well that this amendment would not meet with the general approval of the House, but he would submit it, for the purpose of having his name recorded against the present mode of procedure. He concluded by proposing an amendment to that effect.

Mr. GORMAN said, he could not go with the amendment. The Fishery Reserves Bill of last session was past on certain principles from which he did not think it politic to swerve, more particularly as we have taken a stand on those principles with the other branch of the Legislature; from that branch we can expect but little assistance—we have nothing to fear from adopting this course, the Resolution is based on just grounds.

Mr. LE LACHEUR remarked, that the question of the Fishery Reserves was now worn thread-bare; he thought it needless to trouble the House with any comments on the justness of the measure; but he felt it his duty to say that the country demands a prompt interference on the part of the Legislature to bring this matter to a speedy close, for many of the occupants of these Reserves are daily oppressed and coerced by the proprietary faction for rents alleged to be due therefrom. (Here Mr. Le Lacheur read a communication from His Excellency the Lieutenant Governor to the Colonial Minister on the subject of the Fishery Reserves, and commented on the line of conduct followed out by the Government on this subject.)

Mr. RAE said, that as to meeting the Council half way, that was out of the question on this subject, unless we meant to nullify the rights of our constituents; if we were conscious that we had drawn out that Bill in conformity with the obvious meaning of the Despatches, and that the Council had taken different ground; the circumstance of their being a branch of the Legislature was not to make it obligatory on us to meet them half way; by that same rule, clear rights must be in part abandoned by one party whenever another party is unwilling to concede them—the reasonable and moderate must yield up part to the unreasonable. As to the other plan recommended to the House by the learned member, namely to write a lengthened commentary on the amendments brought forward by the Council, and in support of our views, he thought our Bill and the Despatch compared together were the best commentaries on the amendments. He would bring forward the same Bill as that of last year; he expected there would be no change, but as the House ought ever to be open to conviction, if any member had taken a new view of any of the provisions of the Bill, he would communicate his views when the Bill was in Committee, and endeavour to have any errors rectified. As he saw little probability of the Bill passing the other branch, he intended to move for an address, to the effect of preventing distraints for rent against fishermen residing on these Reserves.

Mr. D. MACDONALD said, if this House were to address the Home Government on the subject of the Fishery Reserves, without passing a Bill for that purpose, the Imperial Government might turn round and tell us that we were culpable in not again submitting it to the Legislative Council, more especially as a partial change has taken place in that body. He therefore hoped that hon. members would see the necessity of sending the same Bill to the Legislative Council for their concurrence; he would vote against the amendment.

Mr. CLARK thought it would be a reflection on our Legislative character; it would be saying that no confidence can be placed in our enactments, were we now to adopt a different course than that followed out by this House last session with regard to this measure. What! are we going to repose confidence in the Legislative Council, constituted as it is, of men whose interests are quite adverse to those of the people in general. If that body were called upon to frame a Bill on this subject, no doubt such would be framed under the influence of that proprietary interest which predominates over their councils. As to the late changes in that branch, he would have no objection to test the feeling on this important question; by this we will know whether they are a reformed body or not. The Imperial Government have been often imposed on by the false representations of the proprietary faction; by such have the Imperial Government been induced to defray the Civil List of this Colony (being some thousands of pounds per annum;) and these very Proprietors by their misstatements would feign burden the Colony with a share of this tax, while they themselves take good care to evade bearing one farthing of this public charge. It is too notorious to the country that both the Legislative and Executive Councils are influenced by the proprietary interest; nay more, that those bodies are appointed, not by the agency of the Governor, but by that of the Proprietors at Home.

The House divided on the motion of amendment:—

YEAS, Messrs. Palmer, Hudson, Longworth, Yeo, Hon. J. S. Macdonald—5. NAYS, 15.

The question on the Resolution reported from the Committee was then put and carried, and a Committee appointed to bring in a Bill in conformity therewith.

COLONY AGENT.

The House having again resolved itself into Committee on the State of the Colony:—

Mr. FRASER introduced a Resolution for the renewal of the office of Colony Agent.

Mr. PALMER said, that he could not see the necessity of renewing the office of a Colonial Agent at home.