

The Hon. Attorney General presented a petition from the Settlers on the Selkirk Estate, and also the opinion of the Crown Law Officers thereon, and moved that they be now read.

The petition was then read by the Clerk.

The Hon. Leader of the Opposition suggested that there was no necessity for reading the Crown Law Officers' Report, as it had appeared in print.

Said documents were then laid on the table.

Hon. ATTORNEY GENERAL presented a Bill to amend the Land Purchase Bill. The provisions of this Bill are, that when a Government shall ascertain, by reference to the Land Commission's accounts, that a sufficient amount has been paid to make any estate self-sustaining, that the Commissioner of Public Lands not demand the instalments due from those who have paid a sum equal to their full share of the amount required to make the estate self-sustaining; and also to make a return to those who have paid more than their full share. Those who have not yet paid their full share, are to continue paying their instalments until such amount shall be paid. The Government is also to have full control of the Wilderess land. This Act refers to Estates which are or shall hereafter be purchased.

Received, read, and ordered to be read a second time to-morrow.

Hon. ATTORNEY GENERAL gave notice that to-morrow he would move for a supply to Her Majesty.

Hon. ATTORNEY GENERAL introduced a Bill to repeal the Act now in force regulating the rate of interest, and remarked:—This Bill has been brought before the House every year for the last three years, and on each occasion it has been thrown out by the upper branch of the Legislature. In England, the Australian Colonies, and various other places, no laws exist for regulating the rate of interest, and I do not see why there should be any on this Island. It is hard that persons will not be allowed to take more than a certain rate of interest when money is as much an article of barter as anything else. The effect of a Usury Law is to drive capital out of the country, for capitalists will take their money to a place where there are no such restrictions.

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Hon. LEADER OF THE GOVERNMENT remarked that as the Bills which were to be brought before the House to-day, were introduced by the hon. Attorney General, it would not be well to have them discussed in his absence.

House adjourned.

WEDNESDAY, March 18.

Morning Session.

Mr. P. Sinclair moved for leave to introduce a Bill to amend the Act now in force for the due observance of the Lord's Day. In the Act now in force, there is a provision that fresh fish may be offered for sale during certain hours of the Sabbath. As undue advantage might be taken of this provision, he thought expedient to bring in a Bill to prevent fresh fish from being offered for sale at any time on the Lord's Day. Received and read.

Ordered to be read a second time on Monday next.

Hon. Mr. Howland asked leave to introduce a Bill to alter and amend the Act regulating the sale of wilderess land, and remarked: It appears that the Government have at the present time 130,000 acres of wilderess land, and according to the provisions of the Act, any person purchasing such land is obliged to pay down twenty per cent. of the purchase money. When the lands were in the hands of the proprietors they induced people to settle by letting them have farms free of rent for some years, and the Government would do well to follow their example in this respect. When a poor man has to pay down twenty per cent. of the purchase money of his farm, and provide sustenance for himself and his family, he is left without means to make improvements on his farm. If these lands were all occupied, the Government would have a large number of consumers, and thus the revenue would be greatly increased. The Government bought these lands, not for the purpose of retaining possession of them, but of transferring them to the people to whom they originally belonged. A man spends twenty or thirty years on a farm, and he has to support and educate his family out of the proceeds of it. He may have five or six boys, and he is then obliged to procure farms for them, and the money which should be employed in enriching his own farm, is taken for that purpose. We find that a great many young men leave our Island, and seek employment elsewhere; but when we have so much unoccupied land, some means should be employed to induce them to settle here. In some places farms are subdivided or split up into lots of twenty-five or fifty acres each. This Bill will also have the effect of inducing persons from other places to settle here. The Bill provides that the settlers shall have the land free for seven years, and afterwards pay the amount in ten yearly instalments. The Bill further provides that each settler shall build a house of the value of at least twenty pounds; and clear at least one acre a year for the first seven years. If these conditions are not complied with, the Government is again to take possession of the farm. There might be cases where parties would take up this land for the purpose of speculating upon it. They might take a farm, strip it of its timber, and then leave it, and this provision is to prevent them from doing so. In the western portion of the Island, there is a great deal of timber land, and if this land was stripped of its timber, it would be comparatively useless to the settlers, for on this they have to depend in a great measure for several years for subsistence.

Ordered to be read a second time on Friday.

Hon. Mr. Kelly presented a petition from certain inhabitants of Lots 35, 36 and 37, showing that they suffered great loss by the repeal of the Act for the protection of the Alewives fishery, and praying that this Act be renewed. The following persons were appointed a Committee to report on this petition:—

Hons. G. Howland and F. Kelly, Messrs. Reilly, McNeill and McCormack.

The Hon. Attorney General presented a counter-petition on the same subject, which was ordered to be referred to the same Committee.

On motion of the Hon. Attorney General, the third order of the day was taken up, viz: the second reading of the "Bill to amend the Laws establishing the salaries of the Attorney and Solicitor General," and the House resolved itself into a Committee of the whole on this subject.

Hon. Mr. McATLAY.—This Bill has just been read a second time, and you are now going into a Committee of the whole House upon it, thus leaving no time for any member to recommend any changes in the Bill if he should think proper to do so. This motion conflicts with the 26th standing order of the House.

Hon. ATTORNEY GENERAL.—Did the hon. member for Georgetown, when occupying the Chair, enforce this rule. It has been the practice in this House, to move for a second reading, and then go into Committee at once. I hope the hon. member will withdraw his objections, unless he wishes to change some clause of the Bill.

Hon. Mr. McATLAY.—I merely wish to draw your attention to the matter at issue. What is the use of having a standing order if we disregard it. In the event of any member wishing to add a clause to that Bill, he would not have an opportunity of doing so, if the House went into Committee at once on the question.

Hon. LEADER OF THE OPPOSITION.—There is no doubt but that the principle laid down is a correct one; but it has been the practice in this House to go into Committee immediately. When a Bill is under consideration of a Committee, it may be changed, and on this account a Bill never receives a name until it comes to the third reading. That Bill might possibly come out of the hands of the Committee, with quite a different name. It is right that twenty-four hours notice should be given, so that you may not take any member by surprise.

Hon. ATTORNEY GENERAL.—It certainly would be a very inconvenient practice to carry into effect, and unless the hon. member has some amendment to move, I must express my surprise at the objection which he takes to this motion, for a few days ago, he was complaining that there was nothing to do. It has been the practice here, that immediately after a Bill has been read a second time, the House should go into Committee on it. It is very well that this rule which the hon. member has referred, should be strictly adhered to in the House of Commons of England, but in a small House like this, there is no necessity for it.

Hon. Mr. McATLAY.—The observation of the hon. Attorney General, seems to favor the idea that it is better to do evil than to be idle. Now, Sir, the impediment which stands in the way of your putting that question, is the 26th standing Order, and the only way to get over the difficulty is to suspend that order. I do not intend to impede the Bill. It is well known that lawyers are very fond of money, and it is well to have the law so strict, that the Attorney General cannot claim more than he is entitled to. It is an Act of generosity, on the part of the Attorney General to move this Bill, but it is as much as to say, that he cannot trust to his own integrity. (Laughter.)

On motion of the Hon. Attorney General, the twenty-sixth standing Order was then suspended, and the House went into Committee on the question.

BALDERSTON, Reporter.

THURSDAY, March 19.

Morning Session.

Hon. Attorney General moved that the first order of the day be taken up, viz: the second reading of the "Bill to amend the Acts now in force, regulating the rate of interest, and to make some provisions on the same subject," and remarked: As the law now stands persons cannot take more than six per cent. when security is given on real estate. It was formerly the law that no more should be taken on any security; but the provisions of the law were relaxed with respect to all other securities, except those on real estate. I am quite sure that hon. members are very well aware that the law is evaded in every shape and form, and it is almost null and void. Various opinions are entertained on the subject, whether the rate of interest should be regulated by statute or not. Of course, if the Usury Law is abolished, any rate of interest may be taken, and I think it is right that it should be so, when persons are allowed to charge what percentage they think proper on every other description of goods. The rate of interest varied from time to time. In the reign of Henry VIII, the rate fixed by law was ten per cent. Then again in the reign of Edward VI, another statute was passed, and it has a very strong Preamble, which may be well to read, to show the opinions which the people of that time held upon this subject:—

"The Act against usury, 5 & 6 Edward VI., cap. 20, referring to the preceding Act of Henry VIII., states in

the preamble: "The which Act was not meant or intended for the maintenance and allowance of usury, as diverse persons, blinded with inordinate love for themselves, have and do mistake the same, but rather was made and written against all sorts and kinds of usury, as a thing unlawful, as by the title and preamble of the said Act it doth plainly appear; and yet, nevertheless, the same was, by the said Act, permitted for the avoiding of more evil and inconvenience, that before that time was used and exercised:—But forasmuch as usury is by the word of God utterly prohibited as a vice most odious and detestable, as in divers places of the Holy Scriptures it is evident to be seen, which thing, by no gently touching and persuasions can sink into the hearts of divers greedy uncharitable, and covetous persons of this realm, nor by any terrible threatenings of God's wrath and vengeance, that justly hangeth over this realm, for the great and open usurie therein daily used and practised, they will forsake such filthy gain and lucre, unless some temporal punishment be provided and ordained in that behalf." The Act, therefore, proceeding upon this accurate and judicious view of the subject, prohibits, under pain of imprisonment, fine, and ransom, the taking of any interest whatever."

Thus we see that in the reign of Edward VI. they took what they thought the scriptural view of the case, and they thought that the heart of man was so perverse that nothing but pains and penalties would prevent him from taking interest. But it was found "that this Act had not done so much good as it was hoped it should," and therefore, the Act was repealed, and the prohibition of 37 Henry VIII. against taking more than ten per cent was revived. The rate of interest was subsequently reduced to six and from that to five per cent. Usury is a very harsh term. It was laid down by Lord Commissioner Eyre that "usury is taking more than the law allows upon a loan." But then arises the question whether or not the law should put any restrictions upon it? If interest is to be taken at all, should the State interfere with it, or leave it to be settled between the parties? The Usury Law has been repealed in England, Canada, Nova Scotia, New Brunswick, and other places. We know that a high rate of interest attracts capital to a country; but if we have a lower rate of interest than our neighbors, instead of a capital flowing into the country, the reverse will be the case—the capitalists of our country will go elsewhere to invest their money. I can see no good reason to make any difference between landed security and any other kind of contracts. The question is whether this matter should not be left like all other kinds of mercantile transactions to be settled between man and man. A man buys a barrel of flour and puts what profit he likes on it, and why should he not be allowed the same freedom in trading with his money? It seems to be the general idea now that all restrictions should be done away with, and parties left to make their own bargains.

Hon. LEADER OF THE OPPOSITION.—I rise, Mr. Speaker, to second the motion of the hon. Attorney General, and I must say I congratulate him on the able manner in which he has out-generated my hon. friend from Tryon (Mr. Howatt)—the Bill has been read a second time without a dissenting voice. I fully agree with all that has fallen from the lips of the hon. Attorney General on this subject, for I believe that more than a shackle and tied down any more than a bundle of cloth on a shopkeeper's shelf, I never could see the reason why a capitalist should not get the same profit for his £100 of gold, as if he invested the same money in any other business. I had the honor, Mr. Speaker, of putting in the small end of the wedge to overturn the Usury Law when, some twelve or thirteen years ago I introduced a Bill to provide that more than six per cent. could be claimed on personal contracts, where the time did not exceed twelve months; and afterwards the time was extended to three years. In England, Sir, you are aware the Usury Law has been wiped off the Statute Book, and money is there as free as any other article of merchandise. We are aware that many persons look upon the paying of usury as something morally wrong. There was a school of Divines that promulgated the opinion that no interest should be taken for money. The Jews were forbidden to take interest from one of their own nation, but there was an express provision in their law that usury might be taken from strangers, thus showing that the restriction was made on political grounds only, for had it been morally wrong to receive usury, it would have been just as bad for them to take it from a Philistine, as from one of their own countrymen. It has been laid down by Aristotle, as an argument against taking usury, that money is barren, it can not be made to fructify; but you might say the same of a barrel of flour. It seems to be the spirit of the age to take away every obstacle from commerce. A great many persons who are unwilling to charge a higher rate of interest than the law allows, will not let their money on landed securities at all; and this leaves a monopoly in the hands of a few, whereas if the law was left open, it would bring a great many more into the market, and money would be obtained at a cheaper rate than it is at the present time, and farmers, who are the principal borrowers, would have greater facilities for getting loans without giving their notes at three months to the Bank, a practice which they find to be very inconvenient, and I do not think the money lenders would ask more than the present Bank rates for their money. But I suppose we shall have opposition to this Bill, as I see my hon. friend from Tryon (Mr. Howatt) is getting bowered up for the battle.

Mr. HOWATT.—I suppose, Mr. Speaker, if we are going to war we had better be at it. I am one of those who differ from the hon. Attorney General and also from the hon. Leader of the Opposition. The argument of the last speaker appears to be that under the present Act persons can get a higher rate of interest than six per cent. Now I would ask if this is so what more is wanted? I cannot see the necessity for any more legislation on the subject. I understood the hon. Leader of the Opposition to say that there was every facility for evading the law; if so, then why do they persevere year after year in trying to get it repealed.

Hon. Mr. KELLY.—The Hon. Attorney General has been pleased to inform us, Sir, of the salutary pains and penalties enacted by the Statutes of King Henry VIII., and others who succeeded him, against usury and extortion in all its phases, and which I have been much pleased in hearing, as it would seem he (Henry VIII.) was then in his sober senses, and is said to have been both a Scripturalist and a Theologian. But the hon. Leader of the Opposition wishes us to believe that the taking of usury has not been forbidden in the Old Testament except by the Jews from their brethren. I am willing to admit that the hon. and learned member's judgment is very good on most difficult matters, but it does not appear to be so on the Sacred Scriptures. I think, Sir, it will be found in both the Old and New Testaments, that usury and extortion, which are nearly synonymous terms, are in many places strongly condemned, and shown to be wholly irreconcilable with the laws of God. When our forefathers, a century ago, deemed it expedient to enact penalties against this evil, I think we have every right to respect their wisdom on that score. It has been stated that this Bill will very much benefit farmers in the country, by enabling them to raise money on their farms by mortgage, at seven and a half per cent. I can assure you Sir, that the number of money lenders who charge only seven and a half per cent. is very small; a far larger number will be found to charge twenty or thirty per cent., and when a farmer gets his farm encumbered with a mortgage bearing interest at that rate, he will never be able to redeem it in ninety-nine cases out of a hundred.

(to be Continued)

TURNIP SEED. TURNIP SEED. JUST RECEIVED, per Steamer from ENGLAND, a large supply of Turnip Seed, All Fresh. For sale Cheap at the CASH DRUG STORE. P. G. FRASER. May 4, 1868.

NOTICE. PERSONS having left Umbrellas or Parasols at the Subscriber's Establishment for repairs, are requested to call for the same within three months from this date, otherwise they will be sold for pay expenses. Establishment Removed next door to "Examiner Office" JOSÉ GUENO, Hilberborno Street, May 18, 1868. tel 4w

Fresh Seeds from England, AT APOTHECARES' HALL. A FEW Samples of early varieties of choice Garden and Flower Seeds. Remainder expected by first ships from Liverpool. T. DESBRISAY, Charlotteville, April 15, 1868.

LIFE IN A PILL BOX!

EXTRAORDINARY EFFECTS FROM MAGGIEL'S Anti Bilious Pills.

One Pill in a Dose. One Pill in a Dose.

WHAT one hundred letters a day say from patients all over the habitable globe:—"Dr. Maggiel, your pill has rid me of all biliousness."

"No more nauseous doses for me in five or ten pills taken at a time. One of your pills cured me."

"Thanks, Doctor. My headache has left me. Send another box to keep in the house."

"After suffering tortures from Bilious Colic two of your Pills cured me, and I have no return of the kind."

"Your doctor treated me for chronic consumption, as they called it, and at last said I was incurable. Your Maggiel's Pills cured me."

"I had no appetite; Maggiel's Pills give me a hearty one."

"Your Pills are marvellous."

"I send for another box, and keep them in the house."

"Dr. Maggiel cured my headache that was chronic."

"I gave half of one of your Pills to my babe for cholera morbus. The dear little thing got well in a day."

"My mamma of a morning is now cured."

"Your box of Maggiel's Salve cured me of noises of the head. I rubbed some of your Salve behind my ears and the noise left."

"Send me two boxes; I want one for a poor family."

"I enclose a dollar; your price is twenty-five cents, but the medicine to me is worth a dollar."

"Send me five boxes of your Pills."

"Let me have three boxes of your Salve by return mail."

FOR ALL DISEASES OF THE KIDNEYS, RETENTION OF THE URINE, &c., Maggiel's Pills are a Perfect Cure. ONE DOSE WILL SATISFY ANY ONE.

FOR FEMALE DISEASES, Nervous Prostration, Weakness, General Lassitude, Want of Appetite, MAGGIEL'S PILLS will be found an effective remedy.

Maggiel's Pills and Salve are almost universal in their effects, and a cure can be almost always effected.

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COUNTERFEITS! COUNTERFEITS!! All readers of this paper are warned not to purchase MAGGIEL'S PILLS, OR SALVE, unless the name of Dr. J. Haydock, Proprietor, in addition to the name of Dr. J. Maggiel, is on the engraved slip surrounding each box or pot.

W. R. Watson, Sole Agent for P. E. Island. May 11, 1868. ly

Removal.

DR. HOMER having every encouragement to locate in Charlottetown, and for want of larger and more convenient rooms, has removed to the building occupied by HAZARD, Esq., merchant, directly opposite the Apothecaries' Hall, May 4, 1868.

Servants' Registry.

A SERVANTS' REGISTRY, in connection with the Partners' Club, is now open at the subscriber's office, Reading Room Building, Masters requiring servants, and servants seeking employment, can enter their names in a book kept for that purpose. Servants to produce good reference as to character, and a written discharge from late employer. A. MCNEILL, Sec. Far. Club. Reading Room Building, 6in April 27, 1868.</