

Mr. COOPER said the Committee were certainly premature in expressing any opinion regarding the disallowance of the Bills referred to, while there was no positive information before the House. He did not intend to cast any reflection on the Government. He considered that in offering the amendment he was pursuing a very proper course.

Mr. DOUSE took the same view as the hon. member who had just spoken. He would support the amendment. It would be quite time enough to entertain the consideration of the subject before the Committee when informed of the reasons which induced the Home Government to disallow the Bills. He thought it unfair to attack any hon. member for voting or otherwise acting according to his conscience. For his part he would be ashamed to taunt any hon. member for whatever action he might be inclined to take on that or any other subject. With regard to the rejected Bills, he had no doubt that the members and supporters of the Government were in possession of the reasons that induced the Crown to disallow them; but as other members of the House had not the same information, they should not be called upon to express an opinion on the subject, as the paragraph in the Address required them to do.

The question was then put on the paragraph under consideration, when there appeared for the amendment—Messrs. Cooper, Laird, McIntosh, Haviland, Douse, Yeo, Montgomery, Longworth and Palmer.

Against it—Messrs. Wightman, Mooney, Col. Secretary, Col. Treasurer, Whelan, Perry, Dingwell, McDonald, Munro, McGill, Muirhead and Clark.

The original paragraph was then agreed to. On the eighth paragraph being read, which has reference to the sale of public lands, Mr. LAIRD moved to substitute the following as an amendment to it:—

“As it is most desirable that the tenantry who reclaimed the land should obtain the freehold interest of their farms on equitable terms, we shall be happy to receive any information from Your Excellency to show that the settlement of a portion of the tenantry in freehold under the Purchase Act has given them general satisfaction.”

This amendment having been seconded.

Mr. CLARK proceeded to make some observations on that part of the Address relating to the revenue. He said he was not in the House when that paragraph was agreed to, having gone into his own office to examine some official documents that bore upon the subject. Though at first somewhat inclined to question the accuracy of the statements made by the hon. member (Mr. Whelan), he (Mr. C.) now found them to be perfectly correct. The decrease in the amount of duty on liquors imported into Charlottetown exceeded £2000; on molasses, there was a falling off of duty to the amount of £163; on tobacco, £783; on goods subject to a duty of 2 per cent., the importations last year were very considerably less than they were the previous year—on articles, used for ship-building purposes, such as cordage, chains and anchorages, and liable, as the House were well aware, to the 2 per cent. duty, the decrease in the revenue amounted to about £4000. This was a strong proof of the decline of the ship-building, which of course affected every other branch of industry. The free trade treaty with the United States did, to some extent, injuriously affect the revenue; but there was an increase of duty on American manufactured goods, and on tea imported into Charlottetown. His offering those statements might seem to be out of place, as the paragraph to which they referred had been agreed to; but he made them in corroboration of the remarks which fell from Mr. Whelan.

Hon. Mr. PALMER observed, that much inconsistency was apparent in the conduct of some hon. members. In the course of the long speech delivered by the mover of the Address, he alluded to the operation of the free trade principles as productive of a decrease in the revenue. It had been the practice of that hon. member to propound a far different doctrine, and to boast of the advantages that would result from the establishment of free trade. For his (Mr. P.'s) part, he was never in favour of that measure, and could not, of course, be disappointed if it had a detrimental effect upon the interests of the Colony. It had been said that the consumption of liquor during the past year was as great as in former ones, and the hon. member for the second district of Prince County (Mr. Clark) quoted official records to show, that the duty collected on liquors last year was over £2000 less than that of the previous year. If both the statements which he (Mr. P.) had referred to were correct, then it was only fair to conclude that liquors must have been smuggled into the country, the duty on which would have amounted to more than £2000. He had supported Mr. Cooper's amendment—and he trusted that hon. and learned member did not think ill of him for doing so—because it appeared to him as the more proper course to abstain from expressing any opinion regarding the reasons which induced Her Majesty's Government to disallow the Bills so frequently alluded to, until those reasons should be made known to the House by the production of the correspondence promised in His Excellency's speech. He would also support the amendment before the Committee, because it very properly avoided expressing any opinion regarding the efficiency of the Land Purchase Bill. That was a measure on which much diversity of sentiment prevailed, and he for one did not feel himself justified in speaking of it in laudatory terms.

After a few further remarks from several hon. members, chiefly made in a conversational tone, the question was taken on Mr. Laird's amendment, when the names stood precisely as in the previous division. The remaining paragraphs of the Address were then read and agreed to without discussion, when the Committee rose, and the Speaker took the Chair. The amendments lost in Committee were then respectively put by Messrs. Cooper and Laird. When the amendment of the latter gentleman was about being put, Hon. Mr. Palmer proposed as an amendment to it the introduction of the words “equitable and” in the second line. This gave rise to some discussion as to whether the Speaker could constitutionally put an amendment to an amendment—the hon. Speaker himself declining to entertain it, on the ground that it was unusual and unparliamentary. A precedent for such a course having, however, been discovered in “May on Parliament,” the objection against Mr. Palmer's amendment was not persisted in, and was agreed to without a division. The question was then taken on Mr. Laird's amendment, as amended, and lost, the division being the same as in Committee, with the exception of the Hon. Speaker, who voted against it in Committee, and the same as the division on Mr. Cooper's amendment, both in Committee and in the House. The question was then taken on the whole Address as reported from the Committee, whether it should be agreed to by the House, when there appeared

For the Address—Messrs. Whelan, Wightman, Munro, Mooney, Colonial Secretary, Treasurer, Perry, Dingwell, McDonald, McGill, Muirhead and Clark.—12.

Against it—Messrs. Cooper, McIntosh, Douse, Montgomery, Palmer, Laird, Haviland, Yeo and Longworth.—9.

The Address was then ordered to be engrossed, and was presented to His Excellency by the whole House on Wednesday.

The following is the Address as agreed to by the House, and presented to His Excellency:—

To His Excellency Dominick Daly, Lieutenant Governor and Commander-in-Chief, &c. &c. &c.

May it please your Excellency:

We, Her Majesty's faithful subjects, the House of Assembly of Prince Edward Island, respectfully thank your Excellency for the speech with which you were pleased to open the present Session at a period so convenient for the ordinary transaction of public business.

It is a source of the highest gratification to know that the labours of the husbandman have, during the past year, been blessed with an abundant harvest—a blessing, we feel assured, which will give an impetus to industry and perseverance in agricultural pursuits.

We are rejoiced to learn that the decrease in the revenue for the past year is unimportant; and that while there is nothing to apprehend from that fluctuation for the stability and soundness of the resources of the Colony, it is gratifying to know that the revenue for the year has been more than sufficient to meet the ordinary expenditure.

We shall give a careful attention to the Public Accounts as soon as they are laid before us, and we will cheerfully make the necessary provision for the public service.

We fully concur with your Excellency in opinion as to the necessity of revising and consolidating the laws for the collection of the revenue, with the view of checking illicit traffic, so injurious to the trade and commercial relations of the Island; and it will be our duty to give the best consideration to this important subject.

The interest we have endeavoured to manifest in the progress of the war is not only undiminished, but rather quickened by the recollection of the splendid achievements which crowned the arms of the allied Sovereigns during the past year. Though far removed from the scene of conflict, and happily exempt from the sacrifices it entails, we are nevertheless earnestly solicitous that the crowning glory to the arms of our beloved Queen and of Her august allies may be speedily found in the restoration of an honorable and permanent peace.

It is with unfeigned surprise and regret we have learned that the Act of the last session “to impose a rate or duty on the rent rolls of the proprietors of certain rented Township lands in this Island,” and also the “Act to secure compensation to Tenants,” have been denied the royal confirmation. Confident that Your Excellency is at all times desirous to promote the prosperity of this Island, we are satisfied that the failure of those measures, so equitable in their principle, and so essential to the well being of the Colony—was not owing to the want of Your Excellency's personal recommendation; but rather to the exercise of an influence long seriously felt, always foreign and always baneful to the best interests of the Colony. The communications promised by Your Excellency in reference to the measures which Her Majesty has been so unexpectedly advised to disallow, shall receive an early and deliberate consideration.

It affords us much satisfaction to learn that the transactions under the operation of the Land Purchase Bill have been such as to fully justify the high expectations formed of that measure, with regard to the conversion of Leaseholders into independent Freeholders—an advantage which we are fully sensible could be greatly augmented if a due regard for other interests allowed a larger amount to be placed at the disposal of the Government under the Bill alluded to.

We are rejoiced though not surprised to learn that the inhabitants of the Island so highly appreciate the moral and social advantages resulting from a general diffusion of education, as is evident from the unprecedented number of schools that have been called into active operation by the Free Education Bill. We believe that no part of Her Majesty's dominions, of the like area with Prince Edward Island, can exhibit such marked improvement in what tends so much to promote public happiness, tranquility and prosperity as a constant and liberal extension of education.

We are fully sensible of the advantages which the agricultural portion of the community have derived from the operations of the Agricultural Society. Every other interest is involved in the prosperity of our agriculturists, and a Society which confers benefits upon that industrious class, demands encouragement from every other.

But much as agricultural industry may be encouraged through the exertions of an agricultural Society, its progress mainly depends upon an active and thriving commerce. To secure this, it is necessary there should be a free, uninterrupted and expeditious communication with other countries, and especially with the neighbouring Colonies. So important an auxiliary to trade requires a liberal appropriation of the public finances, and we trust that during the present Session we shall not be found to take a narrow and contracted view of a matter which so deeply concerns the prosperity of the country.

In the progress of our deliberations on these and other objects affecting the public interests, we shall be happy at all times to avail ourselves of Your Excellency's well known zeal and ability, and we doubt not that our united efforts may tend to promote the welfare of the people of Prince Edward Island.

TUESDAY, February 19.

Hon. Mr. Whelan, from the Committee appointed to wait on the Lieut. Governor with the Address of the House, reported the delivery thereof, and that His Excellency would receive it at one o'clock to-morrow.

Mr. Clark, from the Committee on expiring laws, presented a Bill to continue the Act for the regulation of the Mackerel Fishery; which was read a first time.

In the afternoon sitting, the following Petitions were presented—

By Mr. Perry, from certain inhabitants of Lot 17, praying aid towards repairing a road connecting Miscouche Shore with the main Fifteen Point road; and a Petition from Louis Arsenaux, Lot 5, praying compensation for his services in ferrying Mail at Casumpsee ferry.—Petitions laid on the table.

LICENSE ACT.

The Hon. Treasurer, as Chairman of the Committee appointed to revise the laws relating to the sale of spirituous liquors, presented the report of the said Committee, which is as follows:—

“Your Committee, appointed to revise the law relating to the sale of spirituous liquors, recommend—that the several Acts relating thereto be re-consolidated, and that the following amendments be made:—

“That two Magistrates or Commissioners of Small Debts, and six of the inhabitants, may certify to the necessity of establishing a public house in any locality.

“That the certificate of the Grand Jury be dispensed with; and

“That no ten pound licences be granted out of Charlottetown.”

HUNTER RIVER.

The Hon. Col. Secretary presented a petition from certain inhabitants of Lots 23 and 24, praying for a grant of money in aid of individual subscriptions towards building a bridge over Hunter River, at the old Ferry, (Rustico).

Hon. COL. SECRETARY said—In laying that petition before the House, he would give it his most cordial support. The inhabitants of Rustico and Cavendish, who were deeply interested in the construction of the contemplated bridge, and who suffered much inconvenience from the want of one, had subscribed very handsomely towards the undertaking. They were an orderly and industrious class of our population—were principally French,—and what was much to their credit, had but seldom troubled that House for grants of money for objects of a local nature. An admirable bridge had been lately constructed in another part of his (the Col. Secretary's) district, at a moderate cost, but the one in contemplation was no less necessary, and he trusted the House would give a liberal grant in aid of it.

The Petition was referred to Messrs. Coles, Laird and Warburton, as a Committee to examine the same, and report thereon next Session.

Correspondence.

TO THE EDITOR OF THE EXAMINER.

SIR.—Unless it is intended that the present Session of the Legislature is to be barren in its fruits, I would suggest to some one belonging to it, desirous of conferring a public benefit, to bring in a Bill for the immediate alteration of the Trespass Act, so far as it relates to the jurisdiction of Justices of the Peace in investigating conflicting claims to land. The present Act has been productive of a serious amount of injury and loss to some of our respectable farmers and others, seeking redress for trespasses under the authority of the Act referred to. While it gives to Justices the power of adjudication in such cases, the result has been that when one or other of the parties, in any given case, appeals to the Supreme Court, the immediate effect of the appeal is this, that so soon as the proceedings are commenced on the appeal, and it appears by the evidence on either side that both are contending for the integrity for one or more particular lines as the proper boundary between them, instead of the Judges exercising the power of determining upon such dispute, the case is suddenly terminated by the announcement that the Justices have exceeded their jurisdiction, and that they had no authority to decide in such cases. This unexpected issue of magisterial

interference surely calls for an alteration in the law under which they are assumed to act. That no jury would, under the circumstances, give a verdict against a magistrate acting under the present law, is, I think, pretty evident; but acting to a plain reading man, as well as to others more learned in the law, the words of that part of the Act would more than give colour to their exercising a jurisdiction therein, as, I think, it would fully justify them. Hence the only remedy required and desired, is a change of this particular section of the Trespass Act, and not a law to protect magistrates against any erroneous judgments. The present state of the law on this subject is abundantly protective of honest and well-meaning magistrates, and none other need be cared for.

Your own observations and experience, if I am not mistaken, would enable you to arrive at similar conclusions with Your obedient servant.

Feb. 23, 1856.

HONESTUS.

TO THE EDITOR OF THE EXAMINER.

SIR,—Being a subscriber to the *Advertiser* newspaper, I should at all times like to see the truth published, not only fairly, but without prejudice. In the last issue of that paper I observed a paragraph under the head “Mechanics Institute,” wherein is stated “Mr. Lobban's Band, led by Mr. J. Dunn,” &c. there is no acknowledged leader but Mr. Lobban, (or Captain Lobban). If Ensign Rice, of the 1st Guards, had asked at the proper quarter, as he ought to have done, before he put such words into the paragraph alluded to, he would have found that his Newfoundland friend was the only paid musician—the others serving, as on former occasions, gratuitously.

Yours truly,

AMATEUR.

Feb. 23, 1856.

TO THE EDITOR OF THE EXAMINER.

SIR,—Since the Corporation Act has been in force, we boys have been prevented from partaking of any of our old amusements. We are forbidden to play in the public Squares. If we attempt to slide in the streets, play ball, or coast down the bank on to the ice, the Police, who, perhaps, have no more important business on hand, are there to drive us off, or take us to jail. The place is quite changed, and every thing is dull and disagreeable. There is no Common to play in; and instead of our healthy amusements, we shall have to play cards, or go to raffles and dances, or mope about the streets doing nothing. Let the Corporation take up drunkards, but not annoy us boys, who are none the worse for a little play.

Your obedient servant,

INFELIX PUER.

Feb. 25, 1856.

THE EXAMINER.

CHARLOTTETOWN, MARCH 3, 1856.

PROCEEDINGS OF THE HOUSE OF ASSEMBLY.

THE House of Assembly has been chiefly occupied during the past week in receiving Petitions. On Wednesday the House was in Committee of Supply, when the estimates were voted, and £8,000 for the service of roads, bridges and wharfs, which is to be divided between the three Counties in the following manner:—

Table with 2 columns: County Name and Amount. Queen's County, £1,800; Charlottetown Royalty, 500; King's County, 1,500; Prince County, 1,500; Special grants, 2,700.

The special grants to be equally divided between the three Counties. On Saturday the resolutions from Supply were reported to the House, when considerable discussion took place—especially in reference to the vote of £300 to the Visitor of Schools—several hon. members contending that as the Lectures on Agricultural Chemistry were discontinued, in consideration of which Mr. Stark's allowance had been raised from £200 to £300—he was not entitled to more than £200. Other members contended that Mr. Stark's duties as School Visitor had been more than doubled, which prevented him from continuing his lectures, and that it would be unfair to reduce his allowance now when he had more work to perform than when he took the office. The vote was carried by a small majority.—The other appropriations we shall notice in our next week's paper, when we trust to be able to give a fuller account of the House of Assembly's proceedings from our own Reporter's Note Book.

A TRIAL of strength took place between the majority and minority in the House of Assembly on Thursday evening last. Mr. Heath Haviland rose and asked the members of the Government if they would produce the whole of the despatch from Sir George Grey, in reference to the disallowance of the Rent Roll and Tenant Compensation Bills, extracts of it only having been submitted to the Legislature. The Hon. Mr. Coles replied, that the Government having already exercised a sound judgment as to what parts of the despatch should be submitted, would not advise His Excellency to comply with the wish of the hon. member from Georgetown—that the extracts before the House contained all the reasons advanced by Her Majesty's Government for disallowing the Bills alluded to, and that what remained uncommunicated would afford no information. Mr. Haviland then moved that an Address be presented to His Excellency for the whole of the despatch in question. The members and friends of the Government opposed this motion, which was supported by the minority, who appeared in full force, and who again enjoyed the benefit of the votes of Messrs. Cooper, McIntosh and Laird. The majority opposed the motion on these grounds: that the parts of the despatch withheld could give no information—that the member who proposed the address did not state for what purpose he wanted the whole of the despatch; and that the minority, having no right to dictate terms to the majority on any question, should not be allowed, by a vote of the House, to force the latter into the adoption of any measure. The minority assumed, as usual, a high tone, declaiming about the infringement of popular liberty—the invasion of the rights of the people, and the abnegation of the principles of Responsible Government, in refusing any despatch that might be called for. The majority, in reply, contended, that if the minority chose to ask for every despatch, communication and document in the possession of the Government, and the principle was once established that the Government should comply, then the latter might be always at the mercy of the minority. The plain question was—could the minority force the Government into a compliance with their wishes? If they could, then it was evident that the Government had lost the confidence of the House. On a division being called for, there was only one of a majority against the motion—two members who usually vote with the Government being absent, and three gentlemen, as we before intimated, having seceded.

A similar trial of strength, between opposing parties, took place in the House of Assembly of Nova Scotia a few years ago, shortly after the introduction of Responsible Government. Mr. Johnston, the leader of the opposition, moved for the production of certain despatches. Mr. Howe warmly opposed the motion, and every friend of the Government sustained him. Mr. Johnston's motion was defeated; but Mr. Howe, a few days afterwards, produced of his own accord the despatches that could not be wrung from him by force.

When we hear the Editor of *Hazard's Gazette* and other worthies lamenting over the blow given to Responsible Government by the conduct of the majority in the case above noticed, we can only charitably believe that they are still hopelessly ignorant of a system they could never regard without aversion. Their brilliant notion appears to be, that the minority in the Legislature should have equal power with the majority.

The Colonial and United States Mails arrived in Charlottetown on Saturday evening last. The papers furnish no news of any importance. An English Mail is expected to arrive this evening.

Henry Livingston, Esq., of Shediac, who came passenger in the Ice Boat, has obligingly furnished us with a telegraphic dispatch which he received at the Telegraph Office at Shediac just previous to his leaving that place. From this we learn that “the Steamship Atlantic had arrived at New York on the 23d ult. She had encountered strong westerly gales, which lasted ten days, and had been detained three days in the ice of large fields of ice. There were no tidings of the missing Steamship Pacific. The armistice agreed to between the belligerent Powers was to continue until the end of March. The excitement in England relative to a war with the United States had been revived, owing to some difficulty which had arisen between Lord Clarendon and the American Minister, and it was rumoured that the latter had demanded his passports. England and France are reported to have sent jointly an Envoy to Brazil to adjust the Central American difficulties. The Steamer Asia had also arrived at New York on the 23d ult., but brought no further intelligence. There was nothing new from the Crimea. In Liverpool there was considerable depression in the market for breadstuffs.

The despatches, petitions and remonstrances of the Land Proprietors, in reference to the disallowance of the Rent Roll and Tenant Compensation Bills, which were laid before the Legislature a few days ago, and ordered to be printed—appeared in a double sheet of the *Royal Gazette*, which was issued from this office on Saturday last. They will be re-printed in a full sheet extra *Examiner*, to be issued on Wednesday next.

Our country readers will be disappointed in consequence of their not receiving by the Monday and Tuesday morning Mails, as usual, the country edition of *THE EXAMINER*. The delay was owing to the large amount of work thrown upon our hands in getting ready for the press the voluminous documents above referred to. This delay will not occur again, and we trust will be overlooked.

The petitions and remonstrances of the Proprietors will form the subject of debate in the House of Assembly during the present week—probably on Thursday next. We consider it unnecessary, therefore, at present to offer any remarks upon them.

MISCELLANEOUS GLEANINGS.

INDIA.

BOMBAY, JAN. 2.—The Santhal insurrection may by this time be considered extinguished: the concluding act remains the punishment to be inflicted on the transgressors. Since the proclamation of martial law, the most vigorous measures have been prosecuted against them by the force under General Lloyd. He has a second time advanced his scattered detachments to the base of the mountains, driving the insurgents from the low country into their glens. Nearly all their chiefs have been captured; those to whom guilt could be brought home have been executed. The atrocity of the murders to which they confess seems to have been something frightful. There appears to be a European female prisoner in their camp; she is treated with great respect and kindness, but serious apprehensions are entertained for her fate should her captors be pushed to extremities. Strange to tell, nothing has been divulged as to her history or name. Oude it is said is to be sequestered, not annexed. The kingdom of Oude comprises 24,000 square miles of the most fertile soil in India; it contains betwixt four and five millions of inhabitants, has a revenue of nearly a million sterling, which, with the most ordinary management, might, it is said, be raised to two millions; and it maintains an army of 80,000 men, equal to the peace military establishment of England, who one-eighth the number, if efficiently provided, would suffice. It is now said that the Resident at Lucknow, General Outram, will exercise supreme authority, civil and military throughout the kingdom. The affairs of each of the eight provinces will be administered by a European officer selected by the Resident, and provided with an ample establishment of native subordinates. The army will be reduced from 80,000 to 15,000—12,000 infantry, 3,000 cavalry, and 800 companies of artillery—these to be commanded by British officers, the Resident or Deputy-Resident to command the whole. The King and his courtiers are to be allowed a hundred thousand a year, a sum sufficient for as large a measure of debauchery as any Indian reformer need desire. The total charges of the government and the army, including the sum just stated, will amount to about half a million; the balance of the revenue to be applied to the liquidation of the debts of the State, which seem to amount at the highest estimate to less than two millions. The Governor-General is at Calcutta, bringing to a close the measures of an administration unusually protracted, which commands to an extent nearly unprecedented the almost unanimous applause of India. His successor, Lord Canning, is expected to leave Suez this day to spend a week at Bombay some fortnight hence, assuming the reins of Government about the 1st of March, when the present ruler starts for Europe.

THE CONFUSION IN HERAT.

From the advices brought by the Overland Mail it would appear that Herat has not fallen into the power of Persia, but simply into the hands of a faction or family, whose claims to the sovereignty were supported by the Shah. The *Dell's Gazette* contains the following letters from Cabul and Herat:—

CABUL, Nov. 30.—From Herat the intelligence has come that the late ruler was cruel to his dependents, some of whom were daily thrown into wells and some burnt alive, which created a conspiracy to put an end to his tyranny, and place the Shahzadah in the Government of his uncle in the late Shah Kamran. His Royal Highness is treating his people with kindness to such an extent that they are pouring blessings upon him for restoring the legitimate monarchy after it had been usurped and oppressed by the Alokozais for more than twenty years. They love the Prince much for his mild government, and say that Taimoor Shah has come into the world again. When he got possession of Herat and destroyed all his Alokozai enemies, he thanked the Shah of Persia for