Haszard's Gazette.

VOL. 22. CHARLOTTETOWN, PRINCE EDWARD ISLAND, TUESDAY, FEBRUARY 3, 1852. NO. 1140.

LAND ASSESSMENT.

TREASURER'S OFFICE, CHARLOTTETOWN, P.E. ISLAND, January 19, 1852.

IN pursuance of the Act of the General Assembly of this Island, made and passed in the Eleventh year of the reign of Her present Majesty, entitled "An Act for levying further an Assessment on all Lands in this Colony, and for the encouragement of Education," and of an Act made in amendment thereto, and passed in the Fifteenth year of Her said Majesty's Reign, entitled "An Act to explain and amend the present Act for the Assessment of Land and the encouragement of Education," I do hereby give public notice, that I have issued a Proclamation, according to the terms of the said Act, of the undermentioned Town Lots, Water Lots, Pasture Lots, and parts of Townships in this Island, in arrears for the non-payment of the several sums due and owing thereon to Her Majesty, under and by virtue of the first mentioned Act.

	ACRES.		ACRES.
Township No. 1	4838	Township No. 39	500
3	1143	40	800
7	1387	41	500
9	5000	42	500
10	6050½	43	2078½
11	371	44	2962½
12	2397½	46	88
13	862½	47	70
18	5512½	48	4310
20	1529½	49	775
23	805	50	440
25	2760	55	781
26	144¾	58	1573
28	1503¾	59	2279
29	4847½	60	1360
30	365	61	1341
31	1128	65	173½
32	3004	67	1175
36	468	Panmure Island	100
37	204	Lennox Island.	1400
38	500		

Charlottetown, 1st Hundred Town Lots, ½ of No. 43.
Charlottetown, 2d do. do. ½ of No. 97, ½ of No. 98.
Pasture Lots in Charlottetown Royalty, Nos. 197, 231, 232, 288, 302, 324, 538, 549, 559 560, and ½ of 563.
Town Lots in Georgetown :—½ of No. 7, 1st Range Letter B.
3, 2d Range, Letter B.
½ 3, 3d Range, Letter G.
12, 3d Range, Letter G.
3, 4th Range, Letter A.
Pasture Lots in Georgetown Royalty :—Nos. 8, 69, 89, 90, 108, 119, 120, 121, 147.
Town Lots in Princetown .—

Nos. 1, 2, 5, 6, 7,	1st Row	1st Division	Letter A
1, 3, 4, 6, 7, 8,	1st Row	2d Division	Letter A
2, 3, 4, 5, 6, 7, 8,	2d Row	2d Division	Letter B
1, 3, 5, 6, 7, 8,	2d Row	3d Division	Letter B
1, 6, 8,	2d Row	4th Division	Letter B
2, 3, 4, 5, 7,	2d Row	5th Division	Letter B
3,	3d Row	1st Division	Letter C
3, 6, 8,	3d Row	2d Division	Letter C
1, 2, 3,	3d Row	4th Division	Letter C
5, 6, 7, 8	3d Row	5th Division	Letter C
1, 2,	4th Row	1st Division	Letter D
4,	4th Row	2d Division	Letter D
1, 2, 3,	4th Row	4th Division	Letter D
1, 2, 5, 6,	5th Row	1st Division	Letter E
1, 2, 3, 4,	5th Row	2d Division	Letter E
1, 2, 3, 4, 5,	5th Row	6th Division	Letter E
2, 3, 4,	7th Row	1st Division	Letter G
1, 2, 4, 5, 6,	8th Row	1st Division	Letter H
3,	8th Row	2d Division	Letter H
1,		1st Division	Letter F
4,		1st Division	Letter D
4, 8,		1st Division	Letter L
4,		1st Division	Letter I
1, 2, 3, 4, 5, 6,		1st Division	Letter J

Pasture Lots in Princetown Royalty :—No. 175, 217, 375, half of No. 427, 453, 488, 489.

And the owners of the said Lots and Tracts of Land so in arrears, and proclaimed as aforesaid, are hereby notified, that in case the sum charged on them as aforesaid, together with the costs which have been incurred, shall not be paid within ten days from the next Easter Termof the Supreme Court of Judicature to be held at Charlottetown, which will commence on TUESDAY, the 4th day of May next, applicacation will be made to the Supreme Court, during the said Term for Judgment against the said Lots and Tracts of Land respectively.

JOSEPH POPE, Treasurer.

LEGISLATIVE COUNCIL CHAMBER, Thursday, January 22, 1852.

RESOLVED, That the following Standing Order of this House be inserted three times in each of the Newspapers published in Charlottetown, for the information of the public :

"That no Bill, Resolution or other proceeding, founded upon any application addressed to the House of Assembly, be sustained by the Council, unless an application to the same effect, with such documents as may accompany the same, be also presented to the Council in General Assembly."

CHARLES DESBRISAY, C.L.C.

IN THE HOUSE OF ASSEMBLY, Thursday, January 22, 1852.

RESOLVED, That no petition praying aid for Roads, Bridges, or Wharfs, or for any object of a local or private nature, be received after FRIDAY, the Twentieth day of February next.

Ordered, That the above Resolution be inserted in each of the Newspapers published in Charlottetown.

JOHN MACNEILL, C. H. A.

WINTER ARRANGEMENTS OF MAILS.

THE MAILS for the neighbouring Provinces, during the Winter, will be made up at this Office, every FRIDAY at One o'clock, to be forwarded via Cape Traverse and Cape Tormentine commencing on FRIDAY the 6th of February instant, and the Mails for England will be forwarded on

Friday 13th February,
and " 27th February.

THOMAS OWEN,
Postmaster General.

General Post Office,
Charlottetown, Feb. 1, 1852.

The Mails from Nova Scotia will be due every Monday night.
(All the Papers.)

NOTICE.

OWNERS of Farm-steadings or Proprietors of Land for Sale, and to Let or Lease, in Prince Edward Island, are solicited to communicate with the Subscriber, as to terms and particulars of same, for the information of intending settlers of small capital, and of the Scotch Agricultural class. An early notice, per Post (prepaid), will meet attention.

WILLIAM LA'MONT,
General Com. Agent.

2 Howard Street, Glasgow,
5th September, 1851.

ALMANACK for 1852.

JUST PUBLISHED, the PRINCE EDWARD ISLAND CALENDAR for 1852. With this Number commences a new series which will be found much improved. The Calculations have been made specially for the Island.

December 31, 1851.

Road District No. 5, Queen's County.

I HEREBY give notice, that I will on Wednesday, the 4th day of February, set up and sell at Public Auction to the lowest bidder, the cutting down, levelling, and repairing the Pitches or Cradle Hills on the Main Post Road in the above District, from Mabey's Bridge, to the Prince County Line. Sales to commence at the following times and places: John Hall's at nine o'clock; same day, at M'Quarrie's Forge, at Eleven o'clock; same day, at Garvie's, Bonshaw, at one o'clock.

The Contracts to remain in force till the Snow is all gone.

JOSEPH TROWSDALE,
Commissioner.

Crapaud, January, 29, 1852.

FOR HASZARD'S GAZETTE.

(SECOND ADVERTISEMENT.)

To the Tenantry, and whomever it may concern;

I am very willing to be corrected by any person of good intentions; but it is not from the silly twaddles of one who signs himself "Fitzloy," or from the slang of the *Islander*, that I could receive any instruction. They are employed, and, no doubt, well paid, to mystify, perplex and disguise the truth; and to draw your attention from gaining any knowledge of what is your rights, and from understanding what ought to be studied, your true interests. "Fitzloy" would have you to believe, that my petition on behalf of the tenantry, is defective in its prayer. That petition prays, that the subject may be taken into consideration: Now, the subject of the petition goes to show, that the township lands are forfeited; that the escheat of the forfeited lands was made an absolute and imperative condition, by the solemn Act of the King in Council; that under the deceptive color of a purchase of the forfeited grants by the colonial authorities and others; they have set aside the Act of the king in Council, and usurped an ownership over the public lands; that by deceit and threatened prosecutions, the assumed owners prevailed with the agricultural population, to attorn and execute leases, to pay rent to them, and in some instances, to buy and pay for the fee simple interest of the land; that such obligations, on the part of the tenant, are construed by our Courts of Law as conclusive evidence of a just debt, and a *cover* for all the guilt of the assumed landlord; and he obtains a judgment in his favour, as a reward for all his treachery! Therefore, the petition presumes, that some Act or impediment exists, which prevents the Courts of Law from affording Justice according to its true intent, and the merits of the case. And the petition prays the Legislature to remove such impediments, that the tenant might bring an action against his assumed landlord, and proceed to judgment according to the merits of the *whole* case.

The British dominions are the most extensive of any government on earth, and a great part of it fit for the habitation, the comfort and enjoyment of men; and the constitution for the government of these extensive dominions is most perfect, just and equitable in theory; and if carried into practice, will enable Great Britain to keep the lead of all nations in the march of improvement, prosperity and power. But that constitution depends upon the opinions and actions of men at home and abroad; and it becomes the duty of every man in authority, and under authority, as they value the prosperity and honor of their country, as they respect and venerate truth and justice, as they discriminate betwixt right and wrong: neither to impose on others wrongfully, or suffer themselves to be so imposed on, by unconstitutional authority.

According to the theory of the British constitution, the Crown is the trustee to receive, to hold and to dispose of the public lands, and whether it be to resume, to grant, or to sell the public lands, it must have for its object the political and social well-being of the community; and wherever this is carried into practice in the colonies, that country will prosper. In colonies depending on agriculture, the agricultural improvement of individuals is the improvement of the country; and if they are allowed to retain their own means to proceed with improvement, the country will soon yield, not only an abundance to supply all its wants, but a surplus for merchandize, commerce and employment for all branches of industry, which would add ornament to usefulness, and wealth to meet contingencies. But this cannot be done, while the agricultural population have to take the land at second-hand from grantees, or at third-hand from land agents, whose object is to make all the money of it they can.

If the Crown grants were to be viewed in no other light than as a boon or gift to eager expectants, who were not expected to improve the land, but to make money of it by lease or sale to labouring people; this would increase the number of eager expectants of grants, and foster their rapacity, and in the same ratio, would decrease the number of the industrious and labouring class, and reduce them to poverty. The sums taken from the agricultural people, by grantees and land agents for the price or rent of wild land, is taking the same amount from the improvement of the country, and applying it to support idleness and vice. Yet the like has been permitted and is permitted; but it exposes a disease and an unhealthy state of the British constitution, and bears the same relationship to that constitution which a cancer does to the constitution of the human body, and it must be amputated, or the body will languish and perish.

The very nature of a grant from the Crown to one person to settle a number of other persons, suppose such persons, incapable of making terms of settlement for themselves; the grantee alone is answerable for the terms of settlement, The grant is an order from the Crown to settle so many persons, and the settlement must be similar to the settlements made by the Crown. If the grantee accept the grant, he must perform the settlement or resign his grant to the Crown, and petition to be relieved from his obligations. But it is well known in some quarters, that many of the grants were not accepted. The grants were not taken up by the grantees, until they, or some other persons in their stead, were encouraged to do so by seeing the safe and profitable job the usurpers had made of the agricultural population; and while those grants were not claimed, the lands remained a witness against the usurpers; and to remove these witnesses out of the way, a partial escheat was thought of, which my obstinacy prevented.

It is twenty years since I gave my opinion publicly, that the tenantry ought to have been settled in the same manner as the like persons have been settled by the Crown; and my opinion was well known when I took my seat in the House of Assembly. It was then I was invited to a private meeting, which had for its object a partial Escheat. It was made to appear at that meeting, that there were several townships without *any land agent* to represent them, and *squatters* were taking the land without any authority, and consequently setting a very bad example to the tenantry and others who bought their lands. That there were many of the most *respectable* people well entitled to a grant of land, but the government had scarcely any crown lands at their disposal; and if I would give up my own views, be guided by them, and go for a partial Escheat, I would come in for a share of the land.

To obtain this partial Escheat, it became necessary to enact a law for that express purpose: the enactment was to make new conditions of forfeiture, which were not meant in the grants to be a forfeiture; and to overlook those conditions, which the grants themselves declared to be a forfeiture, and in the re-granting of the lands, the government were not to be limited as to the quantity of land to be granted to one person; nor were they to be fettered with any conditions for settlement or improvement. The parties who were expecting new grants, were men who were not likely to improve the land themselves, but they expected large tracts of land to let on lease, or to sell to the agricultural people at the highest price which could be obtained; and thereby to sanction by an enactment of the Legislature and the Government the impositions of the usurpers upon the agricultural inhabitants. And instead of being a boon to the colony, it was intended as a bribe, to stop the mouth of those who were likely to disturb the landlords in their usurped possessions. And when you meet a man of intelligence who says, that the partial Escheat would have been a boon to the colony, he either expected a grant, or he favours the usurpation of the landlords; but if it is said by one who has learned it from others, you may impute it to his ignorance.

I have never sought for any Escheat but this, that a court should be appointed to try the grants by their own conditions. I could not have had the rents reduced to six-pence an acre by any arrangement with Gov. Fitzroy, any such arrangement would have been compromising a crime. It is now in the hands of a Responsible Government, and it is to be hoped they will not disappoint the country.

Yours, &c.,
WILLIAM COOPER.

Charlottetown Mutual Fire Insurance Company.

THE Third Annual General Meeting of the above Company took place at the Town Hall, in Charlottetown, on Friday evening, the 23d inst., at Seven o'clock, pursuant to notice published in the several newspapers.

The President having taken the Chair, called on the Secretary to read the notice convening the meeting.

The Secretary having read the advertisement which gave notice that the meeting was the Annual General Meeting of the Company, for the appointment of Officers for the current year, and other purposes,

The President then requested the Secretary to read the Report, which is as follows:

THE Annual General Meeting of this Company affords the Directors the pleasure of meeting the Proprietors for theThird time since its institution. Three years have passed over since the formation of this Society, and the kind hand of Providence has protected it against any loss whatever.

The Capital of the Company, therefore, continues to increase in Amount, as it increases in years, steadily stretching forth its protection over house after house. And the Directors look forward, in hopes of yet seeing, the owner of every house in Town protected from the effects of that direful element, that has so frequently, in other countries, in the course of a few short hours, deprived hundreds and thousands of all they possessed. The Directors, however, cannot help expressing their surprise and regret, that in a comparatively wooden Town like this, there should exist such a degree of apathy among its inhabitants generally with regard to Fire Insurance; the Directors believing that at this day there is few over *one-third* of the buildings in Town Insured in any amount! The Directors are thus induced to express their surprise and regret, because they feel well assured that it is not the want of means of paying the trifling sum of three or four pounds yearly, as Premiums,that prevent the owners of property from Insuring, but a degree of carelessness and want of thought, attributable in consequence of Fires having hitherto occuried so seldom in this Town; yet, how many persons are to be found in our community, owners of houses, the rents of which are their main support, and who consider themselves in a measure independent, and feel an inward satisfaction in having it in their power to devise these houses among their children at their death, when, in all probability, they have not one shilling Insured on any of them, and consequently might, in a *few hours*, have nothing more *than as many heaps of ashes!*

The Directors would ask such, are you doing justice to yourselves, or, at any rate, are you doing justice to your families, in running such risks? The Directors feel satisfied there are many who would be totally ruined, and their families left destitute, if their houses and goods were consumed by that all devouring element. Some may say, and do say, they never Insure, because they believe themselves to be uncommon careful, regarding fire, and never lay down to rest without seeing every particle of Fire in their houses perfectly extinguished. But the Directors would ask such, can they answer for their neighbours? What matter how careful one man may be, when perhaps the house adjoining him is occupied as a grog shop, in which the fire is seldom, or never quenched; where lighted candles and tobacco pipes are constantly, and incautiously, used. How few are there, either professional men, merchants, or tradesmen, who are owners or proprietors of property, but could afford, say, from Three to Four Pounds a year? Consider then, that sum would keep from THREE TO FOUR HUNDRED POUNDS always secure in case of accident.

The Directors feel much pleasure in having it in their power to inform the Proprietors, that the Funds of the Company continue steadily to increase, and that they have already saved some few hundred Pounds, that would otherwise have been sent out of the country. Yet the Directors regret that this Institution is not still more encouraged. Had even two thirds of the owners of property in Charlottetown united, and joined this Company, at its commencement, it would already be in a position that would justify the Directors in reducing the future premiums to one-half what is charged by all other Companies. Consider then the advantage that might, by this time, have been derived in this Company over others. To those careful persons, who keep large sums insured, the Directors would say: Insure PART in this Company, and the remainder in another, until you are satisfied the Capital accumulated is sufficient to justify your Insuring the whole.

The Directors have to observe, that at the close of the first year, the Capital of this Company, in Bonds, Treasury Warrants, Cash and Interest, amounted to the sum of £452 6s. 2d.; that at the close of the second year, the Capital of the Company, consisting as above, amounted to the sum of £612 17s. 4d.; and at the close of the third year, that is to say, on the 31st day of December last, the Capital amounted to £774 3s. 9d., as appearing by the Auditors' report, shewing, as before observed, that the Funds of the Company continue steadily increasing. The Proprietors are aware that all outstanding risks cease with the year. The Directors observe, that since the close of the year upwards of £80, in addition, has been received for renewals, which, of course, will form part of the present years' funds, but which added to the above makes £854 9s. 9d. capital now available; and the Directors observe, that several New Policies have been issued, and influential persons joined the company the present year.

The Directors recommend the new Board to continue to take moderate risks, well spread, avoiding too large sums in one building—that every Member of the Company should use his influence, with his neighbour, to induce him to join this Company, by which means, the Directors will have it in their power to reduce the present rate of premium, the great object this Company has in view,and which,the Directors feel satisfied, will be the most effectual means of more rapidly increasing its business, and sustaining within the Colony so desirable and useful an institution.

The Secretary then observed, that if there was any member of the Company present who wished for any further information regarding the operations of the Institution, he would be most happy to afford it. No member having put any question:

On motion of Mr. John Rider, seconded by Mr. Wm. C. Trowan—

Resolved, That the Report be adopted and published.

The President having then informed the meeting that agreeably to the Act of Incorporation, they had to elect thirteen Directors, five of whom were first to be elected out of the present Board of Directors, the meeting immediately proceeded to do so, when

E. L. Lydiard, Esq. — P. Macgowan, Esq.
Henry Haszard, Esq. — Mr. George Beer, jun.
Daniel Brenan, Esq. were duly re-elected.

The Company then proceeded to the election of eight other persons from among themselves, when the following were duly elected, viz:

Hon. W.W. Lord, — Mr. John Ings,
Benj. Davies, Esq. — John Trenaman,
Mr. William Heard, — John Rider,
John Gainsford, — Richard Heartz.

The foregoing persons will come into office on the 31st day of January, instant, as the Board of Directors for the present year.

On motion of Mr. Macgowan, seconded by Mr. Haszard—

Ordered, That the Secretary inform the new members of their appointment.

Ordered, That the expense of Advertising be reduced.

By Order of the Board,
HENRY PALMER,
Secretary & Treasurer.

January 23d, 1852.

Legislative Proceedings.

HOUSE OF ASSEMBLY.

SATURDAY 24th.

MORNING SITTING.

HOUSE IN COMMITTEE ON THE DRAFT ADDRESS IN ANSWER TO HIS EXCELLENCY'S SPEECH.

(*Continued.*)

Mr. FLYNN in the Chair.

Mr. SPEAKER. If he understood Mr. Davies aright, he merely proposed the forfeiture of lands for which there were no titles at all.

Hon. Mr. COLES. Well, but he had not chosen the proper time and place even for that. If that was what he desired, he ought to bring in a Bill to effect it. The amendment, if adopted, would amount to a vote of want of confidence in the Government. And for what? Merely because they had not been able to accomplish all their objects in the course of a few months.

Hon. Mr. WHELAN observed that, in a young Colony like this, and where Responsible Government had only just been established, it was not to be expected that the Governor's Speech should specify all the measures of which his Government contemplated the introduction. Their ideas, with respect to many questions might not be yet clearly developed, and there was no necessity for having every thing they proposed set forth in the Speech. Besides, he was not prepared to admit, that the Speech of the Governor, like that of the Sovereign in Britain, was an act of the Government. If with respect to the subject of Mr. Davies's amendment, or any other question of vital importance, the Government had been negligent of their duties, they would have merited such censure as was implied in that amendment, but as they had not, it was unwise in any friend of the Government to introduce any thing calculated to create division among its supporters.

Mr. YEO. As for the Fishery Reserves, did any one suppose that the Government could take them for any other purpose than that for which they were reserved? It would be quite as reasonable to suppose, that because in the original grants, reservations are made for roads, the whole of the lands might be taken for that purpose; as to suppose, that the Fishery Reserves could be taken for any other purpose than the fisheries. But, for any purpose, it was most unreasonable to take away the shores from farms. Some would be of very little value without them.

Hon. Mr. WARBURTON. If the honorable member would only go to His Excellency and enquire of him what laws respecting Fishery Reserves, he, as a Member of the British Parliament, had helped to pass, he might learn, that in Scotland, a part of the Fishery Reserves was alienated, by legislation, for the public benefit, from the purposes for which they were originally reserved. However, whether he may do that or not, he may yet learn by experience, in that House, that the Legislature has power to deal with all public property, in the way in which it may appear it can be made most conducive to the public interests.

Mr. MOONEY. As respected the Fishery Reserves, it was the expectation of the people that they would be put to some good use. He had never dreamed that the Lands would be escheated, and the people now entertained no hope of such a measure. They did expect, however, to deprive some benefit from the Fishery Reserves and the Crown Lands,—and for his own part, he thought they could in no way be made so conducive to the public interests, as by being made available for the furtherance of the Free Education scheme.

Mr. DAVIES. If the Address were unanimously agreed to as brought in, he thought, members would be debarred from bringing in any measure reaching beyond the scope of the Legislative action which it indicated as proposed by the Government.

Hon. Mr. COLES. He could assure the honorable member that, the unanimous adoption of the Address would involve no such disability. He would be perfectly at liberty to introduce any measure he might please to submit to the House.

Hon. Mr. POPE. If the Government find that any lands are held by individuals whose titles have not been recognised by the Home Government, the honorable member (Mr. Davies) may rest satisfied that they will not fail to discharge their duty to the public; and, even with respect to grants which have been illegally made by the local government, they will not be slow to resume possession on the behalf of the public.

Hon Mr. COLES. They were not in a position to coerce the Home Government. What they got, they would have to get by fair means The one-ninth Bill was supported by a majority in that House, by a majority in the Legislative Council, and by His Excellency the Governor, and, if so supported, they could not secure its passage at home, it would be high time to abandon it. He had hitherto carried all that he had promised; but as to Escheat he had always set his face against it, and against the idea that the people could ever become possessed of the lands, unless a fair Compensation were first made to the proprietors.

Mr. FRASER. There is no person in the House who respects the sentiments of the member who submitted the amendment more than I do, but I regret that from the place in which the amendment has been submitted, I cannot go with it. The amendment, in some respects, involves a question of doubt; and to go into it fully and fairly, it ought to be submitted when the House is in Committee on the state of the Colony, for, if then submitted, all the bearings of the question could be discussed in full. If the honorable member will, in the mean time, withdraw his amendment and submit his views then, he for one would give it every consideration.

On motion, the Speaker resumed the Chair, and the Address was reported agreed to without any amendment, and is as follows :—

To His Excellency SIR ALEXANDER BANNERMAN, *Knight, Lt. Governor, &c., &c., &c.*

May it please your Excellency;

We Her Majesty's faithful subjects, the House of Assembly of Prince Edward Island, respectfully tender to your Excellency our thanks for your Speech at the opening of the present Session, and desire at the same time to convey our acknowledgments to your Excellency, for having called the Legislature together at a season of the year more convenient to us than that at which your Excellency was necessarily obliged to summon us at the opening of the last Session.

It affords us sincere gratification to learn that your Excellency's visit to the different localities of this Island, after the prorogation of the last Session, was characterised by great kindness towards your Excellency on the part of the Inhabitants of the Colony, and by the expressions of loyalty and attachment to Her Majesty's person and throne, which all classes of Her subjects in this Island seemed anxious to impress upon you.

It is the sincere regret of the House of Assembly, that the inestimable blessings of Education are not more widely diffused throughout this Island, and the necessity for a more efficient system has long been apparent to us. We are glad, therefore, to learn that this subject has occupied the anxious attention of your Excellency's Government; and we beg to assure you, that any measure submitted to us in relation to it shall receive at our hands that impartial and serious deliberation which its great importance demands.

We are gratified to learn that the Loan of £10,000, which the Legislature, last year, authorised the Government to borrow, has been easily effected at 5 per cent., and that all obligations which the Treasury has now to discharge are subject to no higher rate of Interest than 5 per cent.—thus effecting an important saving to the Colony.

The accidental omission of a clause in the Civil