

The Examiner.

"THIS IS TRUE LIBERTY WHEN FREE-BORN MEN—HAVING TO ADVISE THE PUBLIC—MAY SPEAK FREE."—MILTON'S EURIPIDES.

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HOUSE OF ASSEMBLY.

THURSDAY, April 24.

MORNING SITTING.

CATHOLIC SCHOOL PETITION.

Mr. WHELAN presented a Petition from the Roman Catholic Inhabitants of Charlottetown, setting forth the claims and condition of two Schools established under the auspices of the Catholic Church of this place, and praying that the Act for the encouragement of Education may be so amended as to bring these Schools within its provisions, and thus enable them to Legislative support.

Mr. WHELAN, having read the Petition in his place, said he would beg leave to offer a few observations in support of it. He could not suppose that the prayer of the petitioners would be rejected by the House; for their claims were in every point of view just and reasonable. By a provision of the existing Act for the encouragement of Education, Legislative aid was, he believed, confined to two schools in Charlottetown; one for boys and the other for girls; and the propriety of extending it to the two which received it, was not determined by the superior qualifications and efficiency of the teachers; but by the circumstance of their being the first to apply for it. This, in his opinion, was acting upon very erroneous principles indeed. By confining legislative aid to the first two teachers who applied for it, it might very easily happen that the assistance afforded by it would be enjoyed by individuals of qualifications barely sufficient to entitle them to the allowance; whilst, perhaps, one or more teachers, male or female, of vastly superior abilities, much more extensive educational attainments, and much greater skill in the art of tuition, who might not have opened schools until after two had secured legislative aid, would be altogether excluded from any participation in the public bounty granted for the encouragement of Education; and owing to the insufficiency of voluntary support, might be obliged to abandon their undertaking, and their almost invaluable services be lost to the public. It might also happen that, acting upon this principle, legislative aid would be denied to schools, upon the maintenance of which a large and poor class of the community were dependent for the education of their children; whilst it was extended to schools, the benefits of which were experienced by comparatively few. Legislative aid ought not, in his opinion, to be dependent upon the superficial area or the extent of a district, but upon the amount and necessities of population. The hon. member then proceeded to set forth the peculiar claims of the Schools, on behalf of which legislative aid was prayed for by the Petition. He stated that the Schools had been established by private bounty amongst the Catholics, for the purpose of affording education to the poorer classes. The tuition fees were very low, and were only exacted from those who could afford to pay them; but the generality of the scholars were taught gratis. Last summer there were 86 boys in daily attendance, but as the winter set in, the number was reduced to 51; the reduction being caused solely by the poverty of the parents, who had it not in their power to clothe them in such a way as would protect them from the inclemency of the weather. The falling off, at the same time, in the girls' school, was nearly in the same proportion, and for precisely the same reason—the inability of the parents to afford comfortable or sufficient clothing to their children. The master who, until the close of the last year, had the charge of the boys' school, was an experienced and very efficient

teacher; but owing to the falling off in the number of the scholars, and the insufficiency of his remuneration, he was obliged to give it up, and take refuge behind a merchant's counter. The salary of the present Master, who has been lately engaged, was not yet fixed, as the Trustees of the School were waiting for legislative action with reference to the School. The salary of the Mistress was £25 or £30 a year; and for this the Trustees were responsible to her. She is a young lady of very high educational attainments and of great ability as an instructress of youth; and, were she promptly encouraged, would be capable of rendering great and lasting benefits to the community. He (the hon. member) had attended an examination of the school last winter, and could truly say that he had never been more delighted with any similar exhibition in his life; children, of from six or seven to fourteen years of age, had answered questions in history, geography, and natural philosophy, in such a manner as might not only have made children of a larger growth blush for their ignorance, but would actually have been no discredit to students in a University. He did not support the Petition merely because it proceeded from that body of Christians of which he was a member, or because the aid for which it prayed was for the support of Schools belonging to, or under the superintendence and fostering care of that body; for he would with equal zeal have supported the claims of any other class of Christians, having for their object the same laudable and charitable design—the diffusion of right knowledge among the children of the poor. The Schools in favour of which he sought to interest the House, were, it was true, established and supported by Catholics; but the system of education was that of the District Schools of the Island, the books used in them were those recommended by the Board of Education; and the schools were free to children of all religious denominations. Much was often urged in favour of the rights of property; and the legitimate rights of property he would never seek to infringe; but there were other rights which ought to be held equally sacred, of which, however, but little was said, and, in favour of which but very little was urged—he meant the rights of labour and industry. It was to the labours of honest industry among the poor and humble, that the acquisition of wealth and property by the few was mainly attributable; and long, unjustly, and unwisely had the rights of the operative and productive classes been overlooked or denied, and especially with regard to education. Happily, however, the time was at length arrived when the justice and wisdom of acknowledging these rights was becoming manifest to the legislative and governing powers of nearly every civilized country in the world; and here, in Prince Edward Island, before long, he hoped to see established such a system of general education as would, without distinction, meet the demands of the colony. Meanwhile, fully convinced of the justice of the prayer of the Petition, and relying upon the wisdom and liberality of the House, he would move that the Petition be received and laid upon the Table with a view to its being taken up when the House should be in a Committee of supply.

Hon. Mr. THORNTON said that he fully concurred in all that had been said in support of the prayer of the Petition by the hon. member who had presented it; although he differed rather widely from him touching the principles of which he (Mr. Whelan) seemed to think that legislative aid ought to be extended to Schools. If his (Mr. W's) views were to be acted

upon with respect to Charlottetown, the number of schools therein to which it would be necessary to extend the educational bounty would be so numerous, that they would in a manner, swamp the schools in the country. He regretted, however, that the claims of the Catholic charity schools in Charlottetown, which were certainly (as the hon. member who had presented the petition had said,) just and reasonable, and which he was well disposed to sustain to the best of his ability, should not have been preferred at an earlier period of the session,—for the House having already determined merely to re-enact, for one year, the present Act for the encouragement of Education, it appeared to him that the claims set forth in the Petition, and eloquently advocated by the hon. member who had presented it, to a provision being made in that Act, to entitle those Catholic Schools in Charlottetown, in which the children of a large and deserving, although poor and humble class were to be educated gratis, could not now receive that consideration to which they were so well entitled. No aid could at present, he thought, be extended to them under that Act; but should such a measure for the promotion of general education be brought in and matured next session, as that to which the House stood almost pledged, those schools, as well as others, would be entitled to the full benefits of the measure. Meanwhile the Petition being received, and laid upon the Table, the claims of the parties petitioning, might be considered when the House should be in committee of supply.

The petition was then ordered to be laid upon the Table.

TUESDAY, April 15.

DEBATE ON THE CIVIL LIST BILL, CONDENSED BY REPORTER.

On motion of Mr. COLES, the House went into committee on the Civil List Bill.—Mr. Warburton in the chair.

SALARY OF THE CHIEF JUSTICE.—The chairman having read the first enacting clause of the Bill, intended to fix the amount of the annual Salary of the present Chief Justice, Mr. Coles moved that it should be £700, and the hon. Sol. General that it should be £900, Mr. Pope said he had uniformly and on principle, voted for a larger salary, and would do so again, if he could see any prospect of its being carried; but, as there was none, he would not oppose the motion for the smaller one.

Mr. FRASER said the House, last year, went as far as consistency would allow them and certainly quite far enough for the resources of the country. Should honorable members review the report of the committee appointed in 1842, when the Chief Justice wanted an Assistant, it would be found that upon the examination which then took place, the amount offered here last year would remunerate him full well; and was greater than Judges in Great Britain received in proportion to the services they performed; and was at least double the amount of the individual salaries enjoyed by the Judges in the United States. Besides, observed the hon. member, it was only expediency which had induced the House to offer the same amount this year; for in justice, the Imperial Government ought to defray part of his expenses, as he was their retired pensioner before he came to this Island. But (continued the honorable member) we only get justice, at second hand here; and as we are not a strong colony, we have to put up with it, otherwise, the public money will be taken out of the chest, as was done last year, without our consent, to pay that functionary, as well as other officers contrary to Law.

Hon. SOL. GENERAL observed, in supporting the rights of the Chief Justice to the larger salary, that his salary from the Imperial Government had been £1050, and with the £100 allowed him from the colony, for travelling expenses it had been £1150 Island currency; but when the Civil List of this colony ceased to be paid by the Imperial Government, his salary was reduced to £700 currency, an amount sufficiently low, if any just regard were to be paid to the length of time which he had filled his office and the efficient manner in which he had discharged his important duties—duties sufficiently onerous at all times, in his case peculiarly so from his having had to sustain alone, and very lately, the whole responsibility of his office. Her Majesty's Government influenced by his own representation of his case, had recommended the higher amount of salary; and when, in connection with the weight and justice of his claims, his years were considered, and the probable duration of his life taken into account, it would appear, he thought, not only just to allow him the higher salary, but even far from unwise on the score of economy: for there could not be a great deal of difference at his advanced age, between £900 a year for life without a bonus, and £700 a year, with a bonus of £500, which was to be given as a compensation for the reduction of his salary.

Mr. COLES charged the Hon. Solicitor General with having changed his views with respect to the question of the Chief Justice's salary; and said that he demanded only £700 a year for that functionary when the House were disposed to allow £600. He also accused the hon. and learned member of inconsistency, in requiring the House to respect the recommendation of the Imperial Government in one instance, when he himself had run so directly counter to their recommendation touching the introduction of Responsible Government, although the latter recommendation, which he contemned and withstood, was closely united with that to which he wished the House to bow. A salary of £700 a year to the Chief Justice was in his opinion, quite as much as the Colony could afford to pay. The Chief Justice had formerly expressed himself satisfied with the proposed arrangement with respect to his salary; but as the negotiation was abruptly broken off, he (Mr. Coles) did not allude to the fact from any wish to make it appear that he (the Chief Justice) was bound by it. But he might be allowed to say that the Chief Justice had wisely regulated his style of living since, so as to accord with the contemplated reduction of his salary; and therefore, being prepared for the diminution of his income, it would not take him by surprise to cause him any inconvenience. A salary of £700 a year, with the bonus of £500, was quite as much as the country could afford; and he hoped the Chief Justice would find it sufficient. The habit of living beyond their means had not been unusual with the officials in this colony, enjoying liberal and ample salaries; and it really appeared in some instances, that the greater the salary, the greater was the temptation to live beyond it. It was time to endeavour to put a stop to such extravagance; the practice of which evidently led, not only to the ruin and discredit of those who indulged in it, but to the very serious loss and injury of parties at whose expense it was pursued.

The question being put on Mr. Coles's motion that the salary be £700, it was carried.

Mr. Coles then moved, that the salary of the Chief Justice's successor in office