

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.

VOL. VI.

CHARLOTTETOWN, PRINCE EDWARD ISLAND, MONDAY, APRIL 6, 1857.

No. 39.

Colonial Legislature.

HOUSE OF ASSEMBLY.

TUESDAY, March 17.

PAPERS PRESENTED, &c.

Mr. Speaker laid before the House a communication from the Hon. the Speaker of the House of Assembly of Newfoundland, enclosing certain documents involving a question which that body desire to bring under the consideration of the House of Assembly of Prince Edward Island, viz:—

Copy of Convention between Great Britain and France, relating to Fisheries on the coasts of Newfoundland and Labrador.

Copy Secretary of State's Despatch accompanying Convention. Correspondence between Her Majesty's Government and the several Governors of Newfoundland.

Copy of Resolution and Address of House of Assembly of that Colony, protesting against said Convention.

The said communication having been read, it was ordered that it, with the accompanying papers do lie on the table.

Hon. Col. Secretary, by command of His Excellency, presented to the House the following Message and accompanying documents:—

"In transmitting for the information of the House of Assembly the accompanying Despatches regarding alterations in the Colonial Tariffs rendered necessary by the Reciprocity Treaty with the United States, the Lieut. Governor invites the attentive consideration of the House of Assembly to this subject, which he trusts will lead to the adoption of such measures as may be necessary for the reconciliation of the Tariff of this Island with the Treaty obligations of the Home Government and the extension to the Trade of the United Kingdom of the privileges enjoyed by the neighbouring Colonies and the United States."

"After careful consideration of the probable consequences of a compliance with the suggestions of Her Majesty's Government in regard to the proposed alterations, the Lieut. Governor fully concurs in the opinion expressed by the Secretary of State that no practical inconvenience to this Colony is likely to arise from their adoption."

Copies of Despatches, with their enclosures, from the Secretary of State—No. 23 of the 15th July 1856; No. 41 of the 10th Nov. 1856.

Copy of Despatch, with its enclosure, to the Secretary of State from the Lieut. Governor—No. 42 of the 6th September 1856.

Government House, 17th March, 1857.

After a few remarks relating to the said papers, they were laid on the table.

Hon. Col. Secretary presented to the House the Blue Book for 1855, also a copy of the Warrant Book for the same period; which were laid on the table.

ESTIMATES.

Hon. Col. SECRETARY, in presenting the estimates for the current year said, I also beg to submit the estimates for the present year. I believe the Government have been as liberal with the estimates as the revenue would admit of. It is a fact that by the estimates classified statement, which has been some time before the House, hon. members will see that the revenue of last year is not equal to the expenditure; but there is a deficiency that has been occasioned to a great extent by the purchase of lands under the Land Purchase Bill. The money for purchase is charged to the Colony, and the credit for sales, which the Government would legally receive, is not placed to it. Still the expenditure is larger than the receipts, and that has been occasioned by the building of two new wharves. The fall before last, a storm carried away one on the other side of the Hillsborough, so that a new one was required to be built, and also the new Wharf at Prince Street, was provided for last year; the expenditure for both amounting to about £2,000. But the receipts are not equal to what they were the previous year, which I will endeavor to account for. There is only a small difference between the import accounts of the two last years, the decrease last year being £20 17s. 6d.; but last fall a good many vessels, which would have come to port, did not arrive, yet I have been informed that they have arrived at Georgetown and Souris since the end of the year. The import duty on their cargoes would amount to about £1,500, so that if they had arrived, there would have been an excess of import duties over the previous year. The excise duty for the year ending January, 1853, amounted to £25,702 7s. 5d.; for 1856, it amounted to £30,111 19s. 7d., and last year it amounted to £30,091 2s. 0d., making a difference between the two last years of £20 17s. 6d., making a difference expenditure, including the amount paid for lands, was £50,364 12s. 8d.; the receipts were £40,662 10s. 9d., showing a difference of £1,318 2s. 4d., between the receipts of last year and the previous year. Still if the duties referred to were included, the receipts of the past year would far exceed those of the previous year. Then we must take into account that in incorporating Charlottetown, a great deal of privilege was given to it, such as the charges for licensed, and the wharfage duties. The difference between the wharfage duties of last year and the previous year is £117 13s. 10d., which has gone into the city fund. The loss for licenses in the City last year, amounted to £418; and the Vice Admiralty money, to £732 7s. 9d.; while the Warren Farm rent, which was not paid till the accounts were handed in, amounted to £27 10s. 0d. Taking all these items into account the revenue of last year is just about equal to what it was the year before, being within about £2 of what it was at that period, independent of the duties on those goods which have arrived since the end of the year; so that I think our financial affairs are improving. I see our light duty is increasing, there being an increase over the previous year of £13 17s. 2d.; and also that the head money has increased for the same period to the extent of £7 9s. 6d. The receipts of the Post Office have also increased, £71 9s. 5d.; those for 1855 being £1,060 10s. 7d., and those for 1856 £1,132. The Land Assessment for 1855 was £4,686 19s. 6d., and for 1856 was £4,845 4s. 0d., showing an increase of £158 5s. The License money for 1855 was £702 10s., and for 1856 £724 10s., showing a decrease of £218. The fees from the Registrar and Secretary's Offices, were for 1855, £517 19s. 0d., and for 1856, £559 4s. 4d., the increase being £41 4s. 10d. In wharfage duties, as stated before, the decrease is £117 13s. 10d., which is accounted for from the fact that the wharves of Charlottetown were handed over to the city. Upon the whole then our financial affairs are improving. There has also been a grant made of a very large sum for Education, amounting to nearly one third of the revenue of the Island, the sum for the past year being about £13,000. When the Education Act was introduced, it was expected that it would draw heavily on the revenue of the Colony, but not to such an extent as it has done; as the grant was not expected to exceed £9,000. When it was introduced too, there was a reduction made of one per cent. on ad valorem 3s. per cent. on sugar, 1d. per lb. on tea, and 1d. per gallon on molasses; but now when the inhabitants of the Colony are receiving so large a sum as £13,000 for Education, I think there can be no complaints made, though there is a small addition made to the duties in order to meet this expenditure. Our duties are also low in comparison with some of the other Provinces; for I see that in Nova Scotia the duties are 64 per cent. sterling ad valorem, and they propose this year to raise them to 10 per cent. sterling; whereas ours are only 5 per cent. currency. Merchants here, importing from Nova Scotia, have only to pay 14 per cent. ad valorem duty on their goods as they receive a drawback of 64 per cent. sterling. Since then the inhabitants of the Island only pay so much duty, they can have no objections to pay a little additional; and I think it is better to lay on a little more than go behind hand, tho' I

contend we are not behind yet. Of the £22,000 debt of the Colony, £11,500 are not bearing interest, so that the entire debt of the Colony bearing interest, is about £10,500. To illustrate this, there is about £11,000 worth of land on the Worrell Estate and Lot 11 sold, bearing interest. So I think we are not going in debt; but still it is much better to lay on a little more ad valorem duty, when the Education Act is being renewed. If the people have the benefit of large grants for Roads, Bridges and Wharves, and for Education, there can be no objection to lay on a small sum.

Hon. Mr. LONGWORTH.—His remarks are going very far. He says there was a reduction of one per cent. some years ago; but such was not the case. It was reduced nominally in this way; 6 per cent. sterling with one ninth added, and subsequently 5 per cent. sterling with 50 per cent. added, the latter of course being the larger duty. I certainly think this is an improper time to bring this subject forward.

Hon. COL SECRETARY explained, that the hon. member was mistaken; for the ad valorem duty was reduced from 6 to 5 per cent.

It was then ordered that they lie on the table.

PETITIONS PRESENTED.

By Mr. Munro, a petition from inhabitants of Uigg Settlement and others; also, from inhabitants of Uigg back Settlement and others; both praying aid to improve their road communications; laid on the table.

By Hon. Mr. Wightman, from inhabitants of Montague River, praying a grant in aid of individual subscription towards opening a road and purchasing the right of way; referred to the committee on new Roads.

By Mr. Macintosh, from John Macdonald, Postmaster at Souris, praying for an increase of salary; referred to the Post Office committee.

By Hon. Col. Treasurer, from Josiah Grant, Postmaster at Casumpee, praying for an increase of salary; referred to the Post Office committee.

By Mr. Heath Haviland, from Andrew Lockhead and other inhabitants of Georgetown and its vicinity, praying the House to repudiate all attempts that may be proposed for the exclusion of the Bible from the schools of the Island, and to give such support and countenance to its introduction as a text book, as shall tend to the spiritual well being of the people in general and to the glory of God; referred to the committee of the whole House on the Free Education Law. Also from inhabitants of Georgetown and its vicinity, praying an increase of the grant allowed last year for a Sailing Packet between that port and Pictou; laid on the table.

By Mr. Laird, from James Laird, sen. and other electors of New Glasgow and its vicinity, praying the House to make provision, by amending the Education Act, that the Bible be placed on the list of books that may be lawfully used in any of the schools of the Island, and also introduced into the Central Academy and Normal School, and that the opening and closing of all schools with payer, be not prohibited, but without compulsion, or against the wishes of parents or guardians of any children attending the said schools, and also praying that the French Acadian Teachers be required to qualify as other Teachers under the existing Act, and the religious tests at present required of them should be abolished, and that with such amendments or others of a similar nature the Free Education Act may be continued. Also from John Macdonald and other inhabitants of Wheatley River and its vicinity, praying the House to grant that the Scriptures may be placed on the list of books to be used in the schools; that they be introduced into the Normal School and Academy to be read daily as the first exercise after the opening prayer, by the children whose parents or guardians are willing. Both petitions referred to the committee of the whole House on the Free Education Law.

By Mr. Macdonald, from Peter Anderson, Master Mariner, setting forth that on a voyage from Lisbon to Richibucto he deemed it prudent to winter at Georgetown where he put in, in the month of December last, and where he paid light duty, and praying that such light duty may not be exacted of him a second time in the same port on the one voyage; laid on the table.

By Mr. Cooper, from inhabitants of Rollo Bay and its vicinity, praying for the appointment of a Harbor Master or Wharfinger at that harbor, and for a grant to place Buoys and Beacons thereat. It having been stated that such applications should be made to the Government, and that they would attend to the present one, the petition was withdrawn by the hon. member.

Adjourned for one hour. R. LAIRD, Rep.

AFTERNOON SITTING.

PETITIONS PRESENTED.

The House met, according to adjournment, when the following Petitions were presented, and the same were severally received and read:—

By Mr. Douse—a petition of T. H. Haviland and others, Office-bearers of the Charlottetown Horticultural Society, praying a grant to enable them to carry out their views for the further improvement of vegetable productions, and the encouragement of Horticulture in all parts of the Island. Laid on the table.

By Mr. Munro—a petition of Peter Gillis, Murray Harbour Road, setting forth that he had completed a piece of road, for which he received only £5, being the half of the sum appropriated for the performance of the said work, and praying the House to give him a further sum therefor.—Another petition of inhabitants of Pisiquid road, and others of Lot 49, praying for a sum of £20 to repair the road leading from the head of Vernon River to Lot 49; also, a petition of various inhabitants of Townships Nos. 57, 58, 59, 60 and 62, and others, inhabitants of Belfast, praying the House to sanction a Loan by which the Local Government may obtain the means of purchasing the Earl of Selkirk's property, and reselling it to the petitioners. Laid on the table.

By Mr. Laird—a petition of inhabitants of Lot 22 and Millvale, praying for a grant of £20, towards cutting down and levelling certain hills in the vicinity of said petitioners places of residence. Laid on the table.

By Hon. Mr. Mooney—a petition of inhabitants of Hillsborough river, Mount Stewart, Savage Harbour, St. Peter's and Pisiquid, setting forth the benefit derived by the public in the past season, from the running of a small steamboat on the Hillsborough river, between Charlottetown and Mount Stewart, and praying a grant to the owner thereof, to induce him to keep the Boat on the station. Laid on the table.

By Mr. McDonald—a petition of Matthew Young, praying compensation for extra work performed in building a bridge at Murray Harbour, and also for payment of a balance due on his contract for the said work.—Another of inhabitants of Georgetown, Royalty, and its vicinity, praying a grant to extend and repair the Wharf at Georgetown. Laid on the table.

By Mr. Muirhead—a petition of Patrick Deagan and James Irving, praying payment of a balance due on their contract in repairing a bridge at Cape Traverse. Laid on the table.

By Hon. Mr. Mooney—a petition of inhabitants of Townships 36 and 37, praying a grant to improve the Afion road; of inhabitants of Cranberry Point and vicinity, praying a grant to extend and repair the Wharf at that Point;

of inhabitants fronting on Bedford Bay and vicinity, praying for a sum sufficient, in addition to individual subscription, for the erection of a wharf at the Portage, on Township 36;—of inhabitants of Monaghan Settlement, and of inhabitants of Townships 30 and 65, praying aid to improve their road communications; of inhabitants of the Five Houses road, Township 36, for aid to improve their road communications. All of which were laid on the table.

By Mr. Douse—a petition of inhabitants of Douse's road, Township 57, for aid to improve their road communications. Laid on the table.

By Mr. Munro—a petition of inhabitants of Township 57, and others, praying an alteration in a line of road on that Township, was received and read, and the same was referred to the Special Committee on new Roads.

A petition of William Woodman, Joseph Whitlock and others, praying that the House will direct the Holy Scriptures to be placed on the list of Books now in use in the Public Schools, and introduced into the Academy and Normal School, to be daily read by the children of those parents who desire it, or do not object to their use, as the first exercise of the day, after the opening of the School with prayer, and of being taught therein by such teachers as the parents or guardians approve of. Referred to the House in Committee of the whole on the Education Act.

By the Hon. Col. Treasurer—a petition of Patrick Connick, Licensed Teacher, praying to be remunerated for certain services performed over and above what the Education Act requires; of inhabitants of the Brae Settlement, Township 9, praying for an allowance to Ann McLean for her services as a Teacher in that Settlement, during the past twelve months. Referred to the Special Committee on Teachers' petitions.

By Hon. Mr. Mooney—a petition of James Thomson and others, of the old Town Road Settlement, Township 22, praying remuneration to Duncan McDonald, for his services as a Teacher in that locality during the last twelve months; of Dennis Carroll, praying remuneration for his services as a Teacher at Darrynane Settlement, Township 66, for a period of ten months last past. Referred to the Special Committee on Teachers' petitions.

By Hon. Mr. Lord—a petition of inhabitants of Tryon and adjacent settlements praying for the transmission of the mails semi-weekly, from Charlottetown. Received, read, and referred to the Special Committee on Post-offices.

By Hon. Col. Secretary—a petition of inhabitants of Tracadie road; and two of inhabitants of Covehead road, were received and read. Laid on the table.

Hon. Col. Secretary—from the Committee to whom was referred the petition of Lawrence Warren to examine the same and report thereon, by Bill or otherwise, presented to the House a Bill to naturalize the said Lawrence Warren, and the same was read the first time, and referred to the Special Committee on Private Bills.

A good deal of desultory discussion took place about the propriety of appointing a day for the House to go into Supply, when it was

Resolved, That the House will, to-morrow, resolve itself into a Committee of the whole House, to consider of the Supply granted to Her Majesty.

On motion of the Hon. Col. Treasurer, the Bill intituled "An Act to continue the Act relating to packets sailing between this Island and the Provinces of Nova Scotia and New Brunswick" was read a third time, as engrossed, and passed, and Mr. McDonald was ordered to carry the same to the Council, and desire their concurrence.

It was then resolved to take into consideration the several private petitions before the House, on Thursday next.

Then the House adjourned.

WEDNESDAY, March 17.

PETITIONS PRESENTED.

The House met, when it was agreed that the order limiting the time for the reception of private petitions be suspended for this day, and thereupon the following petitions were presented to the House and the same were severally received and read:

By Mr. Yeo—a petition of inhabitants of the northern and western portions of this Island, praying for the establishment at Casumpee of a Court House, office of Probate of Wills, and other law offices. Laid on the table.

By Hon. Col. Treasurer—a petition of inhabitants of Kildare, praying for an enactment to prevent the running at large of Swine. Another of inhabitants of Townships 7 and 8, praying aid to complete the building of a School-house, the first one built having been consumed by fire. Laid on the table.

By Hon. Col. Secretary—a petition of James Howatt, Crapaud, setting forth that he had paid duty on machinery imported by him, part of which proving defective was returned and replaced by new gear imported, for which latter he was again compelled to pay duty, and praying the return of the latter duty so paid. Laid on the table.

Hon. Mr. MONTGOMERY presented a petition of Thomas McNutt and others, shareholders of the Princetown Royalty Mechanics' Institute, praying a grant to fit up a Lock-up within the walls of the Mechanics' Institute of that District—when he took occasion to say that there was a building in that place in a part of which the small debt Court met which could be fitted up for the purpose. During court days in that place, disturbances frequently occur, and if there were a place where the disturbers could be incarcerated for a time, it might have a salutary influence in preventing such disturbances in future. During the summer season, especially, when numbers of American fishermen land in the neighborhood of Richmond Bay, and create disturbances, much to the annoyance of the quiet inhabitants, a place of that kind would be found necessary. The very name of such a place in a settlement often had the desired effect. He hoped the House would give the petition its most favorable consideration.

Hon. COL SECRETARY.—Hoped the hon. member would be prepared to vote for the Bill to incorporate the country into municipalities, when it would come up. When that bill goes into effect, they can regulate their affairs without our aid and have what they wish.

The petition was then read and laid on the table.

By Mr. Munro—a petition of inhabitants of Wood Islands Settlements and vicinity, praying for the removal of the Small Debt Court of the District of Belfast to Flat River, which would be about the centre of the District, or otherwise praying for an alteration of the Act limiting the number of Small Debt Courts, and the granting of an additional Court. Laid on the table.

By Hon. Mr. Mooney—a petition of Edward Lane and others, trustees of the Dunstaffnage school, setting forth that in defending an action for trespass, in relation to their school house, in the last two terms of the Supreme Court, they have been adjudged to pay costs and fines, amounting in the whole to £260 9s. 4d. and praying relief. Laid on the table.

By Hon. Mr. Whelan—a petition of Daniel Scott, Contractor for repairing the Wharf at Munchins Point, setting forth losses and disasters sustained in the prosecution of that work, and praying the House to avert from him the penalty incurred in consequence of delay in completing his contract. Laid on the table.

By Mr. Clark—a petition of William Chappell, Bay Verte, praying a grant to aid him in continuing to run his Sailing Packet between the ports of Charlottetown and Bay Verte. Mr. CLARK, in presenting the petition said, that he was against granting money to packets which did not carry mails, and in this instance, as the packet run by petitioner did carry a mail, he was ready to give him his support in asking a grant from the House. The petitioner had for some years past run a packet between Charlottetown and Bay Verte, and last season he put on the route a fine new vessel, and continued to run every week. If the House would propose to give him any sum, by way of compensation and acknowledgment, he would be happy to support any such grant.

By Mr. Yeo—a petition of Richard Costain and others, offering to surrender a right of way on their property and over their Milldam, and to keep the same in repair for a consideration of about £60; of inhabitants of Indian Point, Township 8; of inhabitants of Townships 8 and 9; of inhabitants of Brae Settlement, Township 9. All praying for aid towards repair of roads, &c. Laid on the table.

By Hon. Col. Treasurer—a petition of inhabitants of Kildare, for aid for roads &c. Laid on the table.

By Mr. Perry—a petition of inhabitants of Townships 16 and 17; and of inhabitants of Township 14, praying for aid to construct roads, &c. Laid on the table.

By Hon. Mr. Mooney—four petitions of inhabitants of Grand Tracadie, praying for aid for construction and repair of Roads and Bridges. Laid on the table.

By Hon. Mr. Wightman—a petition of inhabitants of Townships 51 and 52; and of inhabitants of Townships 66, all praying aid for the repair and construction of Roads and Bridges. Laid on the table.

By Hon. Mr. Whelan—a petition of inhabitants of Greenwich, praying for aid to improve roads, &c.; another of inhabitants of the Head of St. Peter's Bay, praying for the opening of a road across a swamp; also, a petition of Archibald McAulay, praying for compensation for loss, sustained on his contract in extending the wharf at the Head of St. Peter's Bay, occasioned by a storm which swept away his work and timber. Laid on the table.

By Hon. Mr. Lord—a petition of inhabitants of back settlement, Township 27, praying for an allowance to Henry Locky, in consideration of his services as a teacher in that locality. Referred to Special Committee on Teachers' petitions.

By Hon. Col. Treasurer—a petition of Thomas Mansfield, setting forth his long and arduous services as Teacher, on Townships No 1, and praying for a small remuneration therefor; and then of Thomas O'Brien, praying remuneration for his services as a Teacher at Mimingwah, for a term of four months. Referred to Special Committee on Teachers' petitions.

By Mr. Perry—a petition of Francis Boute, Tignish, setting forth that after fulfilling two months of his yearly engagement as an Acadian teacher, he was obliged from indisposition to relinquish his charge, and for which he has received no remuneration, and praying that in consideration of his long services, his old age and great infirmity, a sum of money may be granted towards his support. Referred to Special Committee on Teachers' petitions.

A petition of William Meek, minister, John Sims and others, of the Congregation of St. Thomas's Church, New London, praying that the House will direct the Holy Scriptures to be placed in the list of books now in use in the Public Schools, and that they be introduced into the Academy and Normal school, and that the children of those parents who desire it or do not object to their use shall have the privilege of reading a portion of Scripture as the first exercise of the day, after the opening of the school with prayer, and being taught therein by such teachers as the parents or guardians shall approve of. Referred to the committee of whole on the Education Act.

By Mr. Laird—a petition of Tenants on Township 22 praying for the opening of new roads. Referred to Special Committee on new Roads.

By Hon. Mr. Whelan—a petition of inhabitants Head of St. Peter's Bay, praying for the opening of a new road. Referred to Special Committee on new Roads.

By Hon. Mr. Montgomery—a petition of inhabitants of Princetown Royalty and vicinity setting forth the inefficiency of the Light placed on Fish Island, and praying for the erection of a sufficient Light-house there. Referred to Special Committee on Light-houses.

By Hon. Mr. Mooney—a petition of inhabitants of Grand Tracadie and of others in the vicinity, praying for the establishment of a Post Office; another of inhabitants of Crapaud, praying for the establishment of a Post Office. Referred to Committee on new Post Offices.

SALARIES AND APPROPRIATIONS.

The House then went into a committee of the whole on supply. Hon. Col. Treasurer in the chair.

Hon. COL SECRETARY.—presented the following resolution, embodying all the grants fixed by law:—

1. RESOLVED, That the following salaries, as provided by Statute, be paid to the respective officers entitled to receive the same, viz:—

Chief Justice,	£600 0 0
Master of the Rolls and Assistant Judge,	500 0 0
Attorney and Advocate General,	350 0 0
Solicitor General,	100 0 0
Clerk of the Crown and Prothonotary,	160 0 0
Colonial Secretary,	300 0 0
Colonial Treasurer,	300 0 0
Commissioner of Public Lands,	300 0 0
Controllers of Customs and Navigation Laws,	
and Collector of Import,	300 0 0
Keeper of Plans and Registrar of Deeds,	150 0 0
Road Correspondent and Assistant Clerk of the Executive and Legislative Councils,	100 0 0
Clerk of the Legislative and Executive Council,	120 0 0
Assistant Colonial Secretary,	150 0 0
Assistant Colonial Treasurer,	150 0 0
Assistant Controller of Customs and Navigation Laws, and Collector of Import,	100 0 0
Assistant Registrar of Deeds and Keeper of Plans,	100 0 0
Postmaster General of Charlottetown,	350 0 0
Assistant Postmaster General,	120 0 0
Country Postmasters,	140 0 0
Controllers of Navigation Laws and Collectors of Import for the Out-ports,	195 0 0
School Visitor,	200 0 0
Three Masters Central Academy,	300 0 0
Adjutant General of Militia,	25 0 0
Thirty-three Road Commissioners,	345 0 0
Librarian of the Legislative Library,	40 0 0
Pension of the Hon. T. H. Haviland as late Secretary,	200 0 0
Lunatic Asylum and House of Industry,	350 0 0
Normal School Teacher,	200 0 0
	£6,245 0 0

The resolution was read and agreed to.

Mr. PERRY presented the following resolution, embodying the grants for Prince, Queen's, and King's Counties:—

2. RESOLVED, That the sum of seven thousand pounds be granted for the service of Roads, Bridges and Wharfs, for the present year, including all special grants that may be hereafter granted during the present season, and that out of