

Mr. MACINTOSH did not rise to oppose the motion of the hon. member from Prince County; but he would say that, in his opinion, they ought to know that a general desire existed throughout the country to be taxed in the way apparently contemplated, before the House proceeded to frame any Act to that effect. He would go so far as to allow a plan, if one were prepared, for the regulating of Statute Labour, to be examined into by a Committee of the whole House, which plan might afterwards be dealt with according to its merits.

The Hon. J. S. MACDONALD agreed with the hon. member from King's County with respect to a Committee of the whole House. The sense of the House upon the subject having been previously ascertained in a Committee of the whole, a Special Committee, if appointed, would then have some certain grounds to work upon. If any doubts were entertained as to the truth of the assertion that Statute Labour was frequently quite thrown away, he thought it was only necessary to go upon the roads to be convinced of the fact. An improvement of the law respecting Statute Labour was evidently required; the question was, what could be substituted for the present mode of enforcing labour upon the roads. As to a money tax, he knew that it was so extremely difficult for a labouring man to raise a dollar, that individuals of that class generally would sooner work three days than pay two shillings in cash.

An amendment to Mr. Rae's original motion having been submitted, to the effect that the House should, to-morrow, resolve itself into a Committee of the whole, to consider the expediency of amending the Act relative to the performance of Statute Labour on the Highways, the same was agreed to.

JURY BILL.

The Bill for regulating the qualification of Jurors, and the mode of striking Juries, having been read a second time, according to order, the said Bill was committed to a Committee of the whole House.

Mr. THOMSON, after the reading of the first clause, said it was the most important clause of the whole Bill; he particularly required the assistance of the Committee with respect to it. He found that the clause, as it stood, would not meet every case, by it many who were qualified to serve on juries would be exempted. He wished honorable members would come forward with whatever objections might occur to them. The English Statute with respect to Juries ran as he wished that bill to run. He wished the qualification of both grand jurors and petit jurors to be the same.

Mr. LE LACHEUR observed, that to the clause, as it stood, there were two grand objections. There was no limitation as to the extent of the freehold property conferring a qualification; but still that might be very well as it was. With respect to leaseholders, however, the qualification, as it stood, would exclude many who, unquestionably, should be made liable, and were entitled to serve on juries. The clause says, a leaseholder, unless possessed of a leasehold of the annual rent of £5, shall not be liable to serve as a grand or petit juror. This would very improperly cut off all leaseholders of 50 acres, paying the usual rent of one shilling an acre. It would even exclude some leaseholders of 100 acres each; as several tenants to the westward pay only sixpence per acre. Persons called squatters, who have improved their property and the Island—were they to be excluded? He (Mr. Le Lacheur) thought the qualification should be, having a lease of so many acres, or being in the occupation of so many acres. Thought it strange that members of Council and of the House of Assembly should be declared incapable of serving as jurors. The bill, in his opinion, would have to undergo considerable alteration before it could be allowed to pass into a law.

Mr. DALZIEL said, that by the draft of the bill, money or worldly possessions were to make the man; he had thought that, in such a case, mental qualifications would have been made the criterion by which to judge of a man.

Mr. HUDSON said such a clause would more particularly affect the district to which he belonged than any other part of the Island. In their district few paid more than sixpence an acre. The general rent of 100 acres was £5, but this should not be the qualification. Mr. Le Lacheur had observed that some individuals rented no more than fifty acres, but he (Mr. Hudson) knew that many leaseholders held no more than twenty-five acres. Many in the settlement to which he belonged paid only sixpence per acre. The qualification in the bill would exclude such leaseholders as he had instanced from serving as jurymen, although those individuals were not only among the oldest settlers in the Island, but in much more comfortable circumstances than the generality of tenants on the Island. The clause should be most seriously considered before it was allowed to pass into a law.

Mr. THOMSON observed, in answer to some of the objections, that in Nova Scotia the House of Assembly and Council were excluded. He would not like to see demagogues, as some were styled, upon juries. Whatever other qualifications might be thought requisite, reading, writing, and a knowledge of accounts should, he thought, be held indispensable.

Mr. LONGWORTH thought the qualification ought to include leaseholders, freeholders and housekeepers.

Mr. D. MACDONALD thought it would be right to exclude members of the House of Assembly from serving on juries.

Mr. CLARK said a leasehold qualification of £5 would be too high; but he would not object to that, provided a personal qualification should make eligible.

The Hon. J. S. MACDONALD saw many difficulties which would attend the Bill. There may be a farmer with five or six adult sons; the old man holding the lease; and, by the bill, the sons would be excluded. The consequence of such exclusions would be, that Sheriffs would not be able to find jurors. Another objection to the bill was, that it would be necessary to pay the magistrates for the trouble it would impose upon them. He (the Hon. J. S. Macdonald) thought all men of age and of good character who were able to read and write and cast up accounts, and who had been resident in the Colony for a certain period to be named, should be eligible to serve on juries.

Mr. FRASER said the Bill did not go far enough. He moved the following amendment to the qualification clause: "or any person who shall be in possession or occupation of — acres of land, or who shall be a householder of the value of — Pounds per annum, or shall be natives of the Colony of the age of — years, shall be liable to serve as a grand or petit juror; provided always that the members of the Executive and Legislative Councils." &c.

Mr. GORMAN asked, was it supposed that a man without any stake in the country could have no conscience? He thought a poor man might make a very good jurymen.

Mr. THOMSON said, if the length of time a man had been in the Colony was to be a qualification, he thought it should be considerable. He did not, he said, care what qualifications were adopted: it was immaterial to him. The old bill did not work well. There was a suspicion, and more than a suspicion, that juries were packed. Much attention was due to this part of the bill. The working clauses would require little amendment. Any qualification, however, would almost satisfy him, provided reading, writing and knowledge of accounts were not to be dispensed with.

Mr. MACNEILL thought the bill was very complicated. He thought also it was a dangerous experiment to attempt to govern one country by the laws of another.

Mr. SPEAKER would rather lower the qualification, and bring in a proviso, stating who should not be held qualified to act as jurymen. Common labourers, travellers and drunkards should be excluded.

Mr. HUDSON said the bill was certainly a complicated one, but he would be the last in the House to rise to object to the bill; he could not go along with all the amendments. He objected to the qualification by residence of — years. If adopted, he thought it would lead to great abuse indeed. He rather approved of the qualification of being natives of the Island, and of 21 years of age.

Mr. SPEAKER observed that unless they expressly said who should and who should not be considered qualified to serve as jurymen, they would leave it in the power of magistrates to pack juries.

LEGISLATIVE COUNCIL CHAMBER,

Wednesday, March 4, 1840.

Present:

The Hon. Mr. Attorney General, President;

The Hon. Mr. Brecken, The Hon. Mr. Macintosh,

Mr. Goodman, Mr. Livett,

Mr. Worrell, Mr. Dalrymple,

Mr. Macdonald, Mr. Macnutt.

The Order of the Day, for the second reading of the Bill intitled *An Act for the relief of certain of the American Loyalists and Disbanded Provincial Troops, and their Representatives*, having been read;

On motion, the following Resolutions were unanimously agreed to:—

Resolved, That as a Bill, similar in its provisions to the Bill now before the House, sent up from the House of Assembly this present Session, intitled *An Act for the relief of certain of the American Loyalists and Disbanded Provincial Troops, and their Representatives*, was passed by the Legislature of this Colony in the Session of 1839, and was disallowed by Her Majesty, for the reasons stated in the Despatch from the Right Honorable Lord John Russell, Her Majesty's Principal Secretary of State for the Colonies, to His Excellency the Lieutenant Governor, bearing date the 31st day of October last, and transmitted to this House by His Excellency; and this House, as a component part of the Legislature of this Colony, by passing the said Act in the Session of 1839, having evinced their anxious desire to afford relief to the American Loyalists, and their Descendants, which desire still exists—yet, as the Bill now before this House has been framed without regard to one of the most material objections of Her Majesty's Government, expressed in the said Despatch, to the effect, "that the Legislature had assumed a right to dispose of the Waste Lands of the Crown, which the Crown had never surrendered to their controul," and which right is yet assumed in the Bill now before this House, without any surrender by the Crown, this House

feels compelled to reject it, as only tending to excite hopes that cannot be realized by Legislative interference; without the concurrence of Her Majesty's Government, first obtained.

Resolved, That the Order of the Day, for the second reading of the Bill, intitled *An Act for the relief of certain of the American Loyalists and Disbanded Provincial Troops, and their Representatives*, for this day, do now stand discharged, and that the said Bill be read a second time this day Six Months.

THE COLONIAL HERALD.

SATURDAY, MARCH 14, 1840.

By last week's mail—which arrived on Saturday evening last, after we had gone to press—English dates were received a few days later than those previously in our possession. A few extracts will be found in our last page.

This week's mail has not yet arrived.

EXPULSION OF MR. ARBUCKLE.

The House of Assembly was engaged on Thursday, with closed doors, on this painful subject. The following extracts from the Journals will shew what was the result of their deliberations:—

Mr. CLARK rose in his place, and called the attention of the House to the general conduct of John Arbuckle, Esq., a Member of this House, who had so far lost sight of the decency and becoming demeanour of a gentleman, and reputable member of society, as to be seen, on more than one occasion, in a state of inebriety in the streets and public market place, and even on the floor of this House, to the great scandal and disgrace of himself and this House, of which he was a member.

Whereupon Mr. Clark moved, that the said Mr. Arbuckle be sent for, in order to answer to the charges brought against him.

The Messenger who was sent for Mr. Arbuckle, returned for answer, that he was then in bed and in a state not fit to be seen.

The Hon. J. S. Macdonald moved, that the consideration of the said motion be made the order of the day for Tuesday next.

This motion was negatived, on the following division: Yeas—Messrs. J. S. Macdonald, Beck, Macneill, Hudson, Longworth, Macfarlane. Nays, 11.

Mr. Longworth then moved, that Mr. Arbuckle be heard, in his place, on the said charge.

Negatived, on the following division: Yeas—Messrs. Longworth, W. Dingwell, Beck, Macfarlane, J. S. Macdonald, Hudson, Macneill—7. Nays, 10.

Mr. Clark's motion was then put, and carried on the following division: Yeas, 10. Nays, 7.

Mr. D. Macdonald then moved, that Mr. John Arbuckle be expelled from this House.

The House divided on the question:

Yeas—Messrs. D. Macdonald, Rae, Le Lacheur, Mackintosh, Macfarlane, W. Dingwell, Clark, J. Dingwell, Gorman, Dalziel, Fraser, Forbes—12.

Nays—Messrs. Beck, Longworth, Macneill, Hudson, Hon. J. S. Macdonald—5.

Central Agricultural Society Grain Show.—On Tuesday last the Society's annual competitive exhibition of grain took place in the Market-house of Charlottetown. The day was favourable and the roads good: in consequence, there was a pretty numerous attendance of agriculturists. The different specimens of grain, the produce of last year, were examined with much interest and attention. They were all of good quality, particularly those for which the prizes were awarded. The exhibition was altogether of a very satisfactory character; and the grains produced, and the spirited rivalry of the different growers, were convincing proofs how much agricultural societies have tended to awaken and encourage a spirit of improvement among our Island farmers. The judges were Messrs. Thomas Pethick, James Miller, and John Hyde; and the prizes were awarded as follows:—

For the best Wheat, 20s., John M'Kenzie, Cavendish, weight, 62 lb. 10 oz. per bus.

Second best, 10s., Francis Kitt, New Wiltshire, 61 lb. 8 oz.

Third do., 5s., James Clark, New London, 61 lb. 10 oz.

For the best two-rowed Barley, 20s., J. Rayner, Bedeque, 54 lb. 2 oz.

Second best, 10s., William Rayner, do., 57 lb. 4 oz.

For the best four-rowed do., 20s., J. Taylor, jr., St. Peter's Island, 52 lb. 6 oz.

Second best, 10s., Jas. Taylor, sen., do., 52 lb. 2 oz.

Third do., 5s., Alex. M'Donald, Lot 49, 51 lb. 8 oz.

For the best white Oats, 20s., W. Brian, Lot 65, 47 lb. 2 oz.

Second do., 10s., John Croker, Charlottetown Royalty, 46 lb.

For the best black do., 20s., W. Rayner, Bedeque, 40 lb. 12 oz.

Second do., 10s., Donald M'Eachen, Lot 65, 39 lb. 14 oz.

For the best Red Clover, 20s., George Clow, Suffolk.

Second best, 10s., Thomas Arnett, Crapaud.

Third do., 5s., Samuel Roper, Brackley Point.

SOURIS FARMING CLUB.

At a meeting of Farmers, held at the house of Mr. John Coughlan, Souris, on Wednesday the 19th February, 1840, Alexander Leslie, Esq. in the chair, for the purpose of forming an Agricultural Association, it was unanimously resolved, that a Society be formed in this section of the country, to be called the *Souris Farming Club*, to be guided by the following Rules and Regulations, viz:

1st. That the object of the Club be the improvement of Husbandry and Agriculture, and by experiments and discussions to find out the kind of seeds best adapted to the soil of this Island, and to arrive at the best mode of cultivating the same.

2d. That the affairs of the Club shall be managed by a President, Vice President, Secretary and Treasurer, and five members of a Committee, three to be a quorum, who shall all be under the controul of the General Meetings, at which meetings the office-bearers are to be annually elected, and that only three of the members of Committee go out of office annually.

3d. That the Secretary, or any other two members of the Committee, may call a special meeting when they deem it necessary.

4th. That the Secretary shall always have a vote in Committee, but to be under the controul of the majority; the casting vote of the President or Chairman to decide in case of an equality.

5th. That the Secretary keep a regular Cash-book of all moneys received and paid by the Club, and also a Minute-book, in which he shall note all their transactions; such books to be patent to all members of the Committee.

6th. That the Committee make a minute and full report of the year's proceedings, and lay the same before the general meeting annually.

7th. That the general meeting be held on the last Wednesday in December, yearly, when the Secretary and Treasurer's Accounts be audited, and the Report of the Committee received.

8th. That the Secretary correspond with the Secretaries of other Clubs of a like nature, requesting them to get local shows of stock held in their respective districts, with a view to ascertain the really best stock; and that when these local shows shall have been established throughout the country, the Central Society be requested to offer higher premiums for such stock only as have obtained prizes at the country local shows.

9th. That each member pay Five Shillings on his admission, and continue to pay the same sum annually—such payments to be made on or before the day of general meeting.

10th. That at all meetings, political discussions are to be studiously avoided.

11th. That the general meetings have power to add to or amend these rules, as circumstances may require.

The following persons were appointed office-bearers for the current year:—Alexander Leslie, Esq. President; Mr. Patrick Scully, Vice President; John Macgowan, Esq. Secretary & Treasurer. Committee—Messrs. Thomas Perkins, Felix Flinn, James Mullally, Ronald M'Comack, Luke Deagle.

Ordered, That the above be printed once in each of the two Island Newspapers, and a copy of the Constitution be transmitted to the Central Society in Charlottetown.

ALEXANDER LESLIE, President.

TO THE EDITOR OF THE COLONIAL HERALD.

Sir; The incalculable amount of good that has been effected through the means of the Bazar recently established in this place, must be acknowledged by all, for thereby the hungry have truly been fed, and the naked have been clothed. A question has lately arisen, as to the propriety of publishing to the world the names of those individuals who are in the habit of receiving relief, inasmuch as it prevents many deserving persons from applying to this charitable fund for assistance; indeed, I know several families in this community that are truly in need, who would almost prefer the miseries

of starvation, to allowing their names thus to be handed down to future generations. This, Sir, is a spirit peculiar to our nature, and whether right or wrong, I leave it to your readers to judge. We are enjoined in Scripture not to let the left hand know what the right hand doeth, and I must confess, Sir, that I think it would be well were this injunction invariably attended to as much as possible, in dealing out bread to the hungry.

Yours, &c.

ALIIQUIS.

Defd.

On Saturday, the 29th ult., Mrs. Irving, wife of Mr. David Irving Murray Harbour.

At Chatham (Miramichi), on Friday the 21st ultimo, Elizabeth, wife of Mr. Edward Lobban, in the 25th year of her age.

☞ The Rev. Robert Douglas, of St. Peter's, will lecture on Wednesday evening, the 18th inst. on THE ADVANTAGES OF KNOWLEDGE.

SALE AT AUCTION.

Surveyor General's Office, 18th February, 1840.

THE Surveyor General will submit for sale, at Public Auction, on Saturday, the 23rd March next, at the Court House, in Charlottetown, at 12 o'clock, noon, the following PASTURE LOTS, in the Royalty of said Town, viz: Nos. 353, 429, 431, 462, 465, 563, 459, 550, 477, 504 and 510. GEORGE WRIGHT, Surveyor General.

DISSOLUTION OF CO-PARTNERSHIP.

NOTICE is hereby given, that the Co-partnership hitherto existing between the undersigned, was, on the first day of March, instant, dissolved by mutual consent—their term having on that day expired. All persons having demands against the said firm, are requested to render their accounts for adjustment, and all those indebted are requested to make immediate payment to John Hobs.

JOHN HOBS,
DONALD NICOLSON.

Charlottetown, 6th March, 1840.

JOHN HOBS, Cabinet Maker and Upholsterer, begs leave to acquaint the Inhabitants of Charlottetown, and the public generally, that he is now carrying on the above business, in his Shop in Kent Street, opposite the residence of T. B. Tremain, Esq., where all orders in his line will be thankfully received, and executed with neatness, punctuality, and on moderate terms. March 6, 1840.

THE Subscriber returns his grateful thanks to the Inhabitants of this Island in general, and his customers in Charlottetown in particular, for the liberal patronage with which he has been favoured during the 18 years he has been engaged in business here, and begs to inform them, that, as he keeps unexceptionable Workmen, and superintends the whole of the business himself, all orders for Country, Ship, and Saw or Grist Mill Work will be executed with a neatness and dispatch hitherto unequalled. Latest and most approved Ships' Trusses made, inferior to none ever imported.

Also, Trusses for cases of Rupture, said to be superior to any other kind in use.

C. C. DAVISON.

N. B.—Two Apprentices wanted. None need apply without testimonials of unblemished character. 6th March, 1840.

To be published in Numbers, each Number containing three Plates, coloured, Under the Patronage of His Excellency Lieut. General Sir COLIN CAMPBELL, K. C. B.,

WILD FLOWERS OF NOVA SCOTIA. by MARIA MORRIS.

The Drawings will be accurately executed from Nature, of the full size of the Flower, accompanied by information on the history, properties, &c. of the subjects, by a scientific Botanist.

A Subscription List for the above work is left at the Book-store of Mr. J. Munro, Halifax, and Mr. H. Stamper, Charlottetown.

SCHOOLMASTER WANTED.

A SCHOOLMASTER is wanted for the Princetown Road School, 10 miles from Charlottetown. The Inhabitants of the District can raise the sum requisite to entitle the Teacher to the Legislative allowance. Apply to Mr. Alex. Johnston, Princetown Road, or to Mr. John M'Neil, Visitor of Schools. Jan. 31, 1840.

FOR SALE,

ONE Hundred Acres of LAND, on Lot 67, having ten chains front on the South side of the Princetown Road, about three miles from Mr. Richard Bagnall's. Four Acres are cleared, and there are two streams of water running through this property. For terms, &c., apply to the proprietor, David Simpson, Cavendish, or to William Forgan, Esq., Charlottetown.

TO LET,

And immediate possession given,

THAT commodious Dwelling House and Shop fronting on Water-street and Pownal-street, in Charlottetown, at present in the occupation of Mr. William Nichols, Merchant. Possession of the last mentioned premises to be given on the First day of October next.

For terms, and further particulars, inquire at the Office of the ATTORNEY GENERAL, Charlottetown, 1st September, 1838. February 29th, 1840.

CAUTION.

ALL Persons are hereby cautioned against cutting or carrying away Timber, or Wood of any description, from that part of Township No. 43, belonging to the Estate of the late Honorable William Townshend, deceased, if they wish to avoid law and law costs.

CHARLES WORRELL,
Mortgagee in possession.

APPRENTICES WANTED

BY the Subscriber, two Apprentices, for the Painting, Glazing, and Paper-Hanging Businesses. None need apply without producing testimonials of good character.

J. DAVIS, Painter.

Charlottetown, March 4th, 1840.

A STRAY SHEEP has been on the Subscriber's premises since last Fall. The owner may have same, by proving property and paying expenses.

JOSEPH M'NABB, Tracadie,
DONALD M'LEAN, near Covehead.

BLANK Bills of Exchange, Charter Parties, Seamen's Articles, Bills of Lading, Manifests, Powers of Attorney, Court Subpoenas, Apprentices Indentures, a variety of Magistrates' Blanks, &c. for sale at the Office of the Colonial Herald.

CLYDESDALE HORSE COLUMBUS.

THAT beautiful and powerful DRAUGHT HORSE Columbus, imported last summer by the Central Agricultural Society, will stand for the season at the Subscriber's, Princetown Road, in the Royalty of Charlottetown. Season to commence 1st April. Hours of attendance—6 a. m.; 12 noon, and 6 p. m. Terms, Two Pounds. Groom, Five Shillings.

Wm. CRANSTON.

STEAMBOAT FOR SALE.

THE Steamboat P O C A H O N T A S, the property of the General Mining Association, will be disposed of at private Sale. She is built of Juniper, coppered and copper-fastened—length 76 ft. 9 in.; breadth, 15 ft. 8 in.; depth of hold, 8 ft. 4 in.; breadth, over the paddle boxes, 30 feet. Her Engine is 30 horse-power, having a cylinder of 32 inches diameter and 3 feet stroke. Both Engine and Boilers, which were manufactured in England, are nearly new, and in good order, having been only 12 months in use.

Any further particulars and terms may be obtained by applying to Mr. JOSEPH SMITH, at the Albion Mines, near Pictou, where the Boat is now laid up, or to the Agency of the General Mining Association at Halifax.

Halifax, March 3, 1840.