

# The Examiner.

A WEEKLY JOURNAL OF POLITICAL, LITERATURE AND NEWS.

"This is true Liberty, when Freeborn Men, having to advise the Public, may speak free."—Euripides.

VOL. XXII.

CHARLOTTETOWN, PRINCE EDWARD ISLAND, MONDAY, APRIL 24, 1871.

NO. 17.

**The Examiner**  
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Twelve shillings when not paid in  
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WE will send the "Examiner" for 1871,  
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We can supply any of the English, American,  
or Colonial Publications, at the lowest cash  
rates.  
P. R. BOWERS.

**Business Cards.**  
**HENRY J. GAFFNEY, M. D.**  
PHYSICIAN & SURGEON,  
OFFICE IN  
North American Hotel,  
KENT STREET.  
Charlottetown, Aug 3, 1870.

**MR. A. SMYTHE,**  
PROFESSOR OF MUSIC,  
Has Removed his Academy to Water St.,  
(Opposite the late Telegraph Office.)  
Pianoforte and Melodion Tuning punctu-  
ally attended to.  
July 25, 1870.

**CARVELL BROTHERS,**  
AUCTIONEERS,  
Commission Merchants,  
AND  
GENERAL AGENTS,  
BANK BUILDING, QUEEN STREET,  
Charlottetown, P. E. Island

**A. McNEILL,**  
Reading Room Proprietor  
COMMISSION MERCHANT  
AND  
AUCTIONEER.  
CHARLOTTETOWN,  
March 21, 1870.

**SETH D. SHAW,**  
Attorney-At-Law, &c.  
OFFICE—Corner of Great George  
and Dorchester Streets.  
Opposite City Hotel. Formerly occupied  
as a Law Office by Charles Palmer, Esq.,  
and recently by H. J. Candall, Esq.,  
Charlottetown, P. E. I.  
May 31, 1868.

**WILLIAM DODD,**  
Commission Merchant and  
AUCTIONEER,  
QUEEN SQUARE,  
CHARLOTTETOWN, P. E. ISLAND

**H. NASZARD,**  
Commission Merchant,  
GENERAL AGENT,  
AUCTIONEER  
Upper Queen Street,  
Charlottetown, P. E. I.  
N. B.—Orders from abroad, and the country  
will receive prompt attention.  
April 25, 1869.

**Apothecaries' Hall,**  
The Old Stand, West Corner of Queen Square,  
ESTABLISHED, 1810.  
JUST RECEIVED, a fresh supply of FELL-  
LOW'S COMPOUND SYRUP OF HY-  
POPHOSPHITES, and West's Compound Com-  
pound Syrup of Phosphates (Chemical  
Food).  
—ALSO—  
A Good Assortment of Aniline  
Dyes, Roseine, &c.  
T. DESBRISAY,  
Ch'town, Jan. 2, 1871.

**A. HERMANS,**  
Bell-Hill, Gun and Tin-  
smith,  
Dorchester Street,  
(Next to "Examiner" Office.)  
REGS to return his thanks to the general  
public for the liberal patronage extended  
to him since his commencement in business,  
and asks for a continuance of the same. He  
keeps constantly on hand  
A neat Assortment of  
TINWARE, KITCHEN UTENSILS  
&c., &c., &c.  
ALL ORDERS in the above BUSINESS  
will be punctually attended to.  
Having lately made large purchases in the  
Cheapest Markets, intended for House Builders,  
such as  
Gas Fitting, Water Closets,  
Bell Fittings, &c., &c.  
I am prepared to SELL THEM AT RATES  
AS LOW AS CAN BE HAD IN THE CITY,  
and will fit them up in a good workmanlike style  
To a generous public, I would say, that all  
orders in THIS BRANCH OF MY BUSI-  
NESS will be attended to with Despatch.  
A Lot of First Class WATER COOLERS on hand.

**SAYER'S CRYSTAL BLUE,**  
Sold Cheaper than ever.  
July 12, 1869

**Gilt and Waxed Mouldings!**  
JUST ARRIVED!  
CHEAP AT  
JOHN NEWSON'S.  
May 30, 1870.

**WOOL—WOOL.**  
CASH paid for WOOL, on delivery, at  
the Store of  
H. J. CALBECK.  
Ch'town, May 30, 1870.

**Iron Bedsteads.**  
A FEW Superior Iron Bedsteads, cheap for  
Cash, at  
NEWSON'S.  
September 19, 1870.

**Choice Retailing Sugar.**  
20 Hds. Porto Rico SUGAR,  
(Strictly Prime.)  
For Sale Low.  
MAJEACHERN & CO.  
March 13, 1871.

**NO MORE BUYERS' COPPERS.**  
WE will give "the Buyer's Copper," and  
pay the highest Market Price to farm-  
ers coming direct to our Warehouse, with  
their oats.  
CARVELL BROS.  
Ch'town, Feb. 20, 1871.

**The Examiner.**  
Charlottetown, April 24, 1871.

**About Railroads and Farmers.**  
The following remarks are from a work devoted  
solely to the interests of farmers. The  
writer basis his calculations upon the cost of  
the Broad-Gauge Roads which—if correct—  
are much more forcible when applied to such  
a Line of Road as it is to be constructed here.  
We have no doubt but in a brief space of  
time we will have such branches as the *Agri-  
culturalist* speaks of over all the Island. With  
Branches to all or the greatest portion of the  
large settlements, the Main Trunk will be well  
sustained, and we firmly believe that within  
ten years, it will pay all expenses, and in fact  
be a source of revenue.

(From the *American Agriculturist*)  
During a business trip out on the Erie Railroad  
the other day, we were particularly impressed by  
the frequent announcement "passengers change  
cars for the ——— Railroad" that is to say,  
every few miles there was some branch railway  
extending off from ten to one hundred miles or  
more into a rich valley, so that the whole south-  
ern part of the State—but recently almost an in-  
conceivable wilderness, is now supplied with a net  
work of railroads—that branch off from the Great  
Trunk Line like the links or rings of a tree; and  
this is the case with the various trunk roads lead-  
ing from the Atlantic Sea—bound westward each  
one of these roads by bringing the regions through  
which it passes nearer to a market, greatly in-  
creases the value of every acre of land, and every  
house for a wide distance on each side. We doubt  
not that it could be demonstrated that there is  
hardly a region penetrated by a railway where  
the real estate has not advanced enough to pay  
the entire expenses of the road. For illustration,  
suppose we estimate the cost of the railroad to  
average \$30 per mile, or \$400 per foot. If we  
confine the benefits to a strip 61 miles wide on  
each side, each foot of railway would then benefit  
11 acres, and if taxed upon the land would amount  
to \$1 per acre. Is there a region penetra-  
ted by a railway where the advances in real value  
has not been more than twice \$1 per acre on the  
average? The annual interest on \$4 will call for  
30 cents. That is equal to 2 cents per bushel on 15  
bushels of wheat, or one cent per bushel on 30  
bushels of corn, or 30 per cent on a ton of hay,  
and so of other products. Is there a point reached  
by a railroad where the advance in the value of  
produce has not been many times greater than this?  
It would be nearer the mark to say that  
the advance in price is enough to pay for a new  
that railroad cost of an inestimable value to the  
agricultural regions of our country, and we hail  
with pleasure every new railway enterprise, no  
matter where it is located.

**Government Appointments.**  
EXECUTIVE COUNCIL, April 6th, 1871.—His  
Honour the Lieutenant Governor in Council has  
been pleased to appoint the following persons  
Commissioners of the Land for the undermen-  
tioned Districts in this Island:—  
Mr. Peter Stewart (Neill's son) Township No.  
34, for the Fourth District of Queen's County, in  
place of Laurence McMillan, Esq., resigned.  
Mr. Richard Hibbs, Summerside, for the Eleventh  
District of Queen's County, in place of Mr.  
Benjamin Mills, resigned.  
Mr. John F. Holland for the Eleventh District  
of King's County, in place of Mr. Daniel Mac-  
Laren, resigned.  
Mr. David McEwen, Esq., for the Thirteenth  
District of Queen's County, in place of Mr.  
Neill McLaughlin.  
Mr. John Robert Moore for the Ninth District  
of Queen's County, in place of Mr. John  
Wm. Henderson, Bedouque Road, for the  
Sixth District of Queen's County, in place of  
Mr. Chas. Colwell.  
Mr. Bennet McLellan for the Seventh District  
of Prince County, in place of Mr. Donald S.  
McKay.  
Mr. George Aitken, of Bay Fortune Caps, for the  
Third District of King's County, in place of  
Mr. Ronald McDougall.  
Mr. Peter Stewart, Esq., of Souris East, for the  
Fourth District of Prince County, in place of  
Mr. Lawrence Peters.

His Honor the Lieutenant Governor in Council  
has been pleased to make the following appoint-  
ment:—  
Alexander Doyle, Esq., of Township No. 57,  
Queen's County, to be a Commissioner of the  
Court for the Recovery of Small Debts at Orwell,  
in the place of Ewen Lamont, Esq., deceased.  
Messrs. Warren Howatt and Richard Pooley  
to be Commissioners of the Court for the Re-  
covery of Small Debts at Tryon, in the place of  
Alexander Howatt and Thos. Esquires.  
Mr. Duncan Robertson to be Postmaster at  
Red Bank, in the place of Mr. James Robertson.  
Mr. Samuel McDonald removed from the District.  
Mr. Hugh McDonald to be Postmaster at  
Township No. 11, in place of Michael Kilbride,  
Esq.  
Mr. Richard McCarral to be Postmaster at  
Tignish.  
Mr. Lewis Campbell to be Harbor Master and  
Ballast Master, and Collector of Light and  
Anchorage Dues for Cardigan River, in place of  
Mr. Donald McIntyre.  
Mr. Archibald J. MacLellan to be keeper of  
the Light-house on Mack Island Richmond Bay,  
and Harbor and Ballast Master for Richmond  
Bay, in place of Mr. John Champion.  
Mr. Nathaniel Gregory to be Harbor Master  
and Ballast Master for Souris.  
Mr. Hugh Campbell to be Harbor Master and  
Ballast Master for Rolle Bay, in the place of Mr.  
Chas. Deagle.  
Mr. Henry W. Mutch to be Harbor Master  
and Ballast Master for the Port of Charlottetown,  
in place of Mr. James Caffray.  
Mr. Arthur P. Hobbs to be Clerk of the Market  
House, Georgetown, in place of Mr. Gilbert Hes-  
son, resigned.  
Captain Roderick Macgregor, of Souris West,  
to be Collector of Import and Excise duties, and  
Treasurer for Souris, in terms of the Act of  
10th Victoria, Chapter 3.  
Mr. Patrick MacVeigh to be keeper of the  
Lighthouse at Summerside, in place of Mr.  
Donald Rothford.  
Henry F. Jarvis, Esquire, to be Health Officer  
for Bedouque, in place of James E. Price, Esq.  
Charles J. Shreve, Esquire, M. D., Port Hill,  
to be Superintendent of Vaccination for Town-  
ships Nos. 11, 12 and 13.  
Ephraim B. Muttart, Esquire, M. D., Souris,  
to be Superintendent of Vaccination for Town-  
ships Nos. 28, 29, 41 and 42.  
Henry J. Gaffney, Esquire, M. D., Charlottetown,  
to be Superintendent of Vaccination for  
Townships Nos. 31, 32 and 65.

His Honor the Lieutenant Governor in Council  
has been pleased to appoint the following persons  
to the Commission of the Peace:—  
QUEEN'S COUNTY.—Mr. John Hughes, Jr.,  
(James' son), Millville; Mr. Angus Bruce, Murray  
Harbor Road; Mr. Ducau Crawford, Wood  
Islands.  
PRINCE COUNTY.—Mr. Sebastian Davidson,  
Tignish; Mr. Solomon Leard, Cape Traverse.

**MR. PUNSHON'S EXPEDITION TO THE  
PACIFIC.**  
TORONTO TO CHICAGO.

Hot for the West! Over the continent to  
the vast Pacific! What a splendid opportunity  
to be enjoyed. What chances and dangers  
incident to such a journey. How much to  
curiosity and give food for thought in the  
course of such an expedition.

That there is nothing in the world more  
exciting than to travel over the continent of  
America, there to connect with the Pacific  
Ocean, and to become our fellow-travellers,  
and that future excursionists may find both  
instruction and service, we venture to  
chronicle the incidents and particulars of  
the journey. Those who have read passed  
over the greater portion of our favorite route  
may find in our letters much that is tame and  
uninteresting; but as there is a great deal of  
ignorance among men, as a whole, and as it  
is not always safe to presume on people's know-  
ledge of everything, we will address our readers as  
if they knew nothing of the way.

A brighter spring never shone upon a travel-  
ling party than beamed upon us as bidding  
farewell to many friends, we moved out of the  
Yonge street station a few minutes before  
twelve, and were carried with increasing ve-  
locity along the shores of the beautiful Ontario  
to Hamilton, there to connect with the Pacific  
Express. Arrived at the station, we had a  
few moments to wait for the train; then came  
the banging, shouting and running incident to  
a busy railroad depot. The bell rings, then  
is the cry "All on board for the West." A  
sudden rush for the cars, the hurried posting  
wards, when the engine whistles, the train  
moves, and we are off. Now we are whirling  
along over the main line of the Great West-  
ern, and seated in one of Pullman's splendid  
hotel cars, which combine drawing-room,  
sleeping-rooms, and kitchen, with servants to  
attend to our wants, along with smoking and  
reading a job of oscillation, for the springs and  
wheels of these cars are so well adjusted that  
one escapes all the shaking and bumping of ordi-  
nary railway travel. The extra charge of one  
dollar and fifty cents each gave us a luxu-  
riously cushioned seat by day, and a comfortable  
sleeping berth by night, such as is not to be  
found elsewhere, and the dining table, with  
At London we got a capital supper in the eat-  
ing rooms of the station. Let us recognize  
good things as we go along.

Along the level plain we run from London  
to Windsor, pausing in the swamps of Belle  
River to refresh the iron horse with fuel and  
water, and to be gratified with the whistling  
and the singing of frogs. At 9:30 p. m.  
the terminus of the Great Western is  
reached, and we are carried over the Detroit  
River, train and all, by the huge, iron ferry  
steamer *Great Western*. This vessel was con-  
structed in Scotland, at a cost of  
\$1,000,000, and is the largest and most  
splendid of her kind, carrying a capacity of 1200 tons,  
but carries more nearly 2000, and is com-  
manded by Captain Sullivan, one of the most tried  
and most trustworthy of the Company's en-  
gines. This vessel is propelled by two en-  
gines, and is a fine specimen of modern  
mechanics. The distance of the  
Great Western ship dock from that of the  
Michigan Central is nearly two miles, and she  
plies the river day and night through summer  
and winter, often making a round for herself  
in water though ice is sold in thickness,  
and melting in spring the floating masses of  
ice that come drifting down from Lake St.  
Clair; yet with all these obstacles, she fre-  
quently transports daily as many as 420 cars  
for days in succession.

This river being the boundary between the  
Dominion of the United States and the  
Province of Ontario, the examination of all  
except through baggage. Custom house officials  
with great freedom run their hands deep into  
the mouths of capacious cargo-bags, and  
make sad confusion with well-filled trunks.  
The work at best cannot be a very agreeable  
one, and the men engaged in the work are  
not very popular with the American Custom-house  
officers, they are not more annoying or corrupt  
or overbearing than are such highly abused  
officials all the world over. We found them  
most courteous and obliging, as honest-faced  
travellers generally do.

The only thing that annoyed us was the  
suspension of our well-stocked provision  
basket, but when they learned that we were  
California bountied their mistrust was removed,  
and they did not offer to lighten us of pickled  
salmon, cold tongue, spiced beef, canned  
fruits and ginger snaps, which our good lady  
friends had supplied us with. The beautiful  
city of Detroit, Michigan, is a beautiful  
city, the Straits looked cheerful and bright,  
her streets being excellently lighted with  
gas. From this point the journey is  
made by the Michigan Central Railway  
through the rapidly growing Peninsula State,  
so rich in agricultural products and mineral  
resources. The Michigan Central is a fine  
road, and the service is excellent. Among the  
most prominent men in the city are  
Messrs. Warren Howatt and Richard Pooley  
to be Commissioners of the Court for the Re-  
covery of Small Debts at Tryon, in the place of  
Alexander Howatt and Thos. Esquires.  
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ships Nos. 28, 29, 41 and 42.  
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to be Superintendent of Vaccination for  
Townships Nos. 31, 32 and 65.

A friend of ours who is chief clerk in the  
General Dispensary, says that any medicine  
is not complete without "Johnson's Anodyne  
Linctus." We always supposed it was  
prescribed by law; if it is not, it ought to be,  
for certainly nothing is so soothing and  
medicinal as such importance to the soldier and  
the sailor as "Johnson's Anodyne Linctus."

**Parliamentary.**  
HOUSE OF ASSEMBLY.

(Continued from last week's Extra.)  
Debate on the Despatches relating to  
the Fishery Question.

House in Committee of Privileges and  
Elections, on petition of John Gaffney and  
others against the Return of the Sheriff for  
the Third Electoral District of Prince  
County.  
Hon. Mr. Perry in the Chair.  
Having spent some time in hearing  
Council at the Bar, House resumed, when  
progress was reported and leave given to  
the Committee to sit again.

Hon. P. SINCLAIR had no objections to  
the resolution submitted by the Hon. Leader  
of the Government in reference to the  
American fishermen. He had previously  
stated that he thought it rather hard that  
those fishermen had not received notice of  
the intention of the Government, before those  
restrictions were laid upon them. He had  
been answered that the Americans were  
notified of what was about to be done; but  
as far as he was aware no official notice had  
been given them. However, he was glad  
that the restrictions had been removed, and  
believed that the Minute of Council which  
had been despatched to the Imperial Govern-  
ment by the late Administration had  
something to do with it.

Hon. LEADER OF THE GOVERNMENT.—The  
Minute of Council of the late Government  
was successful, because they acted in it  
that they were willing to act in unison with  
the Dominion Government, in reference to  
the matter.

Hon. B. DAVIES said that the papers  
which were before the Committee were of  
great importance. He had only been able  
to give them a short glance; but they re-  
quired a good deal of consideration before  
an opinion should be passed upon them.  
Our trade with the Americans was in-  
creased. It appeared a great hardship  
that the Americans should be refused entry  
into the harbors of this Island for the pur-  
chase of supplies, and for the re-shipment of  
their fish. Many years ago it was thought  
a desirable object to draw the Americans  
towards our shores, on account of the ad-  
vantages derived from their trade by our  
farmers, merchants, tradesmen and others.  
The barrel making business of the Colony  
has especially been benefited by the  
American trade. But during the month of  
August last the American fishing vessels  
were seized in the harbor of Charlottetown  
without any order from the Government  
and without notice of any kind. Her Ma-  
jesty's ships took possession of the harbor  
and several American vessels were seized  
and sold at auction. A private boat coming  
into the harbor to look for a ship, and not  
finding it, having stood out again to sea,  
was fired at by British War vessels. He  
thought the conduct of the late Govern-  
ment should be either approved or condemned,  
and therefore hoped the papers would be  
allowed to lay on the table two or three  
days at least, in order to allow a reasonable  
time for their perusal. It was not the  
desire of the people of this Colony to see  
restrictions laid upon American fishermen;  
and he was glad that Her Majesty's Govern-  
ment saw fit to remove those restrictions.  
He was aware that it was a matter alto-  
gether between the British and United  
States Governments, and that the Govern-  
ment of this Colony had no right to usurp  
any authority with regard to it; but we had  
certain rights, and he believed they should  
not be overlooked. Her Majesty's Govern-  
ment only had a right to deprive Americans  
of any privilege in our harbors, and it was  
by Her Majesty's orders that our ports were  
again thrown open to the Americans.

Hon. MR. PERRY could not altogether  
agree with the hon. member for Belfast  
that the people of this Colony desired to see  
the Americans taking fish within the three  
mile line. The abolition of the Reciprocity  
Treaty was the act of the Americans them-  
selves. That treaty was a great advantage  
to this Island, and also to the Americans  
themselves on account of the fish they  
caught in our waters. The Americans had  
the privilege of landing their fish and re-  
ship them to the United States, which saved  
them much valuable time. He was not so  
very much opposed to the restrictions which  
had been imposed upon the Americans, for  
he believed they had been the means of pre-  
serving the fishery in this Island. The  
situation in Washington, for the settlement  
of all the difficulties with the United States.  
But he thought it was a matter of regret  
that this Colony was not represented in  
that Commission, in order to present its  
claims more forcibly. The advantages we  
offer the Americans in return for Reciprocity  
are of far more value than all the  
American trade to this Island.

Hon. LEADER OF THE GOVERNMENT said  
that he believed that if any basis of trade  
were agreed upon between the British and  
United States Governments whereby our  
trade relations will be put on a better foot-  
ing, it will be owing to the protection which  
the Dominion Government gave their  
fisheries during the past year. The hon.  
member for Belfast (Hon. B. DAVIES)  
thought the Americans ought to be allowed  
to come here and fish where they pleased,  
and was willing to give up all our ad-  
vantages. The only way to obtain concessions  
from the Americans is to hold fast our rights  
and not to give them up, for our fisheries  
are of great value, particularly to the people  
of the United States, and their being de-  
prived of them is the only means of bringing  
a strong influence to bear upon their govern-  
ment in order to bring about a new treaty.  
He therefore thought it unwise to surrender  
our fisheries without receiving anything in  
return. In submitting the resolution, it  
was not with the intention to legislate  
in reference to the matter, but merely to  
give an expression of the opinion of this  
Committee of the whole House, in approval  
of the course pursued by the late Govern-  
ment. It gives them credit, in a great  
measure, for the removal, through the  
Minute of Council, of the restrictions which  
had been placed upon American fishermen.  
He would amend the resolution as follows:—  
"The Committee of the whole House, hav-  
ing under consideration a copy of a Des-  
patch from Lieutenant Governor Robison,

to Earl Kimberly, Her Majesty's Principal  
Secretary of State for the Colonies.—No.  
15, dated 22nd Nov., 1870, also a Despatch  
from Earl Kimberly to Lieutenant Govern-  
or Robison, No. 39, dated Downing  
Street, 18th Dec., 1870, respecting the  
practice of admitting United States fishing  
vessels to enter in the ports of Prince Ed-  
ward Island, together with Extract from  
Minutes of the Executive Council of this  
Island, dated 2nd September last, and other  
documents upon the same subject, report—  
That they are gratified at the result of the  
appeal made by late Government, to the  
Secretary of State, whereby American fish-  
ing vessels are admitted to entry in the  
ports of the Colony, and permitted to land  
and tranship the fish from them, inasmuch  
as the exclusion of the said fishing vessels  
from the ports of this Island, operated pre-  
judicially upon its trade and revenues. The  
inhabitants of this Island generally would,  
therefore, view with regret the re-imposing  
the prohibition which was enforced in the  
latter part of the past year. The Com-  
mittee, however, express a strong opinion  
against allowing such vessels the privilege of  
our inshore fisheries, without the United  
States granting us adequate trade concessions  
in return."

The government of which the hon. member  
for Belfast was a member, declared, after  
taking the opinion of their Crown Law  
Officers, that the transshipment of fish  
by the Americans, was contrary to the  
Treaty of 1818 and instructions were given  
to have it prohibited; but, at the same  
time, they sent to the Imperial Government  
a Minute of Council, ably drawn up, asking  
for a relaxation of the restrictions. This  
Minute of Council was favorably received,  
and the prohibition was removed. Im-  
mediately after the answer from the Im-  
perial authorities was received, instructions  
were sent to the Custom House Officers  
that the restrictions were removed, as a  
Colony, we do not want to give up our fish-  
ing grounds to the Americans, but we are  
glad to avail ourselves of their trade.

Hon. B. DAVIES.—If the Despatches on  
the subject are carefully read, it will be  
found that the late Government declined to  
issue prohibitory instructions in reference  
to the American fishermen. They believed  
they had no right to act as judges on the  
matter, and therefore handed it over to Her  
Majesty's Government for their decision.  
There was a Minute of Council stating that  
they believed the Americans had a right to  
come into our harbors and land their fish,  
or it was only an article of goods. Ameri-  
can merchant vessels were not prevented  
from trading here, and why should the  
article of fish be excluded any more than  
other goods? No one was injured by their  
landing fish at our wharves and all were  
benefited by their purchasing supplies in our  
ports. After the matter had been referred  
to Her Majesty it seemed extraordinary  
that the Administrator of the Government  
should turn round and issue instructions  
to the Custom House Officers to prevent the  
re-shipment of fish and the purchase of sup-  
plies in our ports by the Americans. There  
must be despatches in reference to the matter  
which have not been laid before the House,  
and which would give a full explanation of  
it.

Hon. LEADER OF THE GOVERNMENT.—  
There were despatches in reference to the  
fisheries; but the matter is now pending  
in Washington, and of course His Honor  
the Lieutenant Governor could not yet make  
them public; but all the documents which  
were really necessary to throw light upon  
this matter, were before the Committee.

Hon. ATTORNEY GENERAL.—His Honor  
the Administrator brought to the notice  
of his government the practice which pre-  
valled of allowing American fishing vessels  
to enter our ports for the purpose of fitting  
out, and landing fish for re-shipment to  
the United States. That government referred  
the matter to their Crown Law Officers,  
who gave it as their opinion that, in accord-  
ance with the Treaty of 1818, the Americans  
had no right to enter our ports for any sup-  
plies except wood and water. The late  
Government then issued an order in ac-  
cordance with that opinion, that the practice  
of re-shipment of fish and fitting out vessels,  
should be discontinued by the Americans.  
He (Hon. Attorney General) did not think  
the late Government's order did not will-  
ingly, for they drew up that able Minute of  
Council, which they despatched to the Im-  
perial Government, in consequence of which  
the latter thought proper to authorize the  
Government of this Colony to remove those  
restrictions.

Hon. B. DAVIES.—Did the Hon. Attorney  
General mean to say that the late Govern-  
ment in Council issued those prohibitory  
instructions?  
Hon. LEADER OF THE GOVERNMENT.—Yes.  
The following is an extract from the minutes  
of the late Government, in Council, on the  
subject:—  
"The illegality of the practice concerning  
the Board that your Honor 'entertains  
doubts' being thus established, the duty of  
the Council was obvious; and your Honor  
is aware that such instructions have been  
sent to the Collectors of Customs throughout  
the Colony, as will prevent foreign fishermen  
from entering the harbors of the Island ex-  
cept for the purposes permitted by the  
Convention of 1818."

The Executive of the late Government refer-  
red the matter to their Crown Law Officers  
for their opinion, and when that was obtain-  
ed, the Council passed an order to the  
Custom House Officers to put a stop to the  
evasion of the law by the Americans. This  
was done. The Minute of Council having  
been sent to the Home Government, the re-  
strictions were ordered to be removed. The  
resolution before the committee merely ex-  
pressed satisfaction at the result, and would  
no doubt be supported by every hon. mem-  
ber of the committee. Surely the hon.  
member for Belfast did not expect the pre-  
sented Government to be responsible for the  
action of the late Government in reference  
to the matter. The latter were responsible  
for all the acts of the Administrator.

Hon. B. DAVIES.—There was nothing  
in that Minute of Council which advised the  
Administrator to close our ports against the  
American fishermen; and, therefore, it is  
not to be held against the Administrator  
that he was not responsible for the matter.  
The High Commission at present  
sitting in Washington would, no doubt,  
settle the question relative to the fisheries.  
He (Hon. Mr. D.) did not agree with the  
hon. member for Tignish, when he justified  
an evil act in order that good might come  
out of it.

Hon. LEADER OF THE GOVERNMENT.—As  
the hon. member for Belfast was one of the  
Administrator's responsible advisers, why  
did he not resign if such was the case?  
Hon. B. DAVIES did so not long after that  
took place. He was certain the Adminis-  
trator would not attempt to take that step  
without some further reasons for so doing.

Hon. LEADER OF THE GOVERNMENT.—The  
Administrator never gave orders to prevent  
the evasion of the law by the Americans,  
the order was given by the Leader of the  
late Government, Hon. Mr. Haythorne.

Hon. MR. CALBECK.—The hon. member  
for Belfast was not present at the Council  
at the time, and had not an opportunity  
of hearing the Despatches and the opinions  
of the Crown Law Officers. He (Hon. Mr.  
C.) thought the Government had furnished  
the committee with the papers respecting  
the prohibitory action which had been taken  
by the late Executive. He for one, having  
been a member of the late Government, was  
willing to share the responsibility of their  
action in reference to the matter, for it was  
not taken without due deliberation. They  
knew that it was against the interests of the  
country, but after consulting their Crown  
Law Officers, the law was clear and they  
could not over-ride it, they felt it to be their  
duty to advise the Administrator to prohibit  
the practice of allowing American fishing  
vessels to tranship their cargoes or fit out  
for the fisheries in our ports. It was well  
understood that a fishing vessel did not  
occupy the same position as a merchant vessel,  
for the latter came from some port, while a  
fishing vessel coming into our harbors laden  
with fish has nothing to do with the land.  
Any vessel landing fish in our ports, and  
to be treated as a fishing vessel, and it is clearly  
stated in the Treaty of 1818, that Ameri-  
can fishing vessels should enter our ports for  
obtaining wood and water, and for shelter  
and repairing damages, but for no other  
purpose whatever. He could not see that  
the late Government could have taken any  
other course, under the circumstances, than  
the one they adopted. Perhaps there was no  
action ever taken by them which was so  
generally condemned as the one in question,  
but they had a duty to perform, and that  
was to carry out the law. The Custom  
House Officers had been allowed, during the  
period the Reciprocity Treaty was in force,  
to give permits to the Americans to land  
their fish for transhipment, but when Capt.  
Hardings came here last summer, he in-  
formed our Custom House Officers that it was  
illegal, and that he would seize any fish  
which had been landed by the Americans,  
whether a permit had been given them or  
not. The Custom House Officers then ap-  
plied to the late Government for instructions,  
and the latter, after consulting their Crown  
Law Officers, who declared that the practice  
hitherto pursued was illegal, gave orders to  
discontinue it. If the late Government had  
instructed the Custom House Officers to  
continue issuing permits to the Americans  
seizures would have been made, and the  
Admiralty Court, by its decision, and as the  
Administrator, owing to his position, would  
have been a member of that Court, which  
would no doubt confirm the seizure, and  
confiscate the property, the Government  
would have been morally responsible to  
make the restitution to the Americans, be-  
cause the latter had acted under the sanction  
of what they supposed to be the law. The  
Act did not lay down any rule by which a  
seizure might be made, but the late Govern-  
ment did not consider there was sufficient  
to justify them to continue to allow the  
granting of permits to the Americans for  
the landing of their fish. Believing, there-  
fore, that the late Government had done only  
what was their duty, he was quite willing  
to share the responsibility of their action in  
reference to the matter.

Hon. MR. McEACHEN did not see why any  
member of the late Government should try to  
shift the responsibility of its action in refer-  
ence to the restrictions laid upon American  
fishing vessels, for the matter was forced upon  
them, and they could not avoid it. He did  
not think any hon. member of the Committee  
could blame them for taking the course they  
pursued; although it first appeared injurious,  
there was no doubt it had, after all, a good  
effect. Of late years the Americans had  
acted just as they thought proper towards us,  
by taking advantage of our trade while we  
received nothing in return. As far back as  
1853, a good many American fishing vessels  
were seized for violation of the treaty of  
1818, and the result was that during the  
next year we had the Reciprocity Treaty  
rewritten. After the Treaty was abolished  
by the action of the Americans, the Province  
acted very moderately towards their fish-  
ermen by levying a light tax of only two and  
six-pence per ton of their vessels, but the  
Americans were not responsive to the policy  
in the least. He thought Captain Hardings  
ought to have been commended for the part  
he showed while his ship was in our waters  
last summer. It was a shame for any  
freeman British subject to find fault with  
the conduct of that commander, for he exerted  
his power for the protection of our rights.  
The fact was that the Americans had not  
acted liberally towards the people of these  
Provinces of late, and were rather jealous  
of their great progress. Their ill will man-  
ifested towards Great Britain is such that there  
is not a man who aspires to a public office in  
the United States, but must have a fight with  
John Bull in order to make himself popular.

Hon. B. DAVIES believed that those hon.  
gentlemen who had been members of the late  
Government would have to shoulder the  
responsibility of ordering those restrictions to  
be enforced in reference to