HASZARD'S GAZETTE.

TUESDAY, MAY 11, 1852.

ELECTRIC TELEGRAPH.—COUNTY MEETING.

Agreeably to a requisition addressed to the Sheriff of Queen's County, a large and influential Meeting of the Inhabitants of Charlottetown, and of the County was held on Tuesday last, at the Court House, to take into consideration the highly important subject of the establishment of a Telegraphic line to connect Newfoundland with the American Continent, through this Island.

The Sheriff having read the requisition, and the notice convening the Meeting—

His Excellency Sir Alexander Bannerman, the Lieutenant Governor, was called to the Chair, and he, in a long, but lucidly, stated the object of the meeting, and the vast importance of the contemplated undertaking, in its bearing on the immediate interests and future destinies of this Island, if Prince Edward Island should be included in the line of the Telegraphic communication connecting the American continent with Newfoundland, and the latter, by ocean steamers, with Europe; and he entertained no doubt, that when the different resolutions about to be offered, should be proposed for their acceptance, they would meet with that ready support which the importance of the question involved in them, merited from the meeting.

Mr. A. M'Neill was requested to act as Secretary.

The Honble. Attorney General first addressed the Chair, and read a letter from F. A. Gisborne, Esq., Agent for the Newfound land Electric Telegraph Company, together with the following extracts from the minutes of the Executive Council:

LIEUTENANT GOVERNOR'S OFFICE,
30th April, 1852.

The Honorable the ATTORNEY GENERAL laid before the Board, a letter which he had received from Mr. Frederick Gisborne, dated at Halifax, the 21st instant, stating, "that the Newfoundland Electric Telegraph Company have it in contemplation to connect Newfoundland with the continent of America by Telegraph Wires, and would prefer extending the submarine Cable from Newfoundland to the East Point in this Island, in lieu of Cape North in Nova Scotia, and thus the Wires would pass through the centre of this Island to Nova Scotia. Should this Route be adopted, would save to the Company about three hundred miles of land Wires, but would involve an additional expense of £7,500 for the Cable Wires; and wishing to be informed, if our Local Government would feel inclined to aid the Company, any aid, pecuniary, or otherwise, after the work is accomplished."

His Excellency and Board, taking into consideration the manifest advantage that would result to this Island from the Electric Telegraph Line, feel no hesitation in giving a pledge, that so soon as the General Assembly shall be convened, they will introduce this subject to its consideration, and will use their exertions to obtain a grant of money in aid of this great and useful enterprise; and also will render every facility to the Company for the use of the Public Roads, already opened the whole distance of the Route, being sixty miles in width, through a thickly settled and well cultivated country, for the procuring and sinking of the necessary Posts, and extending the Wires thereon throughout the Island.

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A true Extract,
CHARLES DESBRISAY, C. C.

After which, the succeeding Resolutions, supported by able and effective speeches by the different movers and seconders, were severally proposed and carried unanimously:

Moved by the Hon. Attorney General, seconded by John Lawson, Esq.

Resolved, That this meeting believes that the establishment of Electric Telegraphs throughout any country, has a great tendency to aid the progress of social improvement, in multiplying of actions in one common brotherhood, to extend the boundaries of human knowledge, and to afford increased facilities towards commercial enterprise.

Moved by Hon. the Treasurer, seconded by Hon. Mr. Hensley.

Resolved, That this Meeting hails with pleasure the prospects of a Telegraph being erected throughout this Island; whereby the Island of Newfoundland will be connected with the American Continent, and by means of which, in conjunction with ocean steamers, this Island will be brought within five days of the Mother Country. That this Meeting looks with confidence to the Government and to the Legislature to promote their useful enterprise, by giving the Company a grant of money either annually, or otherwise, by taking shares in the Company, by granting it the use of the public Roads as a way for the line, by giving every facility in the procuring sites for station houses, and in the obtaining and sinking of posts, and by using their influence and best exertions, in giving to the Inhabitants of this Country, the benefits and advantages of Electric Telegraphs.

Moved by Hon. George Coles, seconded by T. Heath Haviland, Esq.

Resolved, As the opinion of this meeting, that the additional local support to be derived from the present use of a Telegraphic communication between this Island and the other North American Provinces, as well as the United States, is not of a nature, to compensate the Company for any additional expenditure required by the adoption of this Island as a medium of Communication with the continent, and will eventually prove a source of loss to the Company.

Moved by Hon. W. Swabey, seconded by John Longworth, Esq.

Resolution,—That a Committee be formed for the purposes of communicating the purport of these resolutions to F. N. Gisborne, Esq., and to conduct such further correspondence with the Newfoundland Company, as may be necessary for the furtherance of the objects in view.

The following Gentlemen were then severally proposed, and unanimously elected a Committee, in pursuance of the said Resolution:—Five, including the chairman, to constitute a quorum:—viz—Hon.bles. Messrs. Attorney General, Hensley, Pope, Swabey, Coles, Lord, Col. Secretary, Birnie, and T. H. Haviland, J. Longworth, D. Brenan, James Peake, and J. Thomas, Esqrs.

On motion, His Excellency left the chair, and the Hon. Mr. Coles having been called thereto, it was moved by the Hon. Col. Secretary, seconded by J. Longworth, Esq., and unanimously carried,

That the thanks of this meeting be given to His Excellency the Lieutenant Governor, for his kindness in presiding at this meeting and for so ably conducting its business.

His Excellency, in acknowledging this vote of thanks, said that it afforded him great satisfaction in being called on to preside over a meeting so influential in its character, and he trusted, important in its results. Should their anticipations be realized, in the successful issue of the contemplated scheme, Prince Edward Island would become known, not only to thousands, but to millions of the human family who had never before heard of the Colony; that for himself, it would ever be to him a source of high gratification should so great and useful an enterprise—supported by such intelligence and respectability as was associated in this meeting—be accomplished during his administration of the government of the Colony. (Cheers.)

After which the meeting adjourned.

JOHN M'NEILL, Secretary.

This is the first proposition that has been made in the Island to annihilate time and space, and to draw closely connected with the surrounding colonies, and, consequently, with all the world. Our insular position will ever be a bar to rail roads, and whatever may happen in the course of a century or two hence, neither the present nor several successive generations, can be expected to experience such a mitigation of the severity of the climate, as to enable them to avail themselves of the benefits of steam navigation during the winter season. The electric telegraph, as proposed, should it go into successful operation, will do more for the benefit of the Island, than at first it would appear to promise. From its embryed position on the map, and its close proximity to Nova Scotia and New Brunswick, and Island does not stand in the way of the observer as the seat of an independent government, but rather as a portion of one or other of these provinces separated by an insignificant strait; it has no individuality. Placed, therefore, on the line of telegraph, which will connect a country of so much importance—but hitherto as completely isolated in the winter season—as Newfoundland, it will be immediately brought into prominence, and become an object of importance, not only in the eyes of commercial men, but of all the world. Attention having been once drawn to its locality, the spirit of enquiry will be aroused, as to its capabilities, when the fact of its superiority, as a permanent fishing establishment, will become universally known and quickly taken advantage of. Nor will its general fertility and peculiar aptitude for shipping, its agricultural produce, without the additional cost of internal transportation, be lost sight of, but, on the contrary, be every day better known and appreciated. In a commercial view, the advantages will be immediate. The state of the markets for live or dead stock, animal or vegetable productions, may be ascertained in an instant from St. John's, Newfoundland, to New Orleans, and markets for them may be opened, which we now do not even dream of. Our sincere wish is, that Mr. Gisborne and his associates may still persevere in their design of making the East Point of the Island the terminus of their sub-marine cable. We must not withhold our tribute of approbation at the conduct of the Administration on this important occasion. We have been and shall continue to be on the alert to mark their misdoings and note their short-comings, and we shall be equally ready to do them justice, when we find them in the right. It was also a pleasing sight to see party spirit laid aside, when the interests of the Island appeared to require a coalition of all ranks and all classes, in order to give to the projectors that encouragement which they deserve at our hands. The meeting, which we now notice, presided over as it was by the Lieutenant Governor—who has never appeared in public to greater advantage; the establishment of a committee of correspondence, composed of men of the first influence, without respect to political feeling; and the assurances held out by the Executive, will go far, we should hope, to satisfy the company, that it will be for their interest, as well as ours, to adopt this Island the medium of communication between Newfoundland and the Continent.

SUPREME COURT OF JUDICATURE.

AT CHARLOTTETOWN, TUESDAY, MAY 4, 1852.

Gerard Mitchell vs. Nicholas Harvie.

This was a Summary Action on the Case, for an escape against Nicholas Harvie, Keeper of Charlottetown Jail.

The consent of the parties, and by order of His Honor Mr. Justice Peters, a case was stated for the opinion of the Court in last Hilary Term (1852), as set out in the Judgment hereinafter contained, and was argued by Edward Palmer and Charles Palmer, Esquires, for the Plaintiff, and the Attorney General and Solicitor General for the Defendant.

The following was the Judgment of the Court delivered by

Mr. Justice PETERS.—This was a Summary Action on the case against the defendant, the Keeper of Queen's County Jail, for an escape.

From the facts admitted by the Counsel on both sides, it appeared that one Alexander White, a private in the 38th Regiment, was charged by the Plaintiff with stealing his watch; that he was taken before a magistrate, and committed to Charlottetown Jail, on the 12th June, 1851, that, before the sitting of the Court, at which he was under bond indicted, the Defendant discharged the prisoner under the following order from the Lieutenant Governor.

GOVERNMENT HOUSE, 19th June, 1851.

To the Sheriff of Queen's County

SIR;

You are hereby authorised to deliver to his Commanding Officer, Captain Leckie, of Her Majesty's 38th Regiment, Alexander White, a private in that Corps who is presently confined in the jail of Charlottetown, on a charge of theft, and plea, of an assault.

A. BANNERMAN,
Lieut. Governor.

The Prisoner left the Island with his Regiment before the Trinity Term, so that the Plaintiff could not prosecute him at the Trinity Term, the Grand jury only sitting on criminal presentments.

"That on the 10th day of June, instant, one Alexander White, a soldier of the 38th Regiment, stationed in Charlettetown, entered the House of the Plaintiff of Charlottetown Common, and did steal and carry away a silver watch, valued at £6 currency, the property of the said Gerard Mitchell, and the Jurors further present, that the said Alexander White, was committed to Jail by Thos. Desbrisay, John Morris, and John Cox, three of Her Majesty's Justices of the Peace, for Queen's County, in order that he the said Alexander White, should be tried for the said offence at the Supreme Court, to be held on the last Tuesday in June, instant, and further, the Jurors present, that the Jailor of the said County, in whose custody the said Alexander White was placed by virtue of the said Commitment from the three Justices aforesaid, did discharge and liberate the said Alexander White, and that he cannot now be found to answer the charge preferred against him."

The Plaintiff had lost his watch; but it was not found on the prisoner, nor has the defendant had it in his possession or seen it. The value of the watch was proved to be about £6. With the exception of the commitment by the magistrates, no evidence was given to show, that the prisoner had taken the watch.

Three questions were raised in the argument.

1st. Whether the order of the Lieutenant Governor justified the Defendant in discharging the prisoner.

2d. Even if it did not, the commitment, being for a criminal offence, whether an action will lie against the Jailer, at the suit of a private person, for an escape?

3d. That supposing an action will lie, whether the Plaintiff must prove that the watch was taken by the prisoner, before he can recover

As to the first point, it was argued by the Attorney General that the Governor has power to pardon, and might therefore, legally discharge the prisoner. There is no doubt, that the Governor may pardon, and the pardon may be before as well as after conviction. Viz, in 2 Cou. Dig. 172, it is laid down "The King, may pardon any crime or offence before attainder or conviction," and this he may do though the prosecution be carried on by a private person requisite in the original action have an interest in the judgment. Hall's case 5 Rep. 51. "Alice Cook libelled Hall in the Spiritual Court, for calling her a whore, and had judgment, from which the defendant appealed, and then obtained the King's pardon" And it was *Resolved*, That all cases depending in the Spiritual Court, between party and party, where the suit is only *pro salute animi vel reformatione morum*, as for defamation or laying violent hands on a clerk or the like, there, the King's pardon is a bar of the suit; for the suit is not to recover any damages or any other thing, but only to inflict punishment on the offender, *pro salute animi*, which punishment, the King may pardon as after the suit is begun; for in truth, such suits are *only for the King*, although they be prosecuted by the party, and like suits in the Star Chamber, prosecuted by one subject against another, the King may pardon them; for although a subject prosecutes them, yet the suits are for the King, and to punish the defendant for their offences and misdemeanours by fine and imprisonment to the King. But suits for tithes or a contract of matrimony, or for a legacy, or the like, where the plaintiff hath an interest and property in the thing in demand, and sentence shall be given for him for the thing which he libels for, the King cannot pardon it, neither before or after the suit begun."

But the order in this case is not and does not purport to be a pardon; a pardon must be under the Great Seal. If pleaded, the document would be no defence to an Indictment, for the offence mentioned in it. The question, therefore is, whether the Lieutenant Governor has power to order the discharge of unpardoned criminals from prison, and in the affirmative question, he must be assumed to possess the same power as the Sovereign has in this respect.

1st I Bac. 615. It is laid down, "A person legally committed for a crime, certainly appearing to have been done by some one or other, cannot be lawfully discharged *by any other, but by the King*; and he must be tried or have an *ignoramus* found by the Grand Jury or none to prosecute him on proclamation for that purpose, by the Justices of Gaol delivery."—But though it be said, a person committed may be discharged by the King, it does not follow, that the Lieutenant Governor under the King's signature would be sufficient, although Justice is administered in the name of the Sovereign, it is beneath his dignity to attend to the details of administration in this Province, which is in the King's name and by his authority, can only legally be done by those, to whom their execution is intrusted, and who are themselves liable for abuse of their powers. In the King's prerogative, 2 Shaw Rep. 484 cited in the preface to Foster's Rep. 12 & 2 Bac. Abr. 83. The Defendant was brought up on *Habeas Corpus*. "It appeared the King had requested some of his ministry to commit the Defendant to gaol, but they not having proof of the Defendant's guilt, refused to grant any warrant, upon which His Majesty thinking the Defendant guilty, called for a Warrant which he signed with his own hand by which the Defendant was committed to the custody of the messenger, and the Warrant being taken notice of by the Court of King's Bench and the whole matter being considered, the Court gave their opinion that the Defendant should be discharged, because the Warrant was under the King's own hand, and not under the hand of *any Secretary or Officer of State or Justice of the Peace*. And the reason given for this hath been, that the King, having given all his Executive power to his Judges and Justices of the Peace, there is none left in him, the executive power being too mean and troublesome for His Majesty. And if the King erred even in matters, that do not concern the Law; but there is a remedy at Law against any subject whatsoever." Here, though the party might legally be committed in the name and by the authority of the King, yet the warrant for his commitment signed by the King was held void. But the present point now before the Court, is noticed in Burn's Justice, 519, when after citing the authority already quoted from Bacon's Abridgment, it "That a person legally committed for a crime cannot (till acquitted or bail granted) be bailed, but is charged by any other than the King," he adds in a note "*That is by some one of the King's Courts or some Magistrate duly authorised.*" If the prisoner in this case was improperly committed, he might have caused himself to be brought before a Judge on *Habeas Corpus*, the prosecutor and committing magistrate would then (according to the practice) both have had notice so that they might appear and defend his discharge and the Judge after due inquiry into the circumstances and hearing both sides, if satisfied, that there was no reasonable pretence for imputing to the prisoner the offence, would have discharged him or admitted him to bail. It appears to me, therefore, that the Lieutenant Governor had no power to discharge the prisoner, and that the order does not justify the Defendant in having permitted him to escape.

As to the second question—the rule of law founded on salutary principles of public policy, and designed to stimulate the prosecution of offences—is, that where a criminal offence has been committed which is also the subject of a civil action, the party injured shall not be allowed to sue for a civil injury, until he has first prosecuted the offender by indictment for the criminal offence. The law on this subject was very fully laid down in the late case of White vs. Spettigue, 13 M. & W. 605. The party injured being thus compelled to postpone his action to recover the value of the property taken from him, until he has prosecuted for the criminal offence, any omission or neglect of duty by those who are bound to assist the prosecution, which impedes it, and thereby necessarily delays him in bringing his civil action is an injury to him for which an action on the case lies against the party guilty of such neglect of duty. In Buller N. P. 64, it is laid down "If my servant be robbed and he go to a Justice of the Peace, and there examined touching the robbery, and the justice refuse to examine him, so that I am thereby damnified and cannot proceed against the hundred, I may have an action against the justice." The same principle seems applicable to the case of a jailer, who by allowing a prisoner to escape, hinders the prosecutor from proceeding with the criminal charge, and thereby prevents his bringing a civil action against him.

The last question then arises, viz., whether the Plaintiff must prove the taking of the watch by the prisoner, before he can maintain his action. This was properly in some cases required in the original action against the prisoner, where if the prisoner escape at any time after the return of the writ, the Sheriff is liable, but he is only liable for such damage as the Plaintiff has *actually* sustained; and if, in consequence of the escape, the plaintiff be obliged to use the shortest time in the prosecution of his suit, it is a damage in law sufficient to sustain the action. Thus in Williams vs. Moysten, 4 M. & W. 152, where the sheriff's officer permitted a third party arrested on mesne process, escape 4 after the return of the writ, the plaintiff had sustained no actual damage, nor been delayed in his suit, and it was held the action would not lie. Parke B. says, "there we think, he is not liable, unless it be that if the plaintiff had sued out his writ of *Habeas Corpus* during the defendant's absence from prison and been prevented from executing it, or had refused to deliver a copy of the Declaration during his absence and had been prevented by the absence from doing so, he would have been delayed, and delay of suit never so short is necessarily a damage." If it be argued in the case before us, the plaintiff's Counsel, between that case and the present. That in Williams vs Moysten, the plaintiff only had a right to have his debtor in custody, whenever he chose to remove or declare against him, and if then he could not be arrested, he could not be delayed, but that in this case the Plaintiff by the escape, has an actual impediment thrown in his way, which prevents his suing at all until the criminal case is disposed of, and that he must have delayed in this case it was not necessary for the Plaintiff to issue a writ against the prisoner, before bringing the action for the escape. The argument does not bear on the real question raised and now under consideration, which is not, whether the plaintiff has been delayed in commencing his suit against the prisoner (which appears plain enough) but whether admitting that to be the case, it was not necessary to prove that the prisoner had taken the watch in question, which in this case could only have existed, by its appearing, that he was the taker of the watch.

In all actions on mesne process, it *must be stated in the declaration and proved*, that the plaintiff had a cause of action against the party arrested. In Alexander vs MacAulay 4, T. Rep. 611. The Declaration stated, that plaintiff had a good cause of action against his creditor, that he arrested him, and that defendant suffered him to escape. At the trial, the plaintiff was nonsuited, because *he could not prove any debt against the prisoner who had escaped*. In this case he should have been defeated in his suit, because his debtor having escaped entirely, he could not have him to declare against at the return of the writ; but his being unable to prove any debt against the prisoner, showed that the action against him if he had not escaped, would have failed; he could not therefore be damnified by the escape, and consequently had no cause of action against the jailer. And in the note to Benson vs. Walsby, 2 East, 1 Rep. 154, citing the same case, it is said "It is necessary in this action to aver and prove that the plaintiff had cause of action against the person who escaped. If it be not averred, the Declaration is bad on demurrer, and *if it be not proved as averred*, the plaintiff will be nonsuited.

It is true, the Court say, in Williams vs. Moysten, if the plaintiff had sued out a *Habeas Corpus* or offered to deliver a copy of his Declaration during the prisoner's absence, he would have been put to delay sufficient to maintain the action. But it is not said, it was necessary to prove the debt against the prisoner, no such question was raised; because no doubt, the Court would have overruled the trial, and the only question was, whether the escape had caused damage to the Plaintiff by delaying him in the prosecution of his suit against the prisoner, in which he had shown he was not actually damnified. Mr. Starkie, page 1043, lays down the proof necessary in such cases very clearly. "The damage resulting to the plaintiff, is either, that the Plaintiff has been delayed in recovering his debt, or that he has lost or is likely to lose the debt. The plaintiff must prove the original debt as averred in the Declaration, with the same degree of particularity, as it seems, and no more than would have sufficed in the original action against the prisoner. Under this rule, in an American case, Riggestal & Thatcher, 1 Greenleaf 68, it is said "The action, cannot be maintained, unless the plaintiff had a valid subsisting cause of action against the prisoner at the time of escape."

From these authorities it is clear, that in all actions for escape the Plaintiff must prove. 1. The *debt against the prisoner*. 2 The Escape. 3. That he has been damnified by it, and if he fail in his suit, and I can see no distinction in principle between the proof necessary in such cases, and the present.

It was urged by the Plaintiff's Counsel, that the Plaintiff had a right to have his debtor in custody, whenever he chose to declare against him, and that the escape is a substantial injury, which he has actually sustained by bringing his action, his *right* had been injured which entitles him to damages at law and the *dictum* of Powell Justice, that the escape is a substantial injury, and Mr. Starkie, 314, was relied on. But if the plaintiff could not recover in an action against the person escaped, he could not possibly be injured by the escape, as its only effect would be to prevent his going on with a suit, in which he would be nonsuited.

But it is a mistake to suppose, that the doctrine that a mere injury to a right, when no actual damage has been sustained applies to such cases as this. In all actions on mesne process, there must be proof of the action and they must actually have occurred, or an action will not lie. They may be very trifling, they may be only nominal; but still they must have occurred. The present action arrests his debtor, has a right to have him in prison at the return of the writ, to declare against; but unless he shows that he actually offered to deliver a Declaration in his absence, he cannot maintain an action because, though the prisoner may have been delayed in the commencement in taking any step towards the prosecution of his suit. But if he have offered to deliver a Declaration in the defendant's absence, though the prisoner was not present when the copy of the Declaration could then be served, yet there has been actual delay for which (and not for any injury to the abstract right) the law gives him nominal damages.

Tis true there are cases, where mere injury to an abstract right will be sufficient to maintain an action, such as sucharging Commons, diversion of water-courses, &c.; but these cases are necessary exceptions to a general rule, because in such cases, unless an action would lie, to preserve the right its repeated infringement might, in the end, ripen into a title in the intruder, or be used as evidence to deny the right of the party entitled to it.

There being no evidence in this case, that the watch was taken by White, the Plaintiff must be nonsuited.

TO THE EDITOR OF HASZARD'S GAZETTE.

MR. EDITOR;

Being fully aware of the sincere interest, you have always shown on every subject, which has for its object, the welfare of your fellow-subjects,

You will please excuse me, for thus trespassing on your valuable space, with these few remarks on the "late hoar system" to which it will be as well as my fellow citizens of "Town—am subjected, say in *this* Town Mr. Editor, for in Great Britain, the United States, and all our sister Provinces; the merchants have been fully convinced, of the disparaging effects, of the "late hoar system" on the minds, and morals of their clerks. They have, from those motives, adopted the "early closing system."

In the commercial Towns in England, the United States, and our sister Provinces, there as I have already stated, the "early closing system" is adopted.

The result, I believe to be, they "know the right" but from want of consideration, they "pursue the wrong." Our request is surely not of so arbitrary a nature that it would be prejudicial to their interests to adopt it. This Mr. Editor cannot be the case for it is a well known fact from the experience of those who have tried it, that were all the shops closed at seven o'clock in the evening, except on Saturday, the same amount of business would be transacted; as the customers would accommodate themselves with the arrangements, they would govern themselves accordingly. It is now adopted by one of our best Establishments. And here I tender my sincere thanks to the principal thereof, for the sincere interest he manifested in enforcing to introduce the system generally. I regret to say, however, that our Merchants were so habituated to "the gods old way" (?) that they "could not be fashed" at "Mrs. Maclarty" would say into the adoption of it.

E. M. N.

Charlottetown, May 3, 1852.

Royal Agricultural Society.

MEETING OF COMMITTEE, May 5, 1852.

PRESENT:

His Honor Judge Peters, President,
Hon. S. Rice, Hon. T. Haviland,
Mr. Hodges, Mr. Pethick,
Mr. Simpson, Hon. Mr. Coles,
Mr. Stewart.

The following was entered upon as the heading of a new Subscription List for Members of the Society, to take effect on and after the 1st July next, that being the period at which the present Subscription list will terminate, viz:

"We, whose names are subscribed hereto, hereby severally agree to pay to the Treasurer of the *Royal Agricultural Society of Prince Edward Island*, yearly, from the 1st day of July, 1852, while we continue Members of the Society, the sums set opposite our respective names, and we further agree to conform to the Rules and By-Laws by the said Society, it being understood, that any Member is at liberty to withdraw from the Society, upon giving notice at any time before the annual Meeting, to the Secretary, of his wish so to do.

The following Resolutions relating to the Branch Societies were also passed,

Resolved, That the sum of £100 (or so much thereof as may, under provisions hereinafter contained, be required), be appropriated out of the funds of this Society, to be divided among the different Branch Societies in manner hereinafter mentioned; that is to say, upon the Treasurer and President of any Branch Society transmitting to the Secretary of this Society, a Certificate, stating the amount subscribed for that year, and paid to the Treasurer of such Branch Society by the Members thereof, such Branch Society shall be entitled to receive from this Society, a sum equal to the amount so subscribed by the said members for the year, and paid into the funds of the Treasurer of such Branch Society, provided, that no grant shall be made to any Branch Society as aforesaid, unless £20 be first paid to the Treasurer thereof; And provided, that the whole amount granted to Branch Societies as aforesaid, shall not exceed the sum of £100.

Resolved 2d, That the above grant being made to encourage the Branch Societies, it is expedient that the Rules, Subscriptions, and also with a view of permitting them to fix the different prizes to be competed for in their Districts, and to exercise greater control over their own affairs, each Society will in future, by and out of its own proper funds, be liable to pay its own prizes, nor will any prizes be paid by the Central Society to the Counties of King's and Queen's Counties, save and except, the Prizes offered for Cattle Shows and Ploughing Matches mentioned, and set forth in the List of Premiums offered by the Society for the year 1852: Provided always, that nothing herein contained, shall be construed to interfere with the power of the Central Society to prohibit or restrain any Branch Society from appropriating any portion of the amount so granted, or of the moneys received from its Members, for objects which the Central Society may deem an misapplication of its funds.

Resolved, 3d,—That the above Grant of £100, shall take effect from the 1st day of July, 1852.

Ordered,—That the following PREMIUMS, for TURNIP CROPS in Queen's County, &c, be immediately advertised, namely:—

For the best acre of Swede Turnips,	£4	0	0
" 2d do. do.	2	0	0
" 3d do. do.	2	0	0
" 4th do. do.	1	0	0
" the best acre of Yellow Turnip,	2	0	0
" 2d best do. do.	1	0	0

The Meeting was then adjourned until Wednesday, the 19th instant.

By Order,
CHARLES STEWART, Secretary.

JUBILEE.

The Sunday after Ascension Day has been appointed by the Lord Bishop, for the celebration of the Jubilee of the Society for the Propagation of the Gospel throughout the Diocese. Appropriate Sermons are to be preached, on that day, in the Parishes, and the thank-offerings of those who desire to testify their gratitude for the benefits conferred upon this Province, through the instrumentality of the Venerable Society, are to be paid into "Jubilee Fund," to be appropriated at the discretion of the Executive Committee of the Diocesan Society.

The following is a copy of the Subscription List, up to the 28th April, 4th, to raise a Fund for an Endowment for the Bishop of Nova Scotia:—

Collected in Churches,	£27	14	0
The Lieutenant Governor, *per annum*,	5	0	0
T. Haviland,	10	0	0
Captain Orlebar, R. N., in three annual instalments,	15	0	0
Rev. Dr. Jenkins, to be funded on the Island,	4	0	0
Captain Swabey, in three annual instalments,	10	0	0
Wm. Cundall, Esq.,	10	0	0
J. Barrow, Esq.,	5	0	0
Captain Cumberland,	10	0	0
Captain Bayfield, R. N.,	10	0	0
Lady Wood, } by three annual instalments,	22	10	0
Miss Fanning, }			
J. Swabey, Esq.,	5	0	0
Hon. E. J. Jarvis,	4	0	0
Hon. R. Hodgson,	10	0	0
Hon. T. Heath, Esq., to be funded on the Island,	10	0	0
D. Hodgson, Esq.,	3	0	0
T. H. Haviland, Esq.,	10	0	0
Rev. H. B. Swabey, in three annual instalments,	12	0	0
	£191	4	0

Communications will be received by the Rev. Dr. Jenkins, or the Hon. W. Swabey, or Robert Hutchinson, Esq.

[Extract from a Letter, dated St. John's, Newfd., April 12.]

"Our fleet of Sealers got away on the 3d and 4th March; and the first two returned on the 1st instant with full cargoes; since then, over 30 have arrived, all having fair average cargoes—they report Seals in abundance, but the weather unusually severe; the wind prevailing to the N. E., jammed the ice into the bays, and large quantities of Seals have been taken by the inhabitants. On the 5th inst., we had a very severe gale from N. E., with snow, which has done a great deal of damage, together with loss of life. Twelve vessels are reported as lost, and we fear that is not all."

"April 19th.—The wind being directly from the land winds, I am enabled to announce to you the arrival of the Creole, Capt. Richards, [of Georgetown, P. E. I.] with 2600 seals—he will do well, and clear £500. He had a bad crew, else he would have filled here—he labored under great disadvantages, it is sure he friendly will be glad to hear of him. The Orestes arrived this morning, bringing in the Gem, belonging to Mr. Fogerson, a prize, with 2800 seals, she being a schooner. The Kingsford's also this morning, with 1500 seals; the Caledonia, with 2300 seals; Dash, 5000; and the Hound, 1800, all abandoned, the crews having taken to the Islands when in danger. The excitement now to-day is drawful, women and children screaming through the streets. Government has taken up the Harbinger to go after the crews. 1500 men are reported on the Wadhum and Funk Islands, living on seals. 27 vessels are reported lost, but it is impossible to say the exact number as yet. The quantity of seals were greater than for years."

The Prime Minister's opinion of Responsible Government in Colony.

HOUSE OF LORDS, April 6, 1852.

The EARL of DERBY presented a Petition from the Speaker of the House of Assembly at Newfoundland, praying for the extension of Responsible Government to that Island. He totally differed from the prayer of the Petition. If they wanted to ruin the peace and welfare of the Colony, they could do it more effectually than by granting the prayer of this Petition.—*London Times, April 7.*

MILITARY.—We learn that Capt. Boyle's Company of the 72d Highlanders, at present in this Garrison, have received orders to proceed without delay to Prince Edward Island, to relieve a Company of the 42d Highlanders, who are under orders for England.—*Newbrunswickr.*

The Steamer Rose, left for Pictou on Thursday last, on her first trip, but was not able to make the opposite shore for the ice, and returned the same night at half-past 10. She landed the Outward Mails at the Wood Islands, which were conveyed thence to Pictou by Mr. M'Millan's Boat. This Boat brought to Town on Saturday Evening, the Colonial Mails; and Messrs. Francis Longworth, W. Nelson, Joseph M'Donald, and Mr. Kilner of London.

LATER FROM CALIFORNIA.

By the arrival at New York of the steamer Sierra Nevada, we have received San Francisco dates to the 20th of March, but the news is unimportant.

The rains had almost entirely ceased throughout California, and the floods generally abated. It is estimated, that at least twenty lives were lost by the overflow, and that the whole loss by the flood will reach nearly half a million of dollars. The prospects of the miners were highly flattering, and all were reaping a rich harvest. Several additional murders by the Indians are reported. Trade was slightly better, and an advance in most staples was confidently looked for. The California Gold Exhibition was open to the public a few days before the 20th ult., will be due in New York about Sunday.