

Mr. Yeo presented a Petition from the Inhabitants of Townships 13, 14, and 16, praying a grant, in aid of individual subscription, towards constructing Wharves or Slips at Ellis River Ferry—also a Petition from the Inhabitants of Lots 12, 13, 14, 16 and 17, for a grant in aid of individual subscription, towards erecting a new Bridge over Ellis River, from Maclean's to Macdonell's shore.

Mr. Fraser presented a Petition from the Inhabitants of Lots 16, 17, 19, 25, and 26, praying an aid to lengthen the Wharf at Green's Shore, Bedeque, and towards making roads leading thereto.

The above Petitions were all ordered to lie on the Table.

The House resolved itself into a Committee of the whole, on the Bill to regulate the floating of Logs, Scantling, Deals, &c., through Dams and Waste-gates.

On the House resuming, the Chairman reported, that the Committee had gone through the Bill, and had made several amendments thereto; and the amendments being again read, were agreed to by the House, and the Bill ordered to be engrossed.

WEDNESDAY, February 19.

Mr. Pope presented a petition from Terence Webster, of Tryon, and James Connors, of Bedeque, praying a remission of duties on goods damaged on the passage between Charlottetown and Tryon.—Referred to Messrs. Pope, Hudson, Clark and Yeo.

Mr. Gorman presented a petition from Thomas Irwin, praying pecuniary aid, for the purpose of having an elementary book of instruction in the language of the Aborigines of these Colonies printed, in order to facilitate the means of extending to the Indians of this Island the benefits of education; and that the House would resume its control over the Fifty Pounds formerly appropriated for that purpose, and placed at the disposal of the Board of Education.—Laid on the Table.

Mr. Clark presented a petition from John Hickey, of Indian River, praying to be remunerated for the loss he had incurred on his contract for building Princetown Wharf.

Mr. Clark moved, that the petition be referred to a select Committee, which was negatived, Messrs. Clark, Rae, Montgomery, Fraser, Macfarlane, Macneill, Hudson and Gorman voting for it, and 14 against it. The petition was then ordered to be withdrawn.

Mr. Yeo presented a petition from divers inhabitants of Lots One, Two and Three, praying that directions may be given to the Road Commissioner to cause the new Bridge over Tignish Pond to be erected a quarter of a mile higher up than the old one.—Laid on the Table.

Mr. Yeo also presented a petition from Joseph Gallant, of Lot Ten, praying an aid to enable him to open a house of public entertainment on the Main Western Road.—Rejected, 10 voting for its being received, and 11 against it.

A number of other petitions were presented from various parts of the Island, praying aid for Roads and Bridges, and for the relief of paupers.

On motion of Mr. Rae, the House resolved itself into a Committee of the whole, to consider the petition of divers inhabitants of Bedeque, praying a grant, to enable Anthony Simpson to run a larger Packet between Bedeque and Shediac.

Mr. RAE said they were then in Committee upon the question whether or not a certain sum of money was to be granted to Anthony Simpson, in accordance with the prayer of his petition. He concluded by submitting the following Resolution:—

Resolved, That it is the opinion of this Committee, That a sum be granted, in aid of a Packet to ply between Bedeque and Shediac—said packet to be subject to such regulations as may be adopted by the Legislature of this Colony.

Mr. Rae said the amount of the sum should have reference to the regulations to be imposed and the services to be performed. If the sum which might then be named should afterwards appear either too little or too much, there could be no objection to their remedying their mistake.

Mr. PALMER said he then saw, if he had not at first seen, the necessity of referring the petition to a Special Committee; and the Committee of the House, then sitting, would see the propriety of it. It should have been determined how often the Packet was to run, and then should have followed the consideration of the remuneration. It was a strange mode of proceeding for the Committee to begin at the middle or the end of the subject. If they were to do any business, they should have known at what season of the year the packet was to run, what was to be the burthen of the vessel, on what days the Mails would be received, and so forth. Were they to act so absurdly as first to vote a sum of money, and then to make inquiry what services were to be rendered for it?

Mr. RAE remarked, that the Island was tired of the Cunards; and the Cunards, tired of the Island, were about to withdraw their Steam-boat from the service of the Colony. Honourable gentlemen who have complaints against the Cunards should be ready to say whether it would be better to send the Island mails by way of Georgetown to Halifax, or by way of Bedeque. His intention, in bringing the matter before the House, was to give them an opportunity of determining which route would be preferable. He hoped the Committee would be able to decide whether the transit of the mails should be direct from Charlottetown to Pictou, or by way of Georgetown, or by way of Bedeque. He said the transit from Bedeque to Shediac, which was a distance of not more than 35 miles, might, in ordinary weather, be made in five or six hours. He also stated that there was a good wharf at Shediac, and a good wharf in preparation at Bedeque.

Mr. THOMSON thought the honourable member would be puzzled to shew that the transit between Bedeque and Shediac would be shorter than between Georgetown and Pictou. The latter, in his (Mr. Thomson's) opinion, would be found the shorter. Mr. Rae, he said, had spoken of the facility with which, by the route which he had recommended, we might maintain a correspondence with, and receive news from, the rest of British America, and also the United States; but were not the English mails of more importance to us than our entire correspondence with all the other parts of America together? and these mails, he maintained, could be procured with most facility and despatch by way of Georgetown. It appeared to him, he said, that the petition before them should not have been entertained at all.

The Hon. Mr. POPE represented the proposed Packet as worthy of encouragement, were it only to keep up a communication with New Brunswick, which would be highly beneficial to this Island. He had had some communication with Simpson, who, if encouraged by a grant

of £25 from this Colony, would provide a suitable vessel, with good and suitable accommodations for passengers, whom he would carry at the rate of 7s. for cabin and 5s. for deck passage. He (the Hon. Mr. Pope) would propose that the sum of £25 should be granted to the person engaging to run the packet as proposed, for five years, under proper regulations.

Mr. D. MACDONALD thought £25 would be too much. The Hon. Mr. POPE replied that the Colony was not so extremely poor, nor would the benefit to it, by the establishing of the proposed packet, be so very small, but that they might readily grant £25 in aid of the undertaking. Much money would be brought into the Island from New Brunswick by the opening of the regular communication proposed. Mr. Simpson, last year, had left a good deal of money in the Island, for cattle which he had bought in it.

Mr. CLARK said such a Packet would be a great convenience to the whole of the western part of the Island, and even to Charlottetown. The lowness of the fares for passage and the short distance would be great inducements to the people of New Brunswick to visit this Island. He would agree to the proposed grant, and would have no objection to the passing of a similar grant to Georgetown, or to any other port in the Island from whence a beneficial intercourse might be kept up with neighbouring provinces.

Mr. THOMSON said, he did not object to the sum named, he only objected to the manner in which it had been attempted to procure the grant. He would be willing to grant, could the Colony afford it, £25 or £30 for a similar purpose to any harbour in the Island.

The Hon. Mr. POPE informed the Committee, that if the grant were increased to only £30 a year, Mr. Simpson would be willing, on the Cape Breton's ceasing to run, to take charge of the Mails, and to deliver them once a fortnight in Spring, once a week in Summer, and once a fortnight in the Fall.

It having been agreed, that, notwithstanding the informality of the proceeding, the petition from Georgetown should be taken into consideration with that from Bedeque, and some honourable members having stated their opinions that £20 or £25 would be a sufficient grant; it was finally agreed that £30 should be granted in aid of the Packet from Bedeque, and £50 in aid of that from Georgetown.

The Speaker resumed the chair, and the report was ordered to be received on Friday.

THURSDAY, February 20.

The Bill to compel all actions of a local nature, affecting lands and tenements, whether for rent or otherwise, to be tried in the County where the defendant resides, was, according to order, read a second time.

Mr. Fraser moved that the Bill be now committed to a Committee of the whole House.

Mr. PALMER said, if time were allowed him, and the House were open to conviction, he would be able to shew that there was matter in the Bill just read, utterly repugnant to the laws and constitution of Great Britain. He would therefore move, as an amendment, that the Bill be committed to-morrow.

Mr. Palmer's motion of amendment was put and carried.

THE DELEGATE'S STATEMENT.

The Order of the Day being read, for the House in Committee, to take into consideration the statement handed in by the Speaker, on the 17th inst. (and which we inserted in our last) in reply to the charges against him in his capacity of Delegate, which were introduced into the Journals in the shape of amendments proposed by Messrs. Palmer and Longworth, on the 10th inst. to a Resolution reported from the Committee on the state of the Colony, on the subject of sending a Petition to Parliament; The House accordingly resolved itself into the said Committee—Mr. Gorman in the Chair.

Some discussion took place on a proposal made by Mr. D. Macdonald for appointing a Clerk to the Committee, which was ultimately agreed to.

Mr. PALMER said, that there were one or two passages in the Delegate's statement which called for remark, especially from those gentlemen who are pointed at in that statement. The first was, that part which charges them with having had no other end in view than to injure the reputation of the delegate, in the estimation of his constituents; and the second was, that wherein it was stated that the charges were false. He (Mr. Palmer) did not expect that any honourable gentleman in the House would differ from him, when he stated it to be his opinion that such reflections amounted to a gross breach of the privileges of that House. He thought he had been long enough acquainted with parliamentary rules and usages to be fully warranted in stating so much. Mr. Speaker, from the peculiar duties of his situation, was the very last man in that House who ought to indulge himself in the expression of any feeling which might involve a breach of privileges; and any unjustifiable animadversions acquired a severity, as proceeding from him, which would not have characterized them, if proceeding from any other member of the House. In justice to the parties to whom falsehood and sinister motives were so improperly ascribed, he hoped the Committee would pass an opinion sufficiently marking their sense of the high indecorum into which the feelings of the delegate had betrayed him, in substantially setting forth such charges against two of the members of the honourable House. He challenged any one to shew that the allegations, in any one of the offensive amendments, were not founded in truth. If any honourable member thought so, he hoped he would say so, and then he (Mr. Palmer) would more particularly know what he had to establish and what to refute. Mildness, he might say, ought to be almost a peculiar attribute of a man called upon to preside over a deliberative assembly. The honourable the Speaker having, on the occasion to which he (Mr. Palmer) spoke, for a time divested himself of that character of mildness which was so peculiarly becoming to his station, was, now that his error could not but be manifest to himself as well as others, unquestionably bound, in justice and in honour, to come forward and retract the offensive parts of his document. In considering the conduct of the honourable the Speaker, with respect to that document, it ought to be remembered that he could not easily plead want of time for reflection, as an excuse for the error he had committed. No: he had slept a night upon it; and he had come down to the House, the following morning, with an appearance of self-composure which bespoke no unusual internal excitement.

Mr. SPEAKER answered, that in weighing the matter, the aggravation which he had received ought to have its full consideration. He considered he had been very unjustly assailed, and that neglect of duty, in his capacity of delegate, had been very wrongfully imputed to him. He

maintained that, as delegate, he had done all he could, according to his instructions. With respect to the charge brought against him, that he neglected to procure a competent law opinion; while he admitted that it was anticipated that he might have occasion for the assistance of counsel, to enable him to support the views of this House, either before Her Majesty in Council, or before the Imperial Parliament, it was no part of his instructions to apply to counsel for a law opinion respecting the disputes between tenantry and proprietors, nor were any means placed at his disposal for that purpose; yet, it would be seen, he was not neglectful of endeavouring to procure legal advice.

Mr. RAE said they were in Committee, not merely to consider whether Mr. Speaker was justified in using certain terms, in allusion to certain amendments, which had been proposed to defeat the Resolution of this House to petition the Imperial Parliament; but also to ascertain whether the House was satisfied with the doings of the Delegate when in England. The honourable the Speaker had said, that he conceived he had, as far as laid in his power, complied with his instructions. But a bare compliance with instructions, on such a mission as had lately been entrusted to him, was by no means sufficient. Complete instructions could not be given: it was impossible to foresee every obstacle. And were it possible to give such instructions, a man requiring them would be very unfit for the trust. He (Mr. Rae), could not concur with those who thought every thing possible had been done by the delegate. He had seen nothing to induce him to say so. Yet while he expressed himself disappointed in the delegate, it was but fair to state that he fully admitted the zeal and ability manifested by that individual, on former occasions, in behalf of the rights of the people. It ought to be remembered, that he had not been one to stop short of what he considered his duty. So far from doing too little, he had been severely punished for having done what was, by some, considered too much; he had been deprived of every office of honour or emolument of which government had in its power to deprive him. Enough on the subject was already upon the Journals. If the delegate had gone weakly and languidly to work in this instance, it was not in the power of the House, by any vote in his favour, to clear him in the eyes of the people. He did not think that the honourable the Speaker himself would say he had done all he might have done as a delegate. The truth was, that when, instead of meeting with a decent reception at the Colonial Office, he received a slap in the face, he entirely lost heart. He (Mr. Rae) however, saw no good that could result from further prosecuting the investigation of the delegate's conduct. What had been done amiss could not now be rectified; what had been neglected could not now be supplied. The result, however, might yet be productive of some good. It might tend to lessen the honourable gentleman's confidence in himself, and induce him to pay more regard to the counsel of those who shared the confidence of the people with himself.

Mr. LONGWORTH said, the amendment he had proposed was this: "That while this House duly appreciates the undertaking of William Cooper, Esq., the delegate appointed by this House, in its last session, to discharge the trust reposed in him by this House, personally to represent the grievances of certain of the tenantry of this Island to Her Majesty's Home Government, and to obtain for them redress, this House cannot, in deliberating on the result of his mission, refrain from viewing, with deep regret and equal disappointment, the omission of the said delegate to pursue that part of his instructions requiring him to apply to the Imperial Parliament for redress."—What was there here, he (Mr. Longworth) said, to complain of? There was nothing but an allusion to facts, and regret expressed at a certain omission—an omission which the delegate would not and could not deny. We, said Mr. Longworth, are accused of malignant intentions. What does the remainder of the amendment say, on which to found such accusation?—"or even to procure a competent law opinion (while provided by this House with ample means for such purpose) upon the questions which have so long agitated the minds of the said tenantry." Now, will any honourable member of this House say, that a part of the sum granted to the delegate, for the expenses of his mission, was not given with the view of enabling him to procure a competent law opinion? When the House had the mission to England under their consideration, it was first proposed to grant £500 to send two delegates on the mission to England; that would have been £250 to each. And one reason for granting £300 to one delegate, when it was resolved to confine the delegation to one, was, that the additional £50 might be available for the purpose of obtaining a law opinion. Mr. Longworth then read the concluding words of his proposed amendment, which are as follows:—"or otherwise coming to the conclusion that the said delegate was decidedly of opinion that neither course could have been attended with any benefit or advantage to the Colony." If the censure implied in the previous part of the proposed amendment were to be abandoned, could it be from any other consideration than that contained in these concluding words?

Mr. CLARK said, that they were to determine what construction was to be put on the expressions used by the honorable the Speaker, in reference to certain proposed amendments of the honorable representatives of Charlottetown. If those expressions amounted to a breach of privilege, the question ought to be taken up in a Committee of Privileges.

The Hon. Mr. POPE said, it appeared to him to be in place then to proceed to a judgment of the matter. As soon as Mr. Speaker's defence or statement had been placed upon the Journals, was it not moved and agreed to, that the said defence or statement should be referred to a Committee of the whole House? And now, that the House were in Committee thereon, were they to be told that the two honorable members, whose characters as gentlemen and men of honor had been so unwarrantably assailed, were not to call the attention of the Committee to the expressions by which they were unjustly asspersed? They had been accused of setting forth statements which had no foundation in truth; in fact, they had been called liars; and were they not to be allowed to repel a charge so degrading to the character of any man to whom it could attach? They were justified in seeking in that Committee, for a justification of themselves, and for a condemnation, as well of the language, as of the author of the language by which was ascribed to them conduct so highly repugnant to the feelings of gentlemen and men of honor. He hoped justice would be done them. They, at least, knew how to redress themselves; and he trusted they would not fail to do so.

Mr. RAE said the House was then in Committee in consequence of a motion which had been made by him. He, surely, ought to know as well as any one for what purpose that Committee had been sought. It was not, as the honorable gentleman who had last spoken was anxious to make it appear it was, to judge of the propriety or impropriety of certain expressions contained in the statement which had lately been given in by the honorable the Speaker. No: it was to enquire whether the Delegate had done his duty when he was in England; and not to pass judgment on any sharp shooting which had taken place between the honorable the Speaker and any honorable members in the House. Even, however, should the Committee confine themselves to a consideration of the Delegate's conduct in England, he (Mr. Rae) would not be satisfied by the passing of a Resolution to the effect that the Delegate ought to have applied to Parliament; he did not see that that would subserve the people; and the passing of such a censure would be a mere wasting of the time of the House.

Mr. LE LACHEUR said, if the honorable members for Charlottetown felt aggrieved, a proper course was open to them: they might seek redress in a Committee of Privileges, and he, for one, would not object to such a course.

The Hon. J. S. MACDONALD said the House was in Committee to take into consideration, not only the conduct of the Delegate, but also his answer to the charges which he alleged had been preferred against him; and, certainly, what was offensive in that answer ought, either then, or at some other time, to be made a subject for their serious deliberation.