

The Examiner

A WEEKLY JOURNAL OF POLITICS, LITERATURE AND NEWS.

EDWARD WHELAN]

This is true Liberty, when Free-born Men, having to advise the Public, may speak free.—EURIPIDES.

[EDITOR AND PUBLISHER.

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CHARLOTTETOWN, PRINCE EDWARD ISLAND, MONDAY, JUNE 9, 1856.

No. 49.

MOON'S PHASES.—JUNE, 1856.

New Moon 2d day, 7h. 0m. evening. W.
First Quarter 10th day, 9h. 11m. morning. N. E.
Full Moon 18th day, 7h. 13m. morning. W.
Last Quarter 25th day, 5h. 38m. morning. S.

Colonial Legislature.

HOUSE OF ASSEMBLY.

MONDAY, March 31.

SUMMARY OF PROCEEDINGS.

NEW LINES OF ROAD.

Hon. Mr. Mooney, from the special Committee, presented to the House the draft of their report relative to the opening of new lines of road, which was committed to a Committee of the whole House, and agreed to therein with some amendments. It was then reported and agreed to as follows:—

1. Your Committee to whom were referred the several Petitions praying for the opening of new lines of Roads, as also the Reports of different Commissioners appointed during the last recess, have to report—

2. That it be recommended to the Government to appoint a Commission to open a road from the lower settlement, Nail Pond, to Pig Brook Settlement, between the farms of Brazill Doucette and Michael Realy.

3. That a line of Road be opened from the Main Western Road to Summerside, on the line between Joseph Green and the late Daniel Green, provided a free right of way is given of not less than forty feet in width.

4. That it is recommended a Commission be appointed to survey and appraise the damages, if any, which will accrue from the opening of a new line of road on the line between Lots 18 and 19, and report thereon, as prayed for by the Petition of Inhabitants of Indian River and Barbara West.

5. That it is recommended a Commission be appointed to ascertain and report on the practicability and probable cost of opening a new line of road leading from some part of Fermoys Settlement, Lot 18, to the main road, on the line between George Ramsay's and William McKenzie's farms.

6. That it is recommended a road be opened according to a plan now before the Committee through lands in the possession of James MacKinnon and Lauchlin Gillis, in a straight line through the different farms towards the Chapel on Lot 14, provided all the proprietors of land are willing to give the right of way.

7. That it is recommended a Commission be appointed to report on a new line of road on the line between Lots 13 and 14, on the farms of Macintosh, Dogherly and Preshaw to the shore.

8. That it is recommended a Commission be appointed, if deemed necessary, to appraise the damages, if any, which will accrue from the opening of a new road from Wheatley River Bridge to Johnston's on the Princetown Road, and to report thereon for the information of the House, at the next Session.

9. That it is recommended a Commission be appointed to survey and report on a new line of road to be opened on the East side of Seal River to the main road leading to Vernon River Bridge.

10. That it is recommended that the Government do cause a survey to be made of the line from Edward Johnston's farm, on the Princetown Road, to the School House on the New Glasgow Road, their report to be laid before the House in the next Session.

11. With respect to the Petition of James Doyle and other Inhabitants of Township 48, your Committee would recommend a survey to be made, and a report thereon laid before the Government, and the line of road to be opened, if approved of.

12. That a new line of road is required for a distance of 40 chains on the County line, North, between Township 49 and 50 and 66.

13. That it is recommended that an inquiry be held, and a line of road opened on the County line between King's and Queen's Counties from the Whim Road to the Murray Harbour Road, at the Southern Corner of Lot or Township 61—a distance of about one and a quarter mile.

14. It is also recommended that similar steps be taken to open a line of road from the County line at Mackenzie's Mills, between Lots 57 and 58.

15. That with regard to the Report of the Commissioners as to the expediency of either continuing the straight line of road across the Swamp from Euman's to Matheson's, on Township 55, or of opening a new line in accordance with a plan drawn by the Surveyor General, and submitted to the House last Session, your Committee have to recommend that the line of road be opened, as it can be done at a cost of about ten pounds, as stated by the Commissioners in their report, and as the award be paid to parties owning land over which the proposed new line of road would run, would be only about twelve pounds; and whereas it appears to be impossible now to straighten the old line, as the work would not be proceeded with as at first contemplated, unless the contracting party were allowed to go on with it before the first day of March, and then allowed the large sum of Fifty three Pounds,—under these considerations there can be no doubt that the opening of the new line of road would be a decided advantage to the public.

16. Respecting the Petition of the Settlers of Mill River, Lot 46, your Committee consider that the central road recommended by them, as follows, will carry out the object of the Petitioners, viz: that a further survey be made, (in continuation of the late survey) from New Harmony, Westward, in the most suitable direction through the several Townships to Mount Stewart Bridge.

17. It is recommended that the line of road on the North side of Grand River, Lot 55, down to Poplar Point, be opened under the Compensation Act, and that the sum of Twenty Pounds appropriated this Session for that road be expended on the South side, in making a road leading from the highway to the River, at McLeod's Ferry, near the new Chapel, where the right of way has been offered.

18. Your Committee further recommend that a new road be opened from Lewis' burnt house, Lot 41, or near thereto, and thence in a straight line to the Bear River Road, Dixon's Mills, provided a right of way is given free of expense, and when the new road is fit for travelling the present shore road to be closed.

19. With respect to the Petition of the Inhabitants of Green Vale and Mill River, Township 46, praying for a new line of road from said settlement to Souris Road, and also the Petition praying for a new line of Road from Sheep Pond to the old Chapel Road, Rollo Bay, it be recommended to the Government to obtain information as to the necessity of the road prayed for, also if the right of way is to be given,

and if not, how much of the right of the line of road will have to be purchased, of the nature of the ground, and the probable expense of making the said road.

A Committee was then appointed to prepare the draft of an address to His Excellency pursuant to the above report.

Hon. Mr. Mooney, from the Committee to whom was referred the petition of inhabitants of Lot 36, relative to an alleged surplus of land contained between that Township 48, presented to the House the report of the said Committee, in which they recommended a survey to be made, commencing at the north shore and running from thence southwardly for the distance of ten miles, 3,400 feet being the distance allowed in the original grants of Townships 35 and 36, and that the Attorney General be directed to prosecute for the recovery of said lands, with a view to their settlement, under the provisions of the Land Purchase Act. Mr. Mooney having moved that the House do adopt the report, it was rejected on a division of 12 to 13.

In the afternoon sitting the Special Committee on the Public Accounts presented their report, which was submitted to a Committee of the whole House, and gave rise to much desultory debate, which would now be uninteresting to most readers. The report was agreed to with some amendments, and the House adjourned.

TUESDAY, April 1.

INDIAN BILL.

The House in Committee resumed the further consideration of the Bill relating to the Indians, sent down from the Legislative Council, which was slightly amended. The House having resumed, the Bill was read a third time and passed.

ROAD FROM EUMAN'S TO MATTHEWSON'S, LOT 55.

The Hon. Mr. PALMER moved that the report of the Committee on the opening of new lines of road, as adopted by the House the previous day, be referred back to the Committee of the whole House, for the purpose of altering that part which contemplated the opening of a new road from Euman's to Matthewson's, Lot 55. The hon. member contended that the old line was the proper one—that it could be repaired at small expense—that the person who had overflowed it, by raising the water of his mill-dam, should bear the whole, or at least part of the expense,—and that the proposed new line would cost a large sum of money, and inflict much injury on private individuals.

Hon. Mr. WHELAN opposed the motion. His hon. colleague and himself had carefully considered the matter, and had come to the conclusion that the opening of the new line was not only practicable, but would be attended with little expense—the right of way would cost only £12, and the making of the new line only £10 more; while it was impossible to repair the old road, except during the winter season, and that only one person would engage to do it then, for which he demanded £53, but would not undertake it at all unless he got the work to do previous to the 1st March. In corroboration of these facts, he appealed to the report of the Commissioners appointed by the Government last year, (which he read), and it was in accordance with their recommendation that he and his colleague agreed to have the new line opened, in which the House concurred in the absence of the hon. member for Charlottetown. The Commissioners, he said, were disinterested and well-informed persons, and living near the place alluded to, were competent, he thought, to form a more correct opinion than the member for Charlottetown. Besides, it would be rank injustice to make Mr. Hayden, whose mill-dam was said to have overflowed the old road, contribute anything towards its repair, much less bear the whole expense attending it, as the road was always swampy, and nearly impassable before Mr. Hayden ever erected a mill there; and that the road, in fact, was in a worse condition before he went there than since.—As all the members for King's County, including Mr. Dingwell, took a different view from Mr. Whelan, although there was no discussion whatever on the previous day regarding the matter, when the opening of the new line was concurred in unanimously—all the members for Prince and Queen's County, excepting the Hon. Mr. Mooney, considered Mr. Whelan in error, and voted for Mr. Palmer's motion. A new light had very suddenly and very mysteriously burst upon the minds of the King's County members. The Report was accordingly referred back to the House in Committee, when, after various suggestions, and much debate, the report was amended by striking out all after the word "recommend," in the fifteenth paragraph to the end thereof, and inserting the following:—

"That the road be made in a straight line, and when completed the Government do oblige Mr. Alexander Hayden to pay one-half the expenses of the work, in consequence of his mill-dam having been the cause of the road being overflowed, and the work to be proceeded with forthwith, and the members for the district to provide next session out of their road money the other moiety."

Your Committee recommend that the sum of fifteen pounds be expended towards opening the new line of road from George Morrison's to the Murray Harbour Settlement, Lot 64, until it meets the old road leading to Murray River Mills, on which an inquiry was held last year.

They also recommend that a road be opened from the Point Prim Light House, at a reasonable distance from the shore."

ROUTINE BUSINESS.

The engrossed Bill in further amendment of the Act to incorporate the Minister and Trustees of St. John's Church, Charlottetown, was read a third time and passed.

The Legislative Council sent down a Bill further to improve the Law of Evidence, which was read a first time.

The Hon. Col. Secretary presented to the House, by command, a Circular from the Royal Commissioners of the Patriotic Fund, conveying their thanks for the effectual assistance given to that Fund by this Island. Ordered to be printed in the newspapers.

In the afternoon the House again went into Committee of Supply, and passed several votes, after which they adjourned.

WEDNESDAY, April 2.

ROUTINE BUSINESS.

The Hon. Col. Secretary presented the general Account of the Royal Agricultural Society for the year ending March 1, 1856.

Hon. Mr. Mooney, from the special Committee, presented the draft of an Address to His Excellency, requesting him to give effect to the recommendations of the House

respecting the opening of new lines of road, which was agreed to.

The House again went into Committee of Supply, and passed several votes.

The Bill relating to the Charlottetown Ferry and the wharfs connected therewith, was read a third time and passed.

The Hon. Mr. Lord moved the following resolution:—
"Resolved, That a Committee be appointed to prepare an Address to His Excellency the Lieutenant Governor, requesting His Excellency to cause the sum of seventy-five pounds to be expended in building one Block and Bridge to the Wharf at the west side of Crapaud harbour,—the same to be made good out of the money for the district next year. And further praying that His Excellency will cause the sum of fifteen pounds to be paid towards the repairing of Ellis River Bridge, Western Road,—the said sum to be made good next year by the members for the district."

Hon. Mr. Mooney moved an amendment to the effect, that the money proposed to be made good out of the appropriation for the district next year, should read the "third district of Prince County," which was lost on a division of 14 against 3, and the original resolution was agreed to.

The Hon. Mr. Lord then presented the draft of an address to His Excellency, in accordance with the foregoing resolution, which was agreed to.

The Bill in amendment of the Act incorporating the Minister and Elders of St. John's Church, Belfast, was read a third time and passed.

In the afternoon the House again went into Supply, and agreed to several votes, which will be duly noticed in their proper place. Adjourned.

THURSDAY, April 3.

PETITIONS.

The following Petitions were presented, read and laid on the table:—

By Mr. Cooper, from certain electors of the first district of King's County, praying for an Act to render the Legislative Council elective.

By Mr. Yeo, from certain electors of the first district of Prince County, praying for a like object.

By Mr. McIntosh, from certain inhabitants of this Island, praying for a Court of Enquiry.

By Mr. H. Haviland, from John Orlebar, David Fitzgerald and others, members of the Charlottetown Young Men's Christian Association, praying for a prohibitory Liquor Law.

By Hon. Mr. Palmer, from David Fitzgerald, William Snodgrass, and twenty-seven other Protestant Clergymen, praying for a prohibitory Liquor Law.

The engrossed Bill from the Council, intitled "An Act further to improve the Law of Evidence," was read a second time, committed to a Committee of the whole House, and agreed to therein with some slight amendments. It was then read a third time and passed.

The House adjourned for an hour, and having met in the afternoon, the House again went into Supply, and finished the appropriations. It was ordered that the resolutions should be reported on the following day.

Hon. Mr. Whelan, from the Special Committee appointed therefor, presented to the House a Bill to increase the number of members to serve in the General Assembly, and to consolidate and amend the Laws relating to elections. The Bill was read a first time. On motion that it be read a second time to-morrow, Mr. Palmer moved in amendment that it be read a second time on Saturday next. The House divided, and the amendment was lost. The original motion was then put and carried. House adjourned.

FRIDAY, April 4.

VOTES IN SUPPLY.

The Hon. Colonial Treasurer, from the Committee of the whole House, on the further consideration of a Supply, reported twenty-five resolutions of the said Committee, which were read, and embraced the following amounts:—

A sum sufficient to repair the damage done to the wharf at Minchin's Point last fall.

Books for Legislative Library, £100 0 0

Bog School, Charlottetown, 20 0 0

Extra expenses, St. Paul's and Scattarie Lights, 13 0 2

To pay passage of W. H. Nalis to United States, 8 0 0

The sum voted last year for Stud Horses to be placed at the disposal of the Agricultural Society.

The House divided on the last preceding vote: In favour of it—Hons. Col. Secretary, Col. Treasurer, Messrs. Wightman, Montgomery, Messrs. Munro, McDonald, Muirhead, Yeo, Clark, McIntosh—10. Against it—Messrs. Laird, Perry, Cooper—3.

The next resolution was—
That two-thirds of the amount of judgment and of the taxed Bill of Costs, be granted and paid to the Trustees of the Dunstaffnage District School, St. Peter's Road, to reimburse them for expenses incurred by them in defending an action in the Supreme Court.

On the foregoing resolution being put, Mr. Cooper moved to amend the same by inserting at the end thereof, the words—"provided the amount does not exceed twenty-five pounds."

The House divided, for the amendment—Messrs. Cooper, McIntosh, Yeo, Muirhead, Laird—5.

Against it—Hons. Messrs. Mooney, Coles, Wightman, Lord, Warburton, Montgomery, Messrs. McDonald, Perry, Munro, Clark—10.

The resolution was then put and carried 10 to 5.

The remaining resolutions were then agreed to without any division. They embraced the following amounts:—

New York, Newfoundland and London Telegraph Company, to be paid as soon as the telegraph is completed, £300 0 0

To James Easton, Teacher of the Infant School, Georgetown, 10 0 0

To Dominick A'sneaux, to reimburse him on account of his farm having been sold at Sheriff's sale, through an error which occurred in his receipt for payment of Land Assessment, 10 0 0

To Rev. P. McIntyre, for Circulating Library at Tignish, 10 0 0

To John McIntosh, Mail Carrier, for extra travelling from St. Eleanor's to Tignish, 7 0 0

To redeem two five pound non-registered Treasury Notes, for which no provision had been made, 10 0 0

To the Speaker of the House of Assembly £60, and to each member £30, with the usual travelling fees.

To be placed at the disposal of the Government, agreeably to the report of the Assembly, on Teachers' Petitions, 276 3 4

To the Trustees of the Brudenell School for R. B. Irving, 2 18 4

A sum sufficient to defray the expense of exploring and reporting on a new line of road from about Crabb's, on Princetown Road, to unite with the Freetown Road on Lot 25, in order to improve the communication between Charlottetown, St. Eleanor's and Summerside.

To Isabella Ross, widow of the late Clerk Assistant of the House of Assembly, to reimburse her expenses in removing her family to Georgetown, 10 0 0

To John McKinnon, late Landing Waiter, Charlottetown, to reimburse him for certain expenses attending the seizure of the Sch. "Dragonet," 8 0 0

To the Administrator of the late Napoleon LePage, also formerly a Landing Waiter, for a similar object as the foregoing, 8 1 9

A sum sufficient to defray the expense of any police or other force that might be required to maintain the supremacy of the Law.

To the Charlottetown Mechanics' Institute, 30 0 0

To William Hooper, Mail Carrier, to reimburse him certain expenses incurred by crossing the Souris Ferry, 5 0 0

The sum of twenty-five pounds to the following Postmasters, in addition to their percentage, for their services for one year:—

Martin Byrne, Georgetown, 10 0 0

Patrick M. Power, Summerside, 10 0 0

Postmaster at St. Eleanor's, 5 0 0

A sum sufficient to pay the road or commutation moneys of all school teachers not coming under the exemption of the Free Education Act.

Five pounds to be paid to the representatives of Third District of King's County, for the relief of Patrick McGee, who was dangerously wounded by a pistol shot, (and in consequence apparently lamed for life), in a disturbance with the crew of an American fishing vessel at Georgetown, last year.

A Committee of three members was then appointed to prepare and bring in a Bill, embodying the foregoing grants.

The Hon. Mr. Mooney, from the Special Committee to whom was referred all pauper claims and petitions, presented the report of the said Committee, which was read, committed to a Committee of the whole House, agreed therein with some amendments, and then adopted.

The Hon. Col. Treasurer, from the Special Committee, presented the Bill appropriating the supplies for the public service, for the present year, which was read a first time; and in the afternoon sitting read a second time, committed to a Committee of the whole House, and agreed to therein without any amendment.

STEAM COMMUNICATION BETWEEN P. E. ISLAND AND THE NEIGHBOURING PROVINCES.

Hon. COLONIAL SECRETARY informed the House, that sometime ago, he requested the Postmaster General, Thomas Owen, Esq., to write to the Postmaster at Tatamagouche, for the purpose of endeavouring to ascertain through him, whether or not it was practicable to affect a daily communication between this Island and the neighbouring Provinces, by running a steamer between Charlottetown and Tatamagouche—that the Postmaster General had done so accordingly, and received an answer which he would read to the House. The hon. gentleman then read the letter of the Postmaster, which, in substance, states that the scheme is quite practicable, provided the Nova Scotia Government will provide means to build a wharf of 150 or 200 feet in length, and to construct a break-water. The hon. gentleman added, that he had obtained Charts of the Gulf from Capt. Bayfield, of whom he had also enquired, touching the suitability of the harbour of Tatamagouche, for the accommodation of a steamer, and that he (Capt. Bayfield) was of opinion that that harbour was the best that could be selected. The hon. gentleman then moved the following Resolution, adding that the object in question was one of the highest importance, that could be accomplished, the advantages which would be derived from it to our commercial interests would be of the greatest magnitude, and the saving of time and expense to travellers between Halifax and Prince Edward Island would be a gain of no little moment, as they might leave Halifax in the morning, and be in Charlottetown at night.

"Resolved, That a Committee be appointed to prepare an Address to His Excellency the Lieutenant Governor, requesting him to take such steps as he may deem expedient, to ascertain the practicability of running the Mail Packets from Charlottetown to Tatamagouche in Nova Scotia or Pugwash, instead of to Pictou."

Hon. Mr. PALMER said he had always been in favour of the project; and the only objection which he ever had to it, was the unsuitableness of the harbour for the admission and accommodation of steamers, and its affording no shelter to shipping. The project was agitated in the time of Sir Donald Campbell, and that was the obstacle which prevented its being prosecuted. Captain Bayfield was then consulted as to the practicability of the project, and he was much mistaken if that gentleman's opinion was not on those grounds adverse to the design. If the constitution of a break-water and a wharf would remedy the natural defects of the harbour, and means could be found for their construction, there could not be two opinions upon the question, the great advantages which would result from it were so obvious. But whether it should be carried into effect or not, it appeared to him altogether depended upon the Legislature of Nova Scotia. Such a wharf and break-water as were required, would be works of considerable magnitude, and a heavy grant would be necessary to ensure their execution; and the willingness of the Nova Scotia Legislature to make it might well be questioned. He was, however, well disposed to support any proposition likely to bring about so very desirable an arrangement, an arrangement which, although it might be delayed for a time, he was yet firmly persuaded would ultimately be carried into effect. An obstacle would, no doubt, be thrown in the way by the inhabitants of Pictou, whose interests would be materially damaged by the projected change, should it be accomplished. He was sorry that more information could not be afforded respecting the practicability of the erection of the wharf and the