

Further, he goes on to say that such reserved lands should not be alienated in perpetuity, or for any considerable length of time; and concludes by declaring any such disposal of them as would secure to the proprietors or tenants of the adjacent soil, the exclusive possession of those facilities which are necessary for engaging in the Fisheries of Prince Edward Island. In the body of the Despatch, speaking for his Mistress, the Queen, he says, "I am of opinion that such reserved lands should be put up for Auction, at a fair upset price, to be let, either for each fishing season, or at most for one or two seasons in advance."

Hon. Mr. JOHNSON—When such lands were sold, did the sale of them interfere with or deprive the fisherman of his privileges?

Hon. Colonel SWABEY—No; it did not; for the right reserved to the Queen's subjects collectively freely to carry on fisheries thereon is irrevocable; and, therefore, whenever they have been sold, they have been sold subject to such reservation of right to all Her Majesty's subjects.

Hon. Mr. CRASWELL—At the time the Bill was sent up to this House I thought it unnecessary; and I still think it is uncalled for. In 1851, when, on certain conditions, the Territorial Revenue of the Crown in this Island was transferred to its local Government or Legislature, the Fishery Reserves, of which the fee simple was reserved to the Crown, being a part of that Revenue, were placed immediately and directly under the control and at the disposal of our local Government; and, therefore, in my opinion, from the time of that transfer being made, the Government had it in their power, independently of any additional authority which, by any special enactment, could be conferred upon them to relieve tenants from the liability to rent which had unjustly been imposed upon them on account of any portions of such Fishery Reserves. The Bill was certainly devised for no other purpose than that of relieving tenants from obligations to pay rent for Fishery Reserves which had been unjustly imposed upon them by the proprietors of the adjacent soil; but I hold that it was not required, for I cannot see how any proprietor having unjustly leased lands, respecting the ownership of which they neither was nor ever had been any misunderstanding or dispute, could so far take advantage of the wrong which he had committed, as to compel a tenant to continue to pay rent to him for land the right to which was vested in a third party. We all, I believe, very well know how proprietors took advantage of the necessity and ignorance of immigrants, on their arrival in this Colony; and, exercising a right of ownership over the lands reserved in the Crown for the Fisheries, included them in the leases of their township lands, the immigrants having no knowledge of the imposition practised upon them, nor even suspecting any thing of the kind. But now, long as it is since tenants became fully aware of the imposition which had thus been practised upon them, and long as it is since, through their representatives in the Legislature, and in every other way open to them, they have sought to be relieved from the obligations on account of Fishery Reserves, which were fraudulently imposed upon them, or into which, more properly speaking, they were entrapped,—and now that the power, till lately in the Crown, to dispose of these Reserves, is vested in the local Government of this Colony, as fully and effectually as it formerly was in the Crown, I cannot see that, at this moment, there is any thing to prevent the Government's dealing with them in such a manner as fully to relieve tenants from liability to rent to township proprietors on account of them. Whilst the disposal of them was in the Crown, there surely was no need for a special law to enable the Crown to assert its power to control or dispose of them; and now that the power to dispose of them has been transferred by and from the Crown to the local Government of the Colony, neither, it seems to me, do they stand in need of any such law to enable them to step in and relieve tenants who are, by township proprietors, unjustly held liable to rent on account of any portions of them; or that they can by any means be withheld from exercising that power for the general or particular disposal of them, so long as they only seek to exercise it with due regard to the special purpose for which the Reserves were originally made.

Hon. Mr. CRASWELL—His Honor (Mr. Craswell) seems not to be aware that, although the title of proprietors to these Reserves was originally bad, and is, in fact, still so, yet tenants under lease, having covenanted to pay rent for them, can, by law, be compelled to pay it, even although deprived of them for fishing purposes, unless otherwise relieved from it; and the sole object of the Bill was to relieve them from it.

Hon. Mr. JOHNSON—Do not tenants, in all such cases, take the leases of their lands subject to such reservations?

Hon. Colonel SWABEY—Certainly they do. But the Government and the Legislature, in their desire to preserve all the rights of the people,—both collectively and individually—and seeing that, if the right assumed by proprietors to exact rent for the Reserves should not be controlled or set aside, either the people in general would be defrauded of their common rights and privileges in the Reserves, or tenants would be compelled to pay rent for lands of which they might, at any time, be dispossessed by fishermen,—deemed it advisable to endeavor to prevent by law the existence or the occurrence of either of these evils; and the Fishery Reserves Bill of the last session was framed and passed accordingly.

tion, we must manifest a proper sense of the duty which we owe to the country and ourselves. The extraordinary presumption of the dominant party is sustained by the majority which they command in the other House; but, were they to bear in mind how very small was the majority really given to them by the people, and were they prudently to consider by what questionable means they have raised it to its present number, they would, I imagine, abate much of their arrogance, and demean themselves with a little more propriety and consideration than have hitherto marked their proceedings.

His Honor the PRESIDENT then read the resolution, which is as follows: and, having put the question thereon, it was carried on the division below given.

Resolved, That this House is of opinion that the right of this Government to dispose of those Fishery Reserves, the soil of which is reserved to the Crown, is not a right depending on any obsolete claim, as stated in the Despatch of the Right Hon. the Secretary of State for the Colonies, dated the 20th October, 1853, but one which is in frequent exercise and cannot be alienated.

CONTENTS.—His Honor the President, Hon. Col. Swabey, Hon. Mr. Wright, Hon. Mr. Craswell, Hon. Mr. Dingwell, Hon. Mr. Walker, Hon. Mr. Bagnall, Hon. Mr. Hutchinson, Hon. Mr. McIntyre.

NON-CONTENTS.—Hon. Mr. Forgan, Hon. Mr. Johnson. R. B. IYING, Reporter.

The Examiner.

CHARLOTTETOWN, P. E. I., JUNE 20, 1859.

LAYING THE CORNER STONE OF THE NEW CATHOLIC CHURCH AT TIGNISH.

The circumstances attending this interesting occurrence demand a longer notice than was given to it in our last No.

Owing to the very severe illness under which the Right Rev. Dr. McDonald, the Bishop of this Diocese, has laboured for several months past, the Right Rev. Dr. McKinnon, Bishop of Arichat, was invited here for the purpose of laying the corner stone of the splendid Church in course of erection at Tignish, under the pastoral care of the Very Rev. P. McIntyre; and his Lordship kindly acceding to the invitation, came over in the Steamer from Pictou, on Tuesday, the 7th inst. He was accompanied by his Private Secretary, the Rev. C. P. Martell, of St. Xavier's College, Antigonish; and on their landing at the wharf, they were received and welcomed by most of the Catholic Clergy in the Island. His Lordship, accompanied by the Very Rev. Mr. McIntyre, the Very Rev. James McDonald, V. G., of the Rev. Dr. McDonald, of St. Columba, the Rev. P. McPhee, of St. Andrew's and St. Peter's, and the Rev. T. Phelan, of Charlottetown, together with the Rev. Mr. Martell—left Town, en route for Tignish, on the afternoon of the same day, and proceeded as far as St. Eleanor's, where they remained for the night. On Wednesday morning they took the Great Western Road, and reached Casumpee Dock about 3 o'clock, where a vast multitude of people, gathered from settlements for a distance of twenty miles around, awaited their arrival—immediately formed in procession—and accompanied the Bishop and Clergy as far as Tignish Church.

On arriving at Tignish, there was a large concourse of people assembled to receive the Bishop and Clergy, and a Guard of Honour, consisting of about one hundred young Frenchmen with fire arms, was drawn up in front of the residence of the Rev. Mr. McIntyre, where a salute was fired as the carriages bearing the Reverend gentlemen passed through their ranks. The Chapel bells then rang out a merry peal—a large cannon, (owned in the parish), joined in the general feu-de-joie of the small arms, with a quickness that would have been creditable to experienced artillerymen, which was only interrupted for a short time during the afternoon by the solemn ceremony of the Benediction of the Blessed Sacrament in the Chapel by his Lordship the Bishop, eight Priests assisting. After being sumptuously entertained at dinner by the Pastor of Tignish, the Bishop and Clergy visited the site of the new Church, which is about a mile and a half distant from the residence of the Rev. Mr. McIntyre.

Thursday morning, the 9th inst., the day appointed for the laying of the corner stone, dawned inauspiciously. It rained almost continuously from 9 until about 11 o'clock; but, notwithstanding, at the latter hour there was a larger assemblage of people on the ground than we have ever witnessed on any occasion in this Island. The site of the new Church is in the very centre of the various, thriving, and picturesque settlements which pass under the general name of Tignish—is on rising ground, in a clear, vast plain; and commands a view of the country for many miles around, as well as of the Gulf on both sides of the strip of land which forms Township No. 1.

The arrival of the Bishop and Clergy at the new Church was hailed by a salute of firearms and a brisk cannonading. At the end of the building where the Altar is to be erected, a temple was tastefully constructed under the direction of the Rev. F. Aubrey, the amiable and much esteemed Vicar of Tignish, the floor of which was richly carpeted and strewn with wild flowers. His Lordship, having assumed in this temple the episcopal vestments, proceeded to bless the salt and water to be used in the ceremonial, after which he offered up a prayer for the perpetual sanctity of the place sprinkled with the water. He then mingled salt with the water, in the form of a cross, and offered up a prayer, "that wherever it shall be sprinkled, all the molestation of the unclean spirit may be removed, and the terror of the venomous serpent may be driven away." The choir then chanted the Antiphon—"Signum Salutis pone," and the 83rd Psalm, "Quam dilecta tabernacula." The Right Rev. Prelate then offered up a prayer for the Divine favour on the spot, through the interceding merits of the Blessed Virgin, the saints to whom the Church is to be dedicated (S. S. Simon and Jude), and all the other saints. He then proceeded to where the corner stone was placed—a large and beautiful block of granite which was imported at a heavy cost from New York—and engraved with the sign of the cross. Having sprinkled it with holy water, the Bishop marked each part of the stone with the sign of the cross, in the name of the different persons of the Holy Trinity. His Lordship having then knelt, the Litany of the Saints was recited, after which a prayer was offered up, and the 126th Psalm, "Nisi Dominus edificaverit domum," was chanted. The Bishop then set the stone, and sprinkled it with holy water, saying, "Asperges me Domine, hyssopo, et mundabor; lavabis me, et super nivem dealbabor." [Thou shalt sprinkle me, O Lord, with hyssop, and I shall be cleansed: thou shalt wash me, and I shall be whiter than the snow.] The 50th Psalm was then chanted, after which a procession was formed round the foundations, the Bishop sprinkling holy water upon them, and the choir singing, as they went along, the 86th Psalm, "Fundamenta ejus in montibus sanctis." During the procession the Bishop and Clergy stopped twice, offering up appropriate prayers, and chanting the prescribed antiphon. The hymn "Veni Creator," having then been sung, the ceremony of laying the corner stone was brought to a conclusion.

A large bottle was inserted in the corner stone, which contained a Latin inscription, beautifully written on parchment by the Rev. Mr. Martell, of which a copy is given below, together with an English translation. A collection of the small coins most in use—a copy each of the Examiner and Islander, and copies of several other Colonial papers—were likewise deposited in the bottle.

His Lordship the Bishop celebrated a pontifical high mass in the temple above referred to, in which the following Reverend gentlemen assisted:—The Rev. Dr. McDonald, Deacon; the Rev. C. P. Martell, Sub-deacon; the Rev. F. Aubrey, Master of Ceremonies; the Very Reverend James McDonald, V. G.; Very Rev. P. McIntyre, Rev. Thomas Phelan, Rev. Pius McPhee, and Rev. S. E. Perry. Shortly after Mass, the Bishop addressed the vast concourse of people from the steps of the temporary altar; and in a strain of fervid and thrilling eloquence, which occupied about three quarters of an hour, he congratulated the people under the spiritual care of the zealous and indefatigable missionary of Tignish on the extraordinary

proof which they had given of their zeal and piety in preparing for the erection of a church of such stupendous proportions, and of such costly materials, as that which is now in progress. From all the preparations he had seen—from the plans which he had inspected—the costly and durable materials he had noticed, all of which were on the spot, and ready for the completion of the building; and from the determination evinced by the people to complete the work in a manner commensurate with their glorious beginning of it, he had no doubt that the new Church of S. S. Simon and Jude would be one of the finest ornaments of Catholic architecture in the lower Provinces, and would be a splendid example to stimulate Catholic zeal and piety in the other Provinces. He eulogised, in glowing terms, the harmony which subsisted between the several races who constituted the Mission of Tignish—the French, in all their ancient simplicity and pious devotion to the faith of their fathers—their meek and gentle deportment, and persevering industry; the hardy Caledonians, whose indomitable energy and unwavering fidelity were conspicuous in the humblest as well as in the most distinguished spheres of life; and the warm hearted sons of the Emerald Isle, who were always foremost in promoting such glorious works as that in which they were then engaged, and whose ancient faith was rather strengthened and inflamed than repressed or dimmed by the long and painful persecutions they had so gallantly endured. He congratulated the Rev. and venerable Pastor of Tignish upon having so worthy and devoted a flock as that by which he was then surrounded, and he again congratulated the people themselves on having set such an example to their fellow Catholics in other parts in thus discharging one of the most important duties prescribed by the Church in preparing a mansion suitable to the great and immortal objects for which it was designed.

At the conclusion of the Bishop's address, the Hon. Mr. Whelan was invited to come forward, and in the presence of his Lordship and the Clergy, addressed the vast audience for nearly half an hour. After expressing his admiration at the zeal displayed by the people of Tignish and neighbouring settlements, in providing for the erection of a Church which gave such a magnificent promise as that upon whose foundation he then stood, and humbly joining with the Bishop in the congratulations which his Lordship had so justly expressed, he referred to the spirit manifested by the Catholic Church in all ages and climes in the construction of august edifices for the worship of the Most High, and stated that while the old countries of Europe were studied with the proudest monuments of architectural skill and genius that the human mind has ever devised, and within the pale of the Catholic Church, the New World was endeavouring to emulate the Old in this respect; and that the Catholics of Prince Edward Island, according to their numbers and resources, were not far behind their brethren in older and more favoured countries. But the zeal of Catholics was not absorbed in the construction of Churches and Chapels. It was as conspicuous in the erection of stately edifices dedicated to the diffusion of Knowledge, the true handmaid of Religion. It was thus the Church vindicated her claim to the title of the most munificent patron of the arts and sciences—thus by the diffusion of letters she spread a halo round the august mysteries of the ancient faith, and triumphantly refuted the absurd and wicked calumnies of her enemies, who would fain misrepresent her as the nurse of ignorance and superstition. Mr. W. then took rapid review of the various Catholic Churches and institutions of learning that had been erected in this Island within a few years; and concluded by thanking the Reverend gentlemen who had done him the honour to request him to speak on such an occasion, and apologised for the imperfect utterance he had given to his feelings.

After the addresses, a collection was taken up in aid of the Church, at the corner stone, and in less than an hour the sum of Seven Hundred Pounds was received by the Rev. Mr. McIntyre.

It is supposed that the erection of this Church—which is under the direction of two very skillful gentlemen from New York, as Architect and Builder—will cost between £10,000 and £12,000. It is to be constructed entirely of brick, which have been made on the spot; and judges of the article pronounce them as fully equal to any thing of the kind ever imported from Great Britain,—the Lime, a very superior article, has also been made upon the spot from stone found in the vicinity. All the other materials, such as foundation stones, window frames, sashes, stained glass, &c., have been imported from the United States—are of the best description—are all ready to be put in, and are all paid for. The length of the Church inside of the clear of the walls will be 110 feet; its breadth, 62 feet; depth of the chancel, 25 feet; breadth of the chancel, 31; square of side porch, inside, 8; square of Chapel porch, inside, 7; length of Chapel, 50; breadth of Chapel, 29; length of Vestry, 18; breadth of Vestry, 15; height of side walls over surface, 30; square of Tower, inside, 14.8; height of brick work for spire, 84; height of Chapel and Vestry walls, 14; height of Chancel walls to top of eave, 29; and height of porches to Church and Chapel to top of eave, 11. It will be heated by furnaces in the cellar, which will be about 9 feet deep; and some idea may be formed of its extent when it is known that 100,000 bricks have been already used in the Cellar walls and pillars. There are about 100 workmen daily employed on the building, and it will be closed in and nearly finished by next Christmas day, when divine service will be held in it.

The Bishop and Clergy were the guests of the Rev. Mr. McIntyre during their stay at Tignish. Hon. Mr. Walker, D. McIsaac, Esqr., and the Editor of this paper, were also among the guests of the Reverend Gentleman, and we need not say that his hospitable board presented every delicacy and luxury that could be desired. To Mr. Conroy and his estimable lady the latter named gentlemen are also indebted for very kind and hospitable treatment.

The Bishop and Clergy left Tignish for Town on Friday, the 10th inst., accompanied by a very large procession, with a Highland Piper, who followed them as far as Casumpee, making the woods and vales vocal with the national airs of old Scotia. High Mass was celebrated at Casumpee Church by the Rev. Dr. McDonald, and the Bishop preached a powerful and eloquent sermon on the doctrine of the Church which recommends prayers for the repose of departed souls. The subject was eminently suitable to the occasion. An old graveyard in the vicinity had been lately abandoned, the remains of the dead exhumed, and were then gathered to be interred in new consecrated ground, which was done with the usual solemn rites of the Church by his Lordship at the close of the services at Casumpee Chapel.

The reception given to Dr. McKinnon and the Clergy by the people of Casumpee was of the most enthusiastic description, and cannot fail to have impressed his Lordship with a kindly and enduring recollection of the respect and veneration shown to him on his western tour in this Island.

The following is the inscription above referred to, which has been placed in the corner stone of the new Church:—

AD MAJOREM DEI GLORIAM.  
Hæc die Nona Mensis Junii,  
Anno Salutis, 1859,  
LAPIS HIC PRIMARIUS  
NOVÆ ECCLESIE SANCTORUM SIMONIS ET JUDE,  
Ritu Pontificali solemniter Positus est,  
Tignish, in Insula Principis Edvardi,  
A.  
Rmo. Dno. COLIN FRANCISCO MACKINNON,  
Episcopo Arichatensi,  
Ordinarij loci Auctoritate;  
Assistentibus Pluribus Presbyteris ex Diversis et linguis  
Regionibus,  
Cum pium Fidelium Magna Frequentia.  
PIO NONO, Pontifice Maximo,  
Sancti Petre Successore,  
Universum Christi Ecclesiam Feliciter Gubernante.  
Rmo. Dno. BERNARDO DONALDO MACDONALDO,  
Ordinario loci,  
Diocesis Carolinopolitane Secundo Episcopo.  
Adm. Rdo. JACOBO MACDONALD, Vicario Generali.  
Imperii Britannici Regno VICTORIA.  
Insulæ Principis Edvardi,  
D. GEORGIO DUNDAS, Gubernatore.  
Missionis Tignish,  
Admodum Rdo. PETRO MCINTYRE, Pastore.  
PATRICIO CAROLO KELLY, Nau Eboracensi, Architecto.  
HUGONE HAMILLE, Aedificatore.

[TRANSLATION]  
FOR THE GREATER GLORY OF GOD.  
On this Ninth day of June,  
In the Year of Salvation, 1859,  
THIS CORNER STONE  
OF THE NEW CHURCH OF S. S. SIMON AND JUDE,  
At Tignish, Prince Edward Island,  
Was solemnly laid, according to Pontifical Rite,  
By the Right Reverend COLIN FRANCISCO MACKINNON,  
Bishop of Arichat,  
By the Authority of the Ordinary of the place,  
There being assisting many Priests from various and distant  
Missions,  
With a great concourse of the pious Faithful.  
PLUS THE NINTH, Supreme Pontiff,  
The Successor of Saint Peter,  
Being happily governing the Universal Church of Christ.  
The Right Reverend BERNARD DONALD MACDONALD,  
Second Bishop of Charlottetown,  
Ordinary of the place.  
The Very Reverend JAMES MACDONALD, Vicar General,  
VICTORIA, Queen of the British Empire.  
GEORGE DUNDAS, Esquire, Governor of Prince Edward Island.  
The Very Reverend PETER MCINTYRE,  
Pastor of the Mission of Tignish.  
PATRICIO CHARLES KELLY, of New York, Architect.  
HUGH HAMILL, Builder.

“LEGISLATIVE INDEPENDENCE.”

A correspondent of the last *Islander*, who writes over the hackneyed signature of "Vox Populi," professing great regard for Conservative principles—admiration of the party now in power, and abhorrence of the late Liberal Government—seems to think that the theory with which the present dominant party started into office looked and sounded very well while they were in opposition, but is sadly abused or neglected now when attempted to be carried into practice. The writer in the *Islander* adduces the fact, that while the majority in the Assembly professed to forego offices of emolument for themselves, they monopolized nearly all the most important "offices of honour" in the colony, by means of which they can controul the disposal of salaried offices for the benefit of their connexions, and destroy the independence of the House of Assembly as effectually as could be done under the late system. "Vox Populi" refers to the appointment of Mr. Yeo's son-in-law as Collector at Bedeque, in illustration of his argument. There is no doubt that this appointment would never have taken place if Mr. Green had not had the good fortune to marry Mr. Yeo's daughter. But there are instances of favoritism and Executive influence exercised by members of the House of Assembly for mercenary purposes more palpable and gross than the one now so loudly complained of by the Tories themselves. Take the office of Attorney General, for example. This is the most influential and lucrative office in the gift of the Government,—in all the other Provinces it is given only to persons who have rendered important public services, and whose talents and influence have enabled them to command a high and honourable position independent of government patronage. But who is the office given to here? Mr. Frederick Brecken—a respectable young man, we believe, in his way,—but we have never heard that he has distinguished himself either as an advocate or politician; and if he has stronger claims upon the party who have used his name in connection with the office than can be established by older members of the profession on the same side of politics, the claims of those others must be slight and poor indeed. But the motive for Mr. Brecken's appointment is easily explained, and is beautifully illustrative of the fine theory about Legislative independence. In the first place, he is a favoured child of the old Family Compact, whose influence has greatly revived within a few months past, and who have now the general as well as the municipal government pretty much under their control. In the second place, he is the cousin and partner in business of Mr. Heath Haviland, who is one of those members of the House of Assembly that are combined to monopolize the "offices of honor," and who pretend to be mightily independent by not having the salaried situations directly affixed to their own names. Mr. Heath Haviland, as Executive Councillor, recommends Mr. Fred. Brecken to be Attorney General; and how can the accommodating partner and cousin, who is doing business in the same office, refuse to share with the Executive Councillor the emoluments of the Attorney Generalship? Every body sees that the whole thing is a farce; and so palpable, that it fails in its object of gulling and cajoling the public. Mr. Haviland might, with just as much propriety, have presented to the Executive Council the name of Master Ned Hodgson, or any other hobbie-de-hoy of a clerk in his office, and get the Government to dub him Attorney General.

We have been asked frequently why is the office of Solicitor General not filled up? We shall presently explain the reason why. The late Government was frequently taunted with not being able to provide a successor to Mr. Reddin in the Solicitor Generalship. But now that nearly the whole Bar are on the side of the present Government, we find that they have failed to do the very thing which they imputed as an instance of neglect to their predecessors. And why is this the case? Mr. Palmer—foolishly yielding to the humbugs of the Political Alliance, who were silly enough to believe that they were going to bring about a political millenium by ordaining that no member of the House of Assembly should take a salaried office—was ineligible to the post of Attorney General while a member of the Assembly, though every one freely admitted that he had the best claim to it; and in order to compensate him for the loss of the employment, the Solicitor Generalship is left vacant, which will justify the Government in carrying out the quiet understanding between them, that Mr. Palmer shall have a retainer in every petty Crown case that may come before the Courts,—partly to help Mr. Fred. Brecken through his probationary course as Attorney General—to enable him to wear meekly his "blushing honours thick upon him"—and, partly, to help himself. This is a fine way of illustrating the freedom from Government control which is enjoyed by members of the House of Assembly.

It would be easy to show, as we shall shew upon some future occasion, how other members of the Assembly who have "monopolised the offices of honour," have intrigued, and are still intriguing, to secure the appointment of their brothers and other relations to salaried offices under the Government.

LAST Thursday, having been appointed by Proclamation by his Honor the Administrator of the Government, the Hon. Charles Young, as a day of general thanksgiving for the restoration of peace in Her Majesty's East Indian possessions—was very generally and decently observed as such.