

THE EXAMINER

A Weekly Journal of Politics, Literature, and News.

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

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Miscellaneous.

SONG.

BY WILLIAM ALLINGHAM.

O Spirit of the summer time!
Bring back the roses to the dells;
The swallow from her distant clime,
The honey-bee from drowsy cells.
Bring back the friendship of the sun;
The glided evenings, calm and late,
When merry children homeward run,
And peeping stars bid lovers wait.
Bring back the singing, and the scent
Of meadow lands at dewy prime;
O bring again my heart's content,
Thou spirit of the summer time!

THE CROSS.—The following striking passage is from one of Henry Ward Beecher's sermons:

The cross has twined around it every association of dignity and beauty in the world. Not one other thing has received from the fertile minds and the all-fashioning hands of men of genius so many intrinsic beauties as the cross of Christ. Millions never hear of it without a throb, nor see it without a genuflection. It dwains upon the child in the cradle next to its own mother's face, and it is the last thing from which the light disappears when the child, in old age, is dying. The cross is now as universal and as beautiful to the association and the memories of men, as then it was rare, peculiar and odious; it is that which now to us is not only suggestive of a fact in Christ's history, but it is also a memorial of two thousand years of history. Around that simple crosswood the heart of the world has gathered for twenty centuries its stores of admiration, of love and of devotion.

In 1682, Galileo, then a youth of eighteen, was seated in the Cathedral of Pisa, when the lamps suspended from the roof were replenished by the sacristan, who, in doing so, caused them to oscillate from side to side, as they had done hundreds of times before when similarly disturbed. He watched the lamps and thought he perceived that while the oscillations were diminishing, they still occupied the same time. The idea thus suggested never departed from his mind, and fifty years afterwards he constructed the first pendulum, and thus gave to the world one of the most important instruments for the measurement of time. Afterwards, when living at Venice, it was reported to him one day that the children of a poor spectacle-maker, while playing with two glasses, had observed, as they expressed it, that things were brought nearer by looking in a certain position. Everybody said how curious, but Galileo seized the idea and invented the first telescope.

"You look like death on a pale horse," said Jim to a toper who was growing pale and emaciated.
"Don't know anything about that," replied the toper; "but I'm death on pale branly."

ECONOMISING.—A fair deacon of fashionable Paris, whose extravagance bore rather hard on her husband's purse, was taken to task by him for want of economy. "I know what you say is true," replied the repentant belle, "but what shall I do to reduce our expenses?" "Why, my dear," replied the husband, delighted with her submission, "you ride a great deal; why not take an omnibus occasionally instead of a carriage? That will save something, surely." The wife agreed, and as soon as her husband was gone, she rang for her maid. "Marietta, call me a coach that I may get to the omnibus to go to the Madelonie. I must economise."

"I say, landlord, that's a dirty towel for a man to wipe on." "Landlord, with a look of amazement, replied, "Well, you're mighty particular. Sixty or seventy of my boarders have wiped on that towel this morning, and you are the first one to find fault."—*American Paper.*

A benevolent old gentleman used to give away wood by the cord, in order, as he said, to have it recorded above.

The statute legalizing matrimony, at a certain age, is, properly speaking, a *maritime law*.

The most amusing man in the world is a Frenchman in a passion.—"By gar you call my wife a woman two three several times once more, an' I will call you the vatch house, and blow out your brains like a candle."

An admirer of dogs, having had a new litter of a fine breed, a friend wished him to put him down for a puppy. "I set you down for one a great while ago," was the answer.

A man was charged with stealing a piece of cloth, when the lawyer put in a plea that the individual charged with stealing could not see it, for it was an *invisible green*.

During an examination, a medical student, being asked the question, "When does mortification ensue?" replied, "When you pop the question and are answered No."

A young lady has discovered the reason why some married men from the age of thirty years and upwards, are more or less bald; they scratch the hair off in dismay at their wives' long milliners' bills! Scandalous.

"Husband, I hope you have no objection to my being weighed?" "Certainly not, my dear; but why do you ask the question?" "Only to ascertain if you will let me have my weigh ounce."

We must not undervalue physicians. Perhaps the fabric of society would fall without them—they are its *pillars*.

NIGGER WIT.—"Julius, why didn't you oblong your stay at de sea side?"—"Kase, Mr. Snow, dey charge too much."—"How so, Julius?"—"Why, de landlord charged dis coloured individual with stealing de spoons."

She that marries a man because he is a "good match," must not be surprised if he turns out a "Lucifer."

AN HONEST MAN WITH A QUALIFICATION.—Judge W.—many years an occupant of the Federal Bench of Michigan, fell into a conversation, in a barber's shop, with a plain substantial-looking, and rather aged stranger, from the neighborhood of Tecumseh. The Judge having been formerly well acquainted with that vicinity, took occasion to ask certain of the citizens. "You know Mr. B—, do you?" asked the Judge. "Very well," was the reply. "Is he quite well?" asked the Judge. "He is quite well," was the answer. Judge W.—then remarked, "Mr. B— is a very fine man." "Yes," says the old farmer, rather cautiously, "a fine man for a lawyer—you know we don't expect a great deal of them!"

SCENE IN A SCHOOL ROOM.—First class in philosophy, come up. "Isahod, what are the properties of heat?" "The properties of heat is to bake bread, boil water, cook eggs, and—"

"Stop!—Next. What are the properties of heat?" "The properties of heat is to warm your toes, when they get cold, by holding 'em to the fire, and so forth." "Next. What are the properties of heat, Solon?" "The chief properties of heat is that it expands bodies, while cold contracts them." "Very good, Solon. Can you give an example?" "Yes, sir. In summer, when it is hot, the days are long, in winter, when it is cold, it gets to be short!" "Go to the head, Solon; boys, take your seats!"—and the learned pedagogue was lost in wonder that so familiar an instance of illustration should have escaped his philosophic mind.

The darkey who greased his feet so that he could not make a noise when he went to steal chickens, slipped from the henroost into the custody of the owner. He gave as a reason for his being there:—"Dat he cum dar to see de chickens sleepin' with dar eyes open." He was cooped.

NOVEL PRESCRIPTION.—Old Squire Greed was notoriously parsimonious; but being ill, was obliged to consult Dr. Syntax. "What shall I do for my head? It is so dizzy I seem to see double." The doctor wrote a prescription, and retired: "When you see double, you will find relief by counting your money."

Provincial Parliament.

LEGISLATIVE COUNCIL.

Thursday, April 12, 1860.

LICENCE LAW.

Hon. Mr. JOHNSON, by leave, presented to the House a Petition of divers inhabitants of Georgetown and Royalty, and others, setting forth that they are of opinion that the law which empowers the granting of Certificates to obtain Licence for the retail of spirituous liquors is defective, in as far as it vests power in six persons to sign Certificates to that effect, whilst those six persons are often chosen by the applicant for such Licence; and that they are of opinion that the evil might be obviated by repealing that clause of the Act which places the authority in six men, and substituting in its place a majority of the inhabitants and householders at a public meeting convened for that purpose, in Town, Royalty, or School District.

Hon. Mr. JOHNSON pronounced the Petition to be a movement in the right direction; and expressed his intention to follow it up either by moving a Resolution in support of it, in accordance with his own previously conceived views of the question, or as his Resolution, if made, would be something more than a mere embodiment of the prayer of the petitioners, by making a few observations for the purpose of giving publicity to his own conscientious sentiments concerning the whole matter. With respect to the course which he should adopt, he wished to be governed by the House.

Their Honors Colonel SWABY, Mr. BAGNALL, and Mr. HUTCHINSON, having each made a few observations, touching the general question, all admitting the necessity which existed for putting the Licensing System on a better footing.

Hon. Mr. PALMER said that the traffic in intoxicating liquors was a great evil, and could its total prohibition be accomplished, most gladly would he agree to a measure for that purpose. Discussion of the question would then, however, be a mere waste of time; for, as he had been intimated to the Legislature, by His Excellency, in his Speech at the opening of the Session, a measure for the alteration of the Licensing System, prepared by the Government, would be brought before them before the close of the Session. When that measure was sent up from the other House, their Honors would have opportunities to give seasonable expression to their sentiments, individually, concerning the whole question. It was bad policy to discuss a question prematurely, or twice.

Hon. Mr. DINGWELL then moved that the Petition be laid upon the Table; and that further consideration of it be made an order of the day for to-morrow.

Ordered accordingly.

HIGHWAYS ACT AMENDMENT BILL.

The order of the day having been read, for the second reading of the Bill intitled "An Act to make certain alterations in the Laws for the performance of Statute Labour on and the improvement of the Highways."

Hon. Mr. PALMER, in moving that the Order of the day be gone into, briefly explained the object of the Bill. He said that as their Honors had no doubt availed themselves of the opportunity which, since the Bill had been laid upon the Table, had been afforded them to make themselves fully acquainted with its details, it was, he thought, not necessary that he should enter into any particular exposition of them. It would be sufficient to say that the principal alterations proposed by the Bill were the authorizing the letting of the repairs of the main post roads by contract, for a term of years, and (whilst leaving it optional with parties either to perform their Statute Labor, or commute it), the reducing of the rate of commutation one fourth, with the express object of rendering it more advantageous to a party to pay the money than to perform the labor. It was not proposed that the whole of the post roads should be let in that way, but only certain portions of them, for it would be impossible to find money to pay for the keeping of the whole of them in repair under contracts. The Bill had been introduced by the Government, for the furtherance of the interests of the Colony, as promised in His Excellency's Speech.

Hon. Col. Swaby seconded the motion.

House in Committee on said Bill: His Honor Colonel Swaby in the Chair. Their Honors were unanimous in their approbation of this measure, all agreeing in condemnation of the system of Statute Labor, and in the opinion that it ought to be abolished wherever its abolition was practicable; and more than one of them laid claim to the scheme as an original idea of his own. As evidently convinced of the great importance of the measure, and the necessity for rendering it as nearly perfect and as comprehensive as possible, the provisions and details thereof were most scrupulously canvassed in its progress through the Committee, and several individually offering suggestions for its improvement. As far as previously explained circumstances permit, the Reporter, in the following notice of the discussion, has faithfully endeavored to give a brief exposition of any views peculiarly entertained by any individual member of the Council, as respects the measure in general or any of its details.

Hon. Mr. DINGWELL—According to the Bill, the post-roads intended to be kept in repair by contract are those leading from Charlottetown to Georgetown, and Summerside by way of St. Eleanor's, St. Peter's, and Hope's Corner by way of Tryon and Cape Traverse. Now as the Government will be at perfect liberty either to accept or reject any tenders which may be sent in to them, I think all the post-roads in the Island ought to be included in the provision; and then, if the measure be found to work well it will not be necessary, at some future period, to introduce another Bill for its extension. In its operation the Government may confine it accordingly to the amount of pecuniary means at their disposal for such purpose. They may try the experiment upon such of the post-roads as they may please to select for the experiment, and to such an extent as they may find it practicable to carry it.

Hon. the President—I am glad to see such a measure as this before us. It is indeed a step in the right direction, and would be creditable to any Government. I have always been of opinion that as respects the letting of the repairs of highways, the system would not be found to accomplish the desired object; and that such letting should always be for a term of years. Little benefit was experienced

from the present system, which amounted to little more than ploughing up the sides of the roads, and throwing the sods into the centre of them, so as rather, from the thickness of the sods, greatly to endanger the springs of light carriages, than to improve the roads for travelling thereon. All that the best and most scrupulous of road-oversers generally did, was to make such portions of the roads as were under their superintendence look as well as possible; but real and lasting improvement they never accomplished. However, if the repairs of the road were let by contract for a term of years, the real object—permanent improvement of the roads—would, as far as possible, be attained; for it would in such case, be for the interest of contractors to have their work well done upon them the first and second year, so that much less outlay of money and labor might be required to keep them in good repair the third and fourth year. I hope your Honors will agree to the Bill without dissenting voices; and, in time, if it be found to work beneficially, as I doubt not it will, not only will the proposition of my honorable friend Mr. Dingwell, for its application to the whole of the post-roads be adopted, but it will finally be made to apply to all our by-roads as well.

Hon. Mr. BAGNALL—The present system of Statute Labor is certainly a most miserable and inefficient one. From the time the snow disappears until the performance of the Statute Labor the roads are in a wretched condition; and the same may be said of them from the time the Statute Labor is performed until the snow comes again. The time at which the Statute Labor is performed is unseasonable for the purpose. Were it duly performed as early as possible in the spring, instead of being deferred until July and August, one shilling properly expended upon the roads in April would effect what five shillings so expended in July, when the labor performed upon them effected nothing but the spoiling of them for the season.

Hon. Mr. SIMPSON in other words expressed the same opinion.

Hon. Mr. CRASWELL—What part of the Statute Labor is to be applicable to the main roads?

Hon. Mr. PALMER—The Bill leaves the same amount of Statute Labor to be performed upon the main roads as can be commanded thereon by the present system; only by the Bill it is to be performed wherever the Contractor may please to have it applied, so long as the parties having to perform it are not required to go beyond the boundaries of the road precincts in which they reside.

Hon. Mr. JOHNSON—I heartily approve of the measure; if the contractors secure the work upon the roads to be performed in a proper manner, the operation of the measure can be productive of nothing but public benefit. There are not, it is true, in this Island those hard materials for the construction of public roads which are to be found in many other countries; but still if skillfully constructed with such materials as the Island affords, our roads may, at all times, be easily kept in good repair. To that end, there needs little more than that they should be properly rounded, and, by proper drainage, kept free from water.

Hon. Mr. DINGWELL—I am of opinion that the small bridges although not the large ones, should be included in the road contracts. If a bridge, whether great or small, got out of order, the whole road was almost useless.

Hon. the President—it would never answer to include the bridges. They must be kept separately in repair. The repairing or the replacing of a bridge, acci accidentally damaged or carried away by a freshet, might cost from £30 to £100; and it would not suit either them who let or them who took the keeping of the road in repair, to make provision for such casualties in the contract.

Hon. Mr. HUTCHINSON—Preferable as the contract system for a term of years might be to that of Statute Labor, he was afraid that the results would be similar to those experienced by individuals who let farms on halves, by agreements, or by leases, for a short term of years. However well for their own benefit, the contracting or operating parties, in such cases, cultivated the farms, until within a short period of the expiration of their terms; it was almost always found that the farms reverted to their owners in quite a bad, if not in a much worse condition than they were in when they let them.

Hon. Mr. DINGWELL—As it was very probable that contractors might frequently be dissatisfied with the manner in which Statute Labor was performed upon the portions of roads taken by them, he thought a well defined line should be drawn between the right of the contractor to such labor and the power of the overseer. The contractor, if it were altogether left to him would generally most rigorously exact from all parties who performed the labor allowed him to require, but if a discretionary power, in some measure regulating such labor, were vested in the overseer, he would in many instances in which he knew lenity to be justly due to parties on account of bodily infirmity, family sickness, or poverty, make a feeling and yet just use of such power.

Hon. Mr. SIMPSON—Diapets on that head will, no doubt, frequently arise. It is, however, impossible, I think, to prevent them by legislative enactments; they must be left to cure themselves, as they will eventually do.

Hon. Mr. DINGWELL—Although the commutation money is to be lowered one-fourth, still many will not be able to pay it; and to such individuals, I think it would be nothing more than justice that a similar reduction should be made as respects the number of hours for which they are individually required by the present Law to work upon the roads.

Hon. Mr. SIMPSON—So long as the Statute Labor Law exists, I would say let the legal labor, 32 hours, be fully exacted upon the roads, in every instance in which it shall not be commuted for. The great object of the Bill is to raise money to pay for the proper and real improvement of the highways. All who know anything at all respecting the manner in which Statute Labor is performed upon the roads, are well aware how little improvement is effected by it; for are study of parties, in general, who nominally perform it, are to effect a real improvement of the roads, but how far they can continue to evade the actual performance of their legal obligation with respect to them. By reduction of the rate of commutation, it is very reasonably calculated that many who would otherwise prefer complying with the Statute by actually working upon the roads, will be induced to commute for it; and thus more money will be raised to pay the contractors than if the rate of commutation were to be allowed to remain as it at present stands. But, to make a similar or proportionate reduction in the time which men individually are, by the present law, required to work upon the road, would be to increase the evil which the Bill is intended to remedy.

Hon. Mr. PALMER briefly spoke to the same effect; adding that the exacting of Statute Labor, when not commuted for, should be kept up as it now stands, with a view to the getting more cash to be laid out upon the roads; most of which would, in all probability, pass into the hands of those poor men who could not afford to pay the commutation money at the present rate.

Hon. Mr. DINGWELL—We do not want our roads made by men who can't afford to pay 3s. as commutation money, but by such persons as can afford to pay it. The commutation money is to be reduced from 4s. to 3s.; and I move that a proportionate reduction be made as to time—that is, that they who do not commute shall be required to labor only 21 hours instead of 32 hours upon the roads.

Hon. Mr. McINTYRE, in seconding the motion, took the same view of the question as was taken by the Hon. Mr. Dingwell.

Hon. Mr. JOHNSON—The motion appears to me rather absurd. His Honor Mr. Dingwell, who has made it, admits that under the existing legal provisions with respect to Statute Labor, that labor is very far from being well or fully performed; and, yet, in the very act as it were of such admission, he proposes that of that which is so much required the little usually done shall be made less!

Hon. Mr. HUTCHINSON—The proprietors, and not the

tenantry, should be required to make, and even to keep all our public roads in repair. As to many, very many of the latter, so hardly were the dealt with, and so heavily did the performance of Statute Labor or the commuting for it, bear upon them, that the hardship which, in that respect, they were made to endure might aptly be compared to that imposed by the Egyptians upon the Israelites, when they were required to deliver their appointed tale of bricks, although the straw necessary for their manufacture was denied them. He knew from his own official experience in Charlottetown, that much more work—indeed double—could be procured upon the roads from poor men when they were paid for it than when they performed it merely as their ordinary legal Statute Labor; and then having the labor required upon our roads paid for in cash would, he was convinced, produce very beneficial results.

Hon. the President—I think His Honor argues a great deal better than the amount of work required of them by law—that is of labor actually performed by themselves—that commutes for their legal portion. I do not exactly comprehend him. As far as the performance of Statute Labor, I can truly say, from my own observation of it throughout the Island, that in general it is not labor, but an idle frolic. The whole system of Statute Labor is, in fact, nothing but a complete humbug. If they who have hitherto escaped with nominal or useless labor, should hereafter, be made to work in earnest, and to some good purpose, they will have no just grounds to complain; for their work will be for their own benefit, as well as that of the public at large.

Hon. Mr. DINGWELL—If His Honor were in the place of one of those poor men, compelled to work under a strict overseer, he would find that the labor was no humbug. And, as to paying the commutation money, to their Honors, influenced solely by a consideration of their own abundance, it was a very trifling consideration. It was quite otherwise, however, to a poor man who, as he knew it to have been the case not long ago, had to travel eight miles before he could sell a couple of bushels of grain for cash, which he wanted to enable him to pay his land-tax.

Hon. the President—The motion is a bad one; and I hope your Honors will not agree to it.

The Chairman having put the question on the said motion, the Committee divided:

CONTENTS—Hon. Mr. Dingwell, Hon. Mr. McIntyre, Hon. Mr. Hutchison—3.

NON-CONTENTS—His Honor the President, Hon. Mr. Palmer, Hon. Mr. Bagnall, Hon. Mr. Craswell, Hon. Mr. Simpson, Hon. Mr. Johnson—6.

So it passed in the negative.

On motion, the House was then resumed, progress reported on the Committee, and leave granted to sit again.

House adjourned until to-morrow at twelve o'clock.

FRIDAY, April 13.

According to order, the petition of divers inhabitants of Georgetown and Royalty and others, presented to the House yesterday, was taken up again and read, and taken into consideration.

Hon. Mr. JOHNSON, who had presented the petition, first rose to speak to the question, which, both before and after he had read the subjoined Declaratory Resolution, he did with much earnestness, energy and effect.

DECLARATORY RESOLUTION ON TAVERN LICENSING.
Whereas the habit and practice of Drunkenness is a moral evil, highly injurious and obstructive to the happiness and prosperity of the people; and, whereas this destructive vice is stated by the highest judicial authority in the Island to be lamentably increasing amongst us; and, whereas, it is right and expedient to prevent the prevalence and spread of the evil by all means within the power of discreet legislators; and, whereas, the appointment, licensing, or setting apart of houses, taverns, or places for the exposure and sale of spirituous and intoxicating liquors (to be drunk on such premises) is a highly injurious and obstructive to the habit and practice of drunkenness; and, whereas, spirituous and intoxicating liquors are not useful to the refreshment or entertainment of travellers; and, whereas, such houses, taverns, or places are found to be the resort of idle and disorderly persons, who, from the effect of such liquors, are led to commit dangerous breaches of the peace and various assaults upon each other and the public; and, whereas, such practices are dangerously corrupting to the morals of the rising generation; and, whereas, it appears to this House to be totally incompatible with sound, just, and paternal legislation that the Law should sanction, license, or encourage the sale of intoxicating liquors, in places and under circumstances specially favorable and conducive to drunkenness and its consequent evils, when, by other Acts, it requires and provides for the punishment of such crimes, by fine, imprisonment, or even death itself; and, whereas, to avoid such anomalous legislation, and such criminal complicity and encouragement, it is essential and proper for the State to withdraw from all participation therein, and to exact the system of licensing houses, taverns, or places for the sale of intoxicating liquors (to be drunk on such premises): Resolved, therefore, that it is the opinion of this House that all and every Act or Acts passed by the Legislature of this Island for the purpose or purposes of licensing any house or place to sell spirituous and intoxicating liquors (to be drunk on such premises) ought to be repealed; and, in their stead, that it should be enacted that, from and after,

it shall be unlawful for any person or persons, in this Island, or its dependencies, to sell or vend, for price of money, truck or barter, or in any collusive manner, any spirituous or intoxicating liquors to be drunk on the premises whereon the sale is made, or wherein the party or parties selling or vending the same reside, or over which they possess a direct control.

Hon. Mr. JOHNSON, in the course of his observations, said expressly, more than once, that he wished it to be distinctly understood that, in submitting his Resolution with the preamble to it, all he desired was to prevent the licensing of houses or places for the sale of intoxicating liquors, to be drunk upon the premises, for such places were nurseries of every vice; that he was not an advocate for the Maine Prohibitory Law, neither did he condemn the temperate use of spirituous liquors—it was the abuse of them only which he impugned—and he was very far from desiring to interfere with, or prohibit any man's business, which in itself and in the manner in which it was conducted, in no way militated against good order, decency, morality, or religion. He was not, however, ashamed to say that he was one who, with the inspired pen, believed that "righteousness exalteth a nation, but sin is a reproach to any people;" and he was bold to assert that any Government or Legislature that sanctioned, licensed, and encouraged the sale of intoxicating liquors in places and under circumstances specially favorable and conducive to drunkenness and its consequent evils, in doing so sinned against God, and were positively participant in all the crimes which arose from the demoralizing bestial excesses which were practised in those hot-beds of infamy and of every vice. He sympathized with the drunkard. Great as was his sin, they who put drink in his way were greater sinners than he; and they who authorized the licensing of places, to be set apart for drinking, were answerable, before God, for having, by that means, created in many, who otherwise, in all probability would never have felt it, that insatiable craving or appetite for liquor which was fast tending to their ruin in this world, and which might eventually consign them to everlasting misery.

Hon. Col. SWABY, after complimenting His Honor Mr. Johnson upon his philanthropic and enlightened views with respect to the question before the House, and upon the very bold and able manner in which he had stated and advocated them,—said, that none, at this time of day, could be found who would deny that crimes and wretchedness of every description arose from habitual intemperance use of intoxicating liquors; and none, he would gladly trust, were so base as not to deplore the awful evils which it occasioned; but how the prevalence and spread of those evils were to be prevented the wisdom of man had not yet discovered. The abolition of spirituous liquors effect the desired remedy. Were even both these means to be had recourse to, the evil would still exist. There was not half an acre, anywhere upon the coasts of the Island, where smuggling might not be practised and intoxicating liquors landed without interruption. The liquor traffic—the importation, the manufacture, and the sale of liquor—is a legitimate source of revenue; and if it be put a stop to in a legitimate form, we shall lose a very large and important amount of revenue, and yet not lessen the evils which we seek to prevent. Regard for the promotion or pre-

servation of morality should, doubtless, always take precedence of considerations of revenue: the necessities of the state ought to yield to the obligations of morality; and yet, unfortunately, as society was at present constituted, the interest of the latter were made to give way to the exigencies of the former. His Honor's proposition appeared to be the Maine Liquor Law in disguise. When that law was first enacted, it struck at the evil in an open and manly manner; but in a few months it became a dead letter. He did not by any means intend to question the motives of His Honor, Mr. Johnson, for he believed them to be pure and honest; but he did not think that his proposition, even were it to become law, would answer the intention. On the contrary, it would, he thought, like its prototype the Maine Liquor Law, prove nugatory from the first, and soon become a dead letter on our Statute Book. If we should do away with the licensing system, we should lose all control over such houses as those in which it is now retained; and they would, consequently, become greater nuisances and abominations than they are at present; for their Honors might rest assured that, so long as an appetite for liquor generally existed in the community, and so long as liquor could so easily be procured, by means of a contraband trade therein, as in any part of Prince Edward Island it could be, so long would there be found hundreds of individuals, tempted by the prospect of hopes of gain, ready to retail it at all hazards. Entertaining such views, said the Hon. Colonel, I cannot second the motion of His Honor Mr. Johnson, which, if sustained by the Legislature, would be a virtual, if not a direct abolition of the licensing system; yet perhaps, on further consideration of the question, he may consent to second the Resolution which I am about to submit. The system which I would recommend would empower the Judges to appoint Benches of Licensing Magistrates. There are now abundance of magistrates in the country; and it would surely be no difficult matter for the judges to select, from among them, a sufficient number of intelligent men, worthy of having so important a trust reposed in them. A right of appeal on the part of those who might feel aggrieved by the granting of licenses, in particular instances, might be resolved, by the exercise of which, licenses, if improperly granted, through inadvertence on the part of Licensing magistrates, might either be withheld or cancelled, or the right of renewing them withheld. The Hon. Colonel then read his Resolution, with a preamble, which preamble is a slight modification of parts of the preamble to the Resolution proposed by the Hon. Mr. Johnson, the whole is as follows:—

Whereas the habit and practice of drunkenness is a moral evil, highly injurious and obstructive to the happiness and prosperity of the people; and, whereas, this destructive vice is stated by the highest judicial authority in the Island to be lamentably increasing amongst us; and, whereas, it is right and expedient to prevent the prevalence and spread of the evil by all means within the power of discreet legislators; and, whereas, the facility with which licenses to keep public houses and sell intoxicating liquors are obtained by improper parties, and in situations where they are not required for the accommodation of the travelling public:

Resolved, That it is the opinion of this House that the whole system of licensing ought to undergo the careful revision of the Legislature, with a view to adopting a better system, in order that a remedy may be found for the evils which are acknowledged to exist. By such a revision, said the Hon. Colonel, the great moral evil arising out of the present system may be checked. Further than this I am not prepared to go; for it is in the other House that all measures affecting the revenue ought to originate.

(To be continued.)

R. B. IRVING, Reporter.

HOUSE OF ASSEMBLY.

FRIDAY AFTERNOON, April 27.

DEBATE ON THE LEGISLATIVE COUNCIL.

Continued.

Mr. HOWAT—The hon. member says that his object is to test the sincerity of the majority on the Executive Council Bill. As one of that majority, I may say that last year I supported that measure, and I have not changed my opinion of it. The Council last session was obstructive; and they may be so again. Hitherto since the recent addition to that body it has worked well in conjunction with the House, but it may not continue to do so in future. For my own part, I think it would be as well to abolish it altogether, but the Imperial Government will not sanction that course; therefore, I consider that the elective principle is the next best we could adopt. If the Council is a mere echo of the House, it is useless; if obstructive, worse than useless. The session has been already so protracted, that I agree with the statement of the amendment that it is expedient to introduce the Bill now. The Council has been but lately reconstituted, and no evil can result from deferring the matter till next session, when any change which may be found necessary may be adopted.

Mr. SINCLAIR—I agree with the hon. member that it would be better to abolish the Council altogether, if we had the power. As at present constituted it is useless—merely an echo to this House. When the Bill to make it elective passed the House last session, the majority stated that the people wished to elect the Council, and that it would be a mere farce to send the Bill to the Imperial Government until the Government should have received authority to reconstruct it as to ensure its passage there. Such authority they had received, and it was their duty to have introduced the Bill at the beginning of the session. I believe it was brought in and passed, not from any admiration of the principle on which it was based, but that it might originate in personal feeling towards particular individuals. The Council should be in a more independent position; its character should not be changed with every change of Government. Election would render them more independent, and perhaps the best mode would be by electing the Councilors from this House. At present it is a mere echo—echo to the House, for the additional members are yearly appointed, and selected in order that they should support the measures of the Government, and they are aware of the fact.

Hon. Mr. YEO—There was no use in sending the Bill to the Council as it was composed last session. It was not constituted in accordance with the royal instructions, which directed that members should be nominated from among the principal proprietors, not one of whom had a seat at the table.

Mr. COOPER—The Government are pledged to have the Bill in operation this year, but they changed their course, and have swamped the old Council by introducing several of their own supporters; and, prior to this remodeling, threats were held out which should not have been made use of to an independent body. If the Council is not independent it can be of no service. I agree with the hon. member Mr. Sinclair, that the best depositary of the electoral franchise for Councilors would be this House; which might, by a majority, say of two thirds, elect one of its members annually to the upper branch. Such a plan would, I believe, receive the sanction of the House Government.

Hon. Mr. POPE—The hon. member, Mr. Whelan, in his journal, *the Examiner*, stated that the Government had no authority to reconstruct the Council, but his resolution states that it appears authority has been given, and he assigns as his motive for its introduction, that he desires to test the sincerity of the Government. His object is to let the impression go abroad that the Government had no intention of giving effect to their measure when they introduced it. I supported the Bill last year, but when I find that by a wise exercise of the prerogative the public business can be carried on harmoniously and satisfactorily, I for one am content. I support the amendment of the hon. Col. Gray, because it is now too late in the session to go into the question, and I have no desire to gratify the curiosity of the hon. member who introduced the resolution. The people of the country, satisfied with the present composition of the Council, are quite content to let things remain as they are until next session.

Hon. Mr. HAVILAND—When I considered the length of time which has elapsed since the hon. member first moved in this matter, I was prepared to listen to a long and eloquent address, but now that the cork is drawn the long bottled up contents are found to be flat and stale to a most unpleasant degree. The reason of that is, the hon. member himself is unpleasantly conscious that no interest is felt in the subject at present. I must say, that it is somewhat novel for a member to move a censure on the Government for not having brought forward a measure to which he de-