

SPEECHES  
OF  
HON. EDWARD WHELAN



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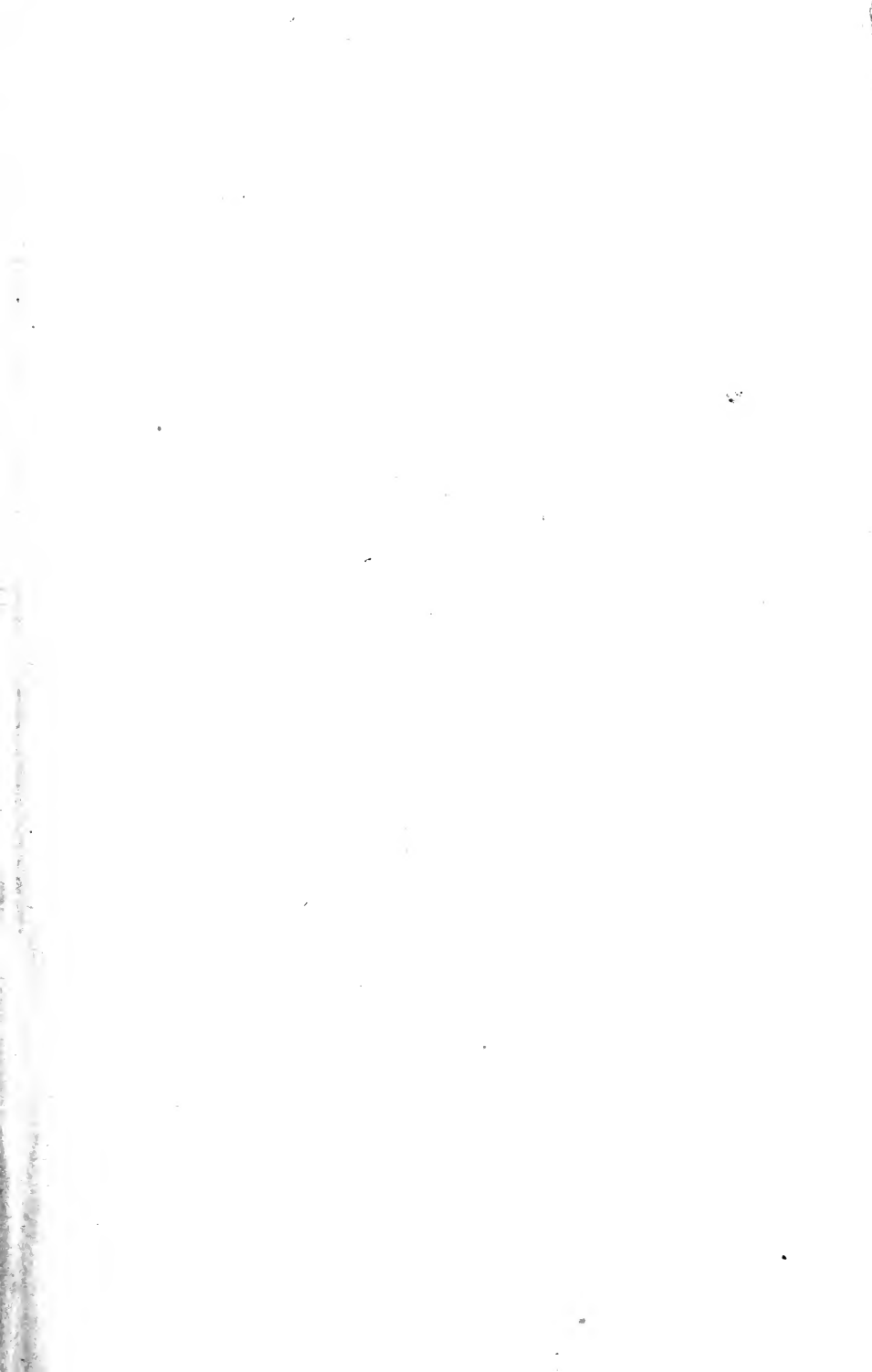
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The word burdens is a <sup>verb</sup> ~~verb~~







*Edward Whelton*

Long may thy Island Home  
Look for thy like to come—  
Few may she ever  
Find more deserving trust  
Free from thoughts unjust  
Than this heart in the dust  
At rest—and forever!

*J. P. May M.G.*

BIOGRAPHICAL SKETCH  
OF THE  
HONORABLE EDWARD WHELAN,

TOGETHER WITH A COMPILATION OF HIS  
PRINCIPAL SPEECHES,  
BY PETER McCOURT.

ALSO, INTERESTING AND INSTRUCTIVE  
ADDRESSES TO THE ELECTORS  
OF THE  
SECOND DISTRICT OF KING'S COUNTY  
AND A  
BRILLIANT LECTURE  
ENTITLED  
ELOQUENCE AS AN ART.



PUBLISHED FOR THE AUTHOR.

Charlottetown, P. E. I.,

1888.

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## PREFACE.

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THIS volume is presented to the public in the belief that, irrespective of class or creed, it will be perused with pleasure by the sons and daughters of Prince Edward Island, both at home and abroad.

The name of the late Honorable Edward Whelan, I need scarcely say, is a household word in this Province, whilst in other lands it can be mentioned with pride by successful and distinguished Islanders. Yet how few have access to even one of his eloquent speeches!

Unfortunately, in the winter of 1876, Mr. Whelan's valuable Library, which contained numerous fyles of newspapers, MS., etc., was destroyed by fire, therefore complete volumes of the Journals he published are few and far between in this Province. It is also to be regretted that, previous to the year 1855, the Debates of the Legislature were not printed in official form, but published in the newspapers of the day, only a few fyles of which are now to be found.

Through the kindness of friends, however, and as the result of considerable research, the Compiler of this volume has succeeded in collecting the information contained in the Biographical Sketch, together with the Speeches and writings to be found in the following pages. It is, however, but justice to observe that while many of Mr. Whelan's most brilliant speeches were not reported at all, some of his ablest efforts were sadly marred by partizan and summary reporting.

It may also be mentioned that the frontispiece herein presented, in the language of several surviving friends, is "a perfect likeness."

PETER McCOURT.

CHARLOTTETOWN, 1888.

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## EDWARD WHELAN.

THIS distinguished journalist, orator and statesman was born in the County Mayo, Ireland, in the year 1824, and died at Charlottetown, Prince Edward Island, in the year 1867, at the comparatively early age of 43 years.

Having received a primary education in his native town, he emigrated with his parents, at an early age, to Halifax, Nova Scotia, and shortly afterwards entered the *Nova Scotian* newspaper office to learn the art of printing, being apprenticed to Mr. Joseph Howe,—who not only printed and published but edited the paper during the greater part of the time Mr. Whelan remained in his office. Towards the latter days of his apprenticeship, Mr. John S. Thompson, the father of the present Minister of Justice, occupied the editorial chair of the *Nova Scotian*.

Among those still living who are familiar with Mr. Whelan's career in Halifax, we may also mention the name of William Compton, Esq., for many years editor of the *Express*, and one of the best informed men in Nova Scotia.

While Mr. Whelan was employed in the office of the *Nova Scotian*, both as an apprentice and a journeyman, the most stirring events were occurring in Canada, namely, those that culminated in the Rebellion of 1837, and the struggle in Nova Scotia for Responsible Government. Mr. (afterwards the Honorable Joseph) Howe always took a great interest in the welfare of his apprentices, and afforded them many opportunities for studying. Young Whelan took advantage of these opportunities, as well as a deep and intelligent interest in what was going on around him, and laid up stores of historical and political knowledge which proved of great advantage to him in after life. Not only in historical but in literary lore

also did he become an adept, and he took a great delight in the study of poetry and rhetoric.

Shortly after the arrival in Halifax of the late Rev. R. B. O'Brien, a Catholic Newspaper called the *Register* was established there; it was published at first by Mr. John P. Walsh, and edited by the Rev. Mr. O'Brien. Subsequently, Mr. Whelan became joint publisher with Mr. Walsh, and after the departure of the Rev. Mr. O'Brien from Halifax, Mr. Whelan assumed the editorship. The *Register* not only dealt with the religious and Irish questions of the day—Repeal being then agitated by O'Connell—but it took part in the discussion of the political topics pertaining to Nova Scotia.

The Rev. Mr. O'Brien also founded in Halifax a Society, having for its object the improvement of the Catholic young men of the city, and developing their talents. The Young Men's Catholic Institute was the name given to the organization. Connected with it was a Library and Reading Room. Mr. Whelan was a member of this Institute, and always took part in its discussions; so that by means of the printing offices and this Institution he had the opportunities presented him of training himself to be not only an able writer but also a polished speaker.

These were stirring times in Halifax and the other counties of Nova Scotia, and the agitation for a change in their political systems was just commencing in New Brunswick and in this Island. During the stormy political contests which aroused the spirit of the people of Nova Scotia, and called forth the finest efforts of the ablest writers and best orators, Mr. Whelan was to the front, and wielded his pen in such a vigorous manner, that he attracted the attention of the leading men of the Colonies.

It will be seen then that Mr. Whelan, in his younger days, lived in a period of great excitement, and in the midst of events calculated to inspire any young man with patriotism, and to imbue him with just and noble feelings of ambition.

After the battle for Responsible Government had been fought and won in Nova Scotia, and the fight had been taken up in this Island for the same cause, leading advocates of reform here saw the need of an organ through the columns of which their views could be presented to the people in a forcible and practical manner. Hon. Mr. Howe, on being consulted on the subject, strongly recommended Mr. Whelan as an able and experienced journalist, and in a short time afterwards, he embarked in a sailing packet,—the only means of communication in those days,—for his new field of labor.

At the age of nineteen years he landed in Charlottetown, and on the thirty-first August, 1843, commenced the publication of the *Palladium*. The initial number, it is needless to say, contained a complete statement of public grievances, and a note of warning to the rulers of the day that nothing but sweeping reforms would save them from political disaster.

This Island was then governed by the "Family Compact." It would be impossible in this sketch to trace the different degrees of kindred existing between the office-holders of that period; suffice it to say that those in authority lost no opportunity of bestowing all the patronage they controlled upon their respective relatives and family connections in all parts of the Island. They were strongly opposed to Responsible Government, and contended that, in a new Colony, it was unsafe to entrust too much political power to the populace. On their side was to be found nearly all the wealth and education, as well as the whole press of the Colony, in short "their right there was none to dispute," when the subject of this sketch landed on our shores.

With such a formidable opposition arrayed against him, it must be admitted that Mr. Whelan, although in years only a boy, displayed great force of character when he placed himself in the breach to fight the people's battles. True to his principles, however, and undeterred by the taunts and sneers which frequently greeted his remonstrances, he advocated the cause

of the tenantry, the introduction of Responsible Government, and the equalization and extension of the Franchise, with remarkable zeal and ability. But being, to a very great extent, dependent upon the poorer class of tenants for pecuniary support, he was compelled, on the 10th May, 1845, to discontinue the publication of the *Palladium*.

For a time the style in which the surviving newspapers attempted to mould public opinion was neither encouraging to the tenantry nor flattering to the "assembled wisdom" of the Island. In order to give an idea of the views held by the opponents of self-government we quote a short paragraph from the *Morning News*, a semi-weekly newspaper published by Mr. E. A. Moody, at that time. The action of the Legislature is alluded to as follows :

" We understand an Address by our House of Assembly to Her Majesty, praying that this Colony may be *blessed* with a Responsible form of Government, was agreed to on Monday, and that it is to be sent Home in a FEW DAYS by the bark *Water Witch*. We cannot foretell how far this application may please the Sovereign of the noblest nation on earth, but we are at liberty to prognosticate that it would appear to Her Majesty something like a petition from the inmates of a *Menagerie* before the Lords and Commons."

It would appear from some of his observations that, during the winter of 1846, Mr. Whelan had made up his mind to leave the Island, probably the only crumb of comfort he ever allotted to the landlords and their agents. But

" There's a divinity that shapes our ends  
Rough-hew them how we will."

On the 23rd May, 1846, to the astonishment of the proprietary party, he assumed the editorial management of the *Morning News*, already referred to. It was at this stage of affairs that a most important change was inaugurated, one that must have caused disappointment among those who had been looking

forward to increased revenues, for an indefinite period, from estates to which they had long since forfeited their titles.

In the first part of Mr. Whelan's Introductory article in the *News*, there is a tone of dissatisfaction, which shows that, although eminently qualified for the position he filled, his pathway in life, while a resident of Charlottetown, had not been strewn with roses. Seated once more, however, in the editorial chair, he commenced a vigorous attack upon the enemy, and with his well-known courage and earnestness addressed himself to the work of organizing his party. As the political imbroglio between Sir Henry Vere Huntley and the "Compact" party was the all-absorbing question of the day we reproduce the article above referred to as follows :

"Twelve months ago, when I followed the *Palladium* to its grave, I had little expectation of occupying the editorial chair for any other newspaper in Charlottetown. Nor, indeed, was I actuated by any desire to court the labors and responsibilities by which it is surrounded. My experience of the past taught me to believe that it was a seat not the most conducive to pleasure or repose. The bickering and contention in which I was almost constantly engaged with my contemporaries of the Press, joined to the insincerity and heartlessness of many of my immediate associates and professing friends, awakened a train of recollections and ideas of sufficient poignancy and vividness to wean my mind from the love and veneration with which I was induced, at the outset of my career, to regard that Old Arm Chair. I intended to have sought 'neath a happier sky—and in a wider field of usefulness—an exercise for my thoughts and energies that might have afforded me an independent competence, if not wealth—a pleasure and satisfaction in the discharge of the humble duties which Providence might allot me, if not power over the minds and affections of my fellow-men. I felt that if I had not quite fulfilled my mission, I had manifested no disinclination for the performance of the labors which it imposed,—and I was contented to bow

to the necessities of my position, and retire from my charge. I commenced my editorship as an advocate of Liberal principles, not from any absorbing views of self-interest, but from motives of conviction and utility, and as an advocate of Liberal principles, I closed it. I found my party possessing nearly all the elements of power, but without the means of concentrating them,—unrepresented by the Press, uncared for by the Government. It was my object to unite and animate them—to impart a tone and vigor to their desires and resolves, that would enable them to present a bold front to injustice and oppression wherever it would be found to raise its head, and show that they were entitled to an equal share with their opponents in the privileges and patronage of Government. If I failed to carry out this object to the utmost limit—it was not because I wanted the will, but because I was left destitute of the means. As a soldier who is sometimes compelled to run from the field of battle, when an unforeseen attack, too powerful for successful resistance, is experienced, so I have been forced to abandon my post; but I am here now, illustrating the truth of the familiar couplet,

“ He who fights and runs away  
Lives to fight another day.”

Circumstances rendering necessary a longer residence on the Island than I was prepared to expect, I have yielded to the advice of several of my friends who were anxious I would resume my connection with the Press. I have therefore undertaken the management of the *Morning News*, and placing myself once again in the editorial chair, I feel the enthusiasm of one who is enabled to recognize, after a long separation, an old familiar face, whose companionship oft'times cheered when the heart was least inclined to be gay, and preserved its power to please and brighten, even mid the twilight of discontent and despondency.

“ ‘ There is a tide in the affairs of party,’ as in the ‘ affairs



of men.' The present aspect of the current of political feeling in this colony illustrates the force of the remark. That 'tide' is flowing onward, and if the Liberal party are active and wise enough to take it at the 'flood,' I have no doubt that it will 'lead them on' to the greatest and the happiest results. An effort is being made to mislead the public mind, and divert its sympathies and energies from their legitimate channel, because a successful attack has been made at the dominancy of a party who have too long swayed the destinies—triumphing in injustice and chicanery—and growing arrogant and affluent at the expense of the people. That party—disappointed and indignant—are determined to wage war against the man by whom their power has been assailed—a man whom they have led into as many difficulties and errors, to suit their own interests and ambition, as ever ruined the prospects of an administration, and for which their whole lives cannot make an adequate atonement. They are going to wage an exterminating war against that man—he of whom the country had once despaired, because he has endeavored to rid himself of an incubus the most ruinous and oppressive—because he has gratified the highest hope of the country by removing the greatest obstruction to good Government it has been the misfortune of his administration to experience; that party now seek to entangle the people in their quarrel—the people whom *they* had reviled, and spurned, and trampled upon. At the head of this war-party is the liberty-loving speaker of the assembly. He says he is an advocate of Liberal principles, and professes, I believe, an earnest admiration of the system of Responsible Government—an admiration with which I am at a loss to reconcile his desire to remain in office while acting in opposition to the Head of the Government. Unfortunately there were few signs of his conversion previous to All-Fool's Day. The Hon. Speaker having been made a fool of by Sir Henry Huntley—as he himself affirmed—is trying his hand at making fools of the 50,000 freemen whom he fondly believes

he represents, by telling them he has come down from his 'pride of place' to redress their accumulated wrongs. But his own pre-eminence is the real object of his ambition;—and if the country be lost to the remembrance of his former conduct while an adviser of the Lieutenant-Governor—if it be destitute of manhood and independence, it will suffer his ambition to be gratified.

“The Liberal party have now a fair chance—if they use it wisely and prudently—of making the Government of Sir Henry V. Huntley, with all its faults, conducive to the best interests of the country. His Excellency is beginning to see the impolicy and mischief of governing exclusively for the benefit of a party, and will no doubt perceive the necessity of entirely casting off the undue influence by which he has been so long controlled, and of adapting his Government to the wants and wishes of the great majority of the people. By pursuing a straightforward, honest and independent line of action, he will secure their respect and gratitude—by pandering to old prejudices and predilections with the hope of conciliating, he will strengthen the hands of his enemies, and cause inevitable and speedy ruin to himself. It will be the object of the *Morning News*—so long, at least, as I may continue to discharge the duties of editorship on its behalf—to note the development of this new and better policy which the Lieutenant-Governor seems inclined to pursue, and to watch, particularly, the movements of the party who are striving to wrest the helm of state from his hands, and who seek to entrap the country into an approval of their proceedings by artifice and misrepresentation.

“I know that in assuming the editorship of the *Morning News*, my conduct will be misrepresented and maligned—I know that I may be accused of courting the favor and patronage of Government—but for every slander of this description, I trust I shall be fully prepared. I have too high a respect for the liberty of the Press to make it wholly subservient to any views

that may not justly accord with my own, or suffer it to be made the instrument of any administration for the subversion of popular rights ; and if ever the *Morning News* should be required to advocate principles and opinions which my feelings and judgment repudiate, it must cease to acknowledge the editorship of

EDWARD WHELAN."

The accession of the *Morning News* to the ranks of the people's party, in view of the General Election in the ensuing month of August, was hailed with pleasure throughout the country, and its new editor at once became a prominent figure in Island politics. Although scarcely twenty-two years of age, he was chosen as a candidate for the representation of the Second District of King's County in the House of Assembly, and on the 14th August, 1846, was elected by a handsome majority. Immediately after the result was made known, Mr. Whelan posted—there was no railway or telegraph lines in those days—the following letter, written at the Head of St Peter's Bay, to the publisher of the *News* :

" Sir.—The contest for the Second District of King's County was this day decided at half past 3 o'clock. There were about 214 votes polled for me in the space of three hours. Mr. Wightman—who was at the head of the poll in coming to St. Peter's—resigned at 2 o'clock, having received only four votes in this section of the District. Neither McKinnon nor Clay appeared on the hustings. Mr. McDonald relinquished the contest at half past three o'clock, and the poll was then finally closed, when the Returning Officer—W. Underhay, Esq.,—who acted most impartially and honorably throughout the whole election, declared Edward Whelan and John Jardine, Esquires, duly elected. The poll stood as follows at the close: Whelan, 277; Jardine, 233; Wightman, 165; McDonald, 151. I have not time to give you a lengthy description of this election, but I must say that I never witnessed a more

satisfactory and agreeable contest. The Returning Officer and Poll clerks are entitled to very great praise for the extraordinary exertions made by them in polling, which was carried on at the rate of nearly 100 votes an hour. After the election, the successful candidates addressed the electors, and were afterwards carried for some distance upon the shoulders of the people. Several pieces of music were then bought, and a large body of people accompanied me for a considerable distance up the Bay, playing many a spirit-stirring tune, and exerting their voices by many a hearty cheer."

On the death of Mr. Moody, one month afterwards, Mr. Whelan severed his connection with the *News*, and issued the prospectus of the *Examiner*; but the plant, which had been purchased in Boston, did not reach the Island before the close of navigation. Therefore the new party again found themselves without an organ through which they could expose the corrupt methods of their opponents; but with that indomitable spirit which characterized his long political career, Mr. Whelan published, during the session of 1847, a small paper called the *Reporter*, an enterprise which, judging from the following comment upon the conduct of the party in power, received rather a cool reception at their hands :

"We are aware," says Mr. Whelan, "that an unseemly, an unprincipled attempt has been made to thwart the publication of this unassuming sheet, by men who would wish to be considered as the friends of civil liberty, and the sturdiest advocates of the freedom of discussion—men who would feign a virtuous indignation at any encroachment on this privilege in their own proper persons, but who would stoop to the meanness of the trickster to shut up every legitimate channel through which the opinions of their political adversaries might be conveyed."

On the 9th August, 1847, the *Examiner*, which Mr. Whelan conducted with such powerful energy, made its first appearance. The tenantry, notwithstanding the landlord clog, accepted it as

their guide, and with a determination to be freemen kept pace with the agitation in favor of Responsible Government. The struggle was energetically carried on until the 25th March, 1851, when the Legislature met, and after a protracted debate passed the Civil List Bill; the Hon. George Coles was then called upon to form a Government, Mr. Whelan being one of its leading members, and on the 25th April, 1851, the first Responsible Government that ever ruled the destinies of this Island was gazetted. This memorable event, it is needless to remark, was fraught with inestimable blessings to all classes in the Colony. Under the new *régime*, measures of reform followed each other in rapid succession—measures which have won for Coles and Whelan the foremost place in the annals of our history, and enshrined their names in the hearts of the people. The fact that, in any section of this Island, an avowal of their principles invariably obtains for political aspirants the respect if not the votes of the electors is sufficient testimony on this point.

When it is remembered that Mr. Whelan had proved himself more than a match for influential opponents, having drawn from their ranks some of his ablest colleagues, it is not surprising that the victorious party were disposed to repay, to some extent at least, the debt of gratitude which they owed him. The office of Queen's Printer was, therefore, without solicitation, conferred upon him, the acceptance of which necessitated the suspension of the *Examiner*, an arrangement which he announced in the *Royal Gazette* of July 14th, 1852, in the following racy style :

“ It is a somewhat singular coincidence that with the establishment of the new form of Government, the suspension of its most steadfast and consistent advocate should be nearly simultaneous. The aim of the *Examiner*, from the first, was to overthrow the corrupt and slavish system, upon which our administration, till within the last two or three months, was conducted; that overthrow achieved, through the united exer-

tions of the Liberal Press and the Liberal Party, the *Examiner* is permitted to depart in peace. We are not, however, going to pronounce its funeral oration, and, after the fashion of sermonizers, recount its virtues and excuse its failings,—recite its conflicts with the minions of abused and defunct power, its occasional peevishness of temper when mercilessly goaded by its foes—its exposure of infamy and falsehood—its advocacy of truth and the poor man's rights; nor shall we lift the veil which shrouds the selfishness and luke-warmness of many assumed friends, who would fain see it come from the combat, but whose dread of an oligarchy from which it has helped to emancipate them, deterred them from awarding it even the poor consolation of an encouraging smile. We shall not revert in detail to any of these topics, because, though the name which figured in good old English characters on its title page be dead, the spirit which animated the *Examiner* shall live and breathe through the columns of the *Royal Gazette*. We are, indeed, the servant of Government, to print for it,—as we would for any other customer,—as a lawyer would advocate its causes in court, as a mechanic would ply his handicraft in the erection, adornment or improvement of its houses; but we have not given to the Government an unconditional disposal of our intellect nor an assignment of our office, to be used in its service, and its service only, any more than the lawyer would barter his skill and law-learning, or the mechanic his ingenuity and his shop, so that nobody else could employ them. We willingly assume the garb of servitude to the government, because we can and shall be as much as we have heretofore been the servant of THE PEOPLE. The present is the People's Government. We are aware of it because it is so; and in being its printer we are emphatically printer to the people. To be 'a government man' was in the days that are gone by a nickname and a reproach. How happy it is for us and for us all that such a designation has become the highest praise to a public man, as it is suggestive of the possession by him

who bears it of public confidence and esteem. An opinion is entertained, we believe, by some individuals of both political parties that the *Royal Gazette* should interfere as little as possible in local politics. We take leave to express our unqualified dissent from this opinion. Of all papers the *Gazette* should, in our estimation, be *the* political paper. From its connection with Government it is in a position to announce, explain and defend, when attacked, the policy of the administration better than any other; and surely it behoves no journalist so much as it does the editor of the *Gazette* to be prepared at all times to enter the arena of discussion on behalf of that government with which he is himself so closely connected. It is true that in the Mother Country the official paper (properly so called) is a mere record of official notices, and dabbles neither in politics nor news, but then it is printed exclusively for the Government, and its circulation does not range beyond the officers and servants of administration; besides, there is no necessity there for its assuming a political character while there are so many other journals in the interest of the Cabinet, ready to do their utmost to float it down the stream of public opinion, and which circulate in thousands because of their political tendencies. So long as the *Royal Gazette* in small communities has to depend upon the reading public as well as the Government for its support, so will it be necessary for its conductor to resort to those means for making it entertaining and instructive, which he would employ in the management of a journal bearing a different name.

“We know that in Nova Scotia Mr. Thompson was forced to resign the office of Queen’s Printer, under Lord Falkland, because he would not make the *Gazette* furiously political at his Lordship’s request, and publish attacks upon his own personal friends. So it should be with every Queen’s Printer when he cannot support the Government, and support it effectively, too, he ought immediately to resign his office and not wait till superseded.

“ Let it be understood, then, by such of our readers as took an interest in our past writings, that the types shall tick as cheerfully in the stick as ever they did to give utterance to our thoughts upon any subject which comes within the province of a newspaper—to discuss in a spirit not less frank and free than that which characterized the *Examiner*, and which no official employment will ever be suffered to restrain. With our contemporaries we shall be happy to exchange the usual courtesies, and to such of them as deal in something less agreeable than compliments, we have only to say that though we have won one victory we shall not let them have all the glory of any future war.”

It seems incredible, in view of the amount of hard work Mr. Whelan had to perform, that he could devote any portion of his time to the lecture field. The columns of the *Examiner* were always replete with brilliant editorials, admirable selections and current news, the result of a great deal of mental labor, in addition to which the greater part of the duties inseparable from party organization and political warfare was thrown upon his hands. His position as a representative of the people, as well during recess as when the House was in session, was also attended with a great deal of toil, apart altogether from the responsible office of Queen's printer which he held for several years. Nevertheless, he found time to appear frequently upon the platform as a lecturer, a *role* in which he was singularly successful. His lectures on “Shakespeare” and other subjects, in the Mechanic's Institute and in St Joseph's Hall, were considered masterpieces of English composition; but owing to his habitual modesty, none of them were given to the Press for publication, except in compliance with a pressing invitation to do so; there is, therefore, great reason to regret the loss of the Mss. by fire some years ago.

In 1851 Mr. Whelan married Miss Mary M. Hughes, daughter of the late George A. Hughes, of H.M.S., Halifax, by whom he had three children, two daughters, who died at an early age,



and one son, who perished during a squall while boating in Charlottetown harbor, on July 1st, 1875. Inheriting a great deal of his lamented father's talents, he was a young man of splendid parts, and his sad death, in the nineteenth year of his age, was a severe blow to his widowed mother and a source of deep regret to a wide circle of friends and well-wishers.

For twenty consecutive years, Mr. Whelan enjoyed the confidence of the electors of St. Peter's district, and it can never be said that he proved unfaithful to the trust reposed in him. Notwithstanding his advocacy of the Confederation of the Colonies, and the wide breach it caused between himself and his colleagues, he was re-elected at the general election held in the month of January, 1867; but having accepted the office of Queen's Printer he was defeated by a small majority in the following month of April when he offered for re-election.

We need not dwell upon the result of this defeat. The hardships and excitement of these campaigns, together with the temporary estrangement of old friends through misrepresentation of his honest and patriotic intentions, proved too deep a wound to be healed on this side of the tomb. As the summer advanced he showed signs of failing health, but his friends did not feel alarmed until the autumn-tide, when all hopes of his recovery rapidly disappeared, and at noon, on Tuesday, the 10th of December, he breathed his last.

The announcement that he had passed away, although not unexpected in the city, cast a deep gloom over the whole community, while the melancholy news was received in all parts of the country with the most profound sorrow.

His funeral obsequies took place on the following Friday, in St. Dunstan's Cathedral, after which the most imposing funeral procession ever witnessed in Charlottetown followed his remains to the Catholic Cemetery, on St. Peter's road, near the city limits.

In speaking of one "who made thousands laugh and weep, and be convinced by turns," we think the opinions of his con-

temporaries ought to possess greater weight than those formed from dull and imperfect reports by a later generation. For this reason we quote from the obituary notices, which appeared in two of the local newspapers holding opposite views in politics, immediately after Mr. Whelan's death. The *Examiner*, so long the faithful messenger of its lamented founder, with every page printed in deep mourning, expressed the sentiments of nearly every man and woman in Prince Edward Island in the following eloquent and impressive language: "From one who walks in the still fresh footsteps of a great character whose earthly career is over, nothing more can be expected than a cursory inspection of the result of his labors. Especially is this true of Mr. Whelan, whose public acts in this Colony extend over a quarter of a century. His name is inseparably connected with the various measures which were introduced into the Legislature on Free Education, Universal Suffrage, the Abolition of Landlordism, and kindred subjects, and to him more than to any one else, living or dead, is our Island Press indebted for its present independent position. The people's friend, in the fullest and best sense of the term, he was never a demagogue, and it has been observed of him with truth that he always prized the interest of the people more highly than their approbation. Without extensive family interests or other accidental aids, he achieved his intellectual triumphs solely by the great talents with which nature had endowed him. An easy, graceful and eloquent speaker, a brilliant and polished writer, possessing a highly cultivated literary taste and a well stored mind, he proved throughout his whole career that he was, in addition to all this, a practical man, who could frame a Parliamentary Bill with as much ease as he could prepare a lecture on a literary subject. \* \* Apart from his high oratorical powers, in which he had no rival in Parliament or out of it, the great lever of public opinion, so powerful throughout the British dominions, obeyed his masterly hand as often as any fair occasion arose to resort to its agency. His oppon-

ents, however, cheerfully acknowledge that he never abused the power of the Press, and that he knew how to combine a singularly consistent political career with conciliatory manners; he knew, too, how to put aside the garb of sectarian and party prejudices, and to address himself to the hearts and consciences of his fellow-colonists. He neither bullied his opponents nor begged favors; he relied upon the strong, innate love of justice of every intelligent mind; and, although he died comparatively young, he lived long enough to see, to a large extent, the results of his labors in the extension of civil liberty."

The *Patriot* also rendered the following tribute to the deceased statesman:—"He was a very pleasant and eloquent speaker, his best oratorical efforts bearing ample testimony to his high intellectual powers, taste and cultivation. The Parliamentary debates and the public records of the Colony bear not a few traces of his political labors. He was for twenty-four years a journalist. In his decease the Liberal party of this Island have sustained a severe loss; he served them long and well; and when they were in power he always enjoyed one of the best offices in the gift of the Government. On account of the discussions arising out of the Confederation question, of which he was an advocate, we believe his attachment to his party had been somewhat modified of late years. As a journalist, apart from his ability as a writer, Mr. Whelan displayed good judgment, both with regard to selections and the general management of the paper under his control. He sometimes wrote very severe articles, but did not, as a general rule, feel bitterly towards his political opponents."

It would be superfluous in a volume which contains so many of Mr. Whelan's principal speeches to give a more extended sketch of his labors. It is, however, due to his memory to solicit a careful perusal of those speeches in which he enunciated in the clearest manner possible the policy he thought it his duty to pursue in reference to Confederation. It was through no sor-

did or ambitious motives that he became so ardent a confederate. At the time he commenced to advocate Confederation, very little progress in the purchase of proprietary estates had been made, the Land purchase bill had not accomplished all that he desired, the Loan bill had been disallowed, and the Royal Land Commission, as he predicted from the outset, had ended in utter failure. Another evil, the hand-maid of landlordism, the religious strife which too often disgraced public discussion both in and out of Parliament, was a constant menace to the peace and prosperity of the country and a source of regret to all lovers of toleration and justice.

Mr. Whelan saw that Confederation would remedy those evils, and the manner in which he advocated that scheme in his newspaper, and in his place in Parliament, showed, beyond all cavil, that he had the courage of his convictions.

That he was right has already been proved beyond the shadow of a doubt. As a result of Confederation, the farmers of this Island have become freeholders, and instead of struggling in the yoke of Landlordism now enjoy as large a measure of happiness and prosperity as falls to the lot of the husbandman in any part of the world. The permanence and superiority of our institutions, contrasted with pre Confederation times, must be apparent to all; whilst under the Federal system, which he so strongly advocated, it would be suicidal for the public men of any Province of the Dominion to stir up religious discord in order to promote their own interests.

Besides being the greatest orator and most far-seeing Statesman of his day in Prince Edward Island, Mr. Whelan occupied a lofty position among the eminent men of British North America, and his portrait among the Fathers of Confederation testifies to his ability to serve his country in a more exalted station than he lived to occupy. He felt deeply interested in the welfare of the neighboring colonies, and if there was one thing more than another he wished to see conceded, it was

the right of the colonists to legislate for themselves, without the direction or control of any other people on earth. Thus while cherishing his memory we should preserve the independence and guard the liberties bequeathed by the advocates of Federal Union to this Canada of Ours.



## PREMIERS OF PRINCE EDWARD ISLAND.

The following is a list of the Premiers of Prince Edward Island, since the Introduction of Responsible Government :

1851	Hon. George Coles,	Lib.	1869	Hon. R. P. Haythorne,	Lib.
1854	“ John Holl,	Con.	1870	“ J. C. Pope,	Lib.-Con.
1855	“ George Coles,	Lib.	1871	“ R. P. Haythorne,	Lib.
1859	“ Edward Palmer,	Con.	1873	“ J. C. Pope,	Lib.-Con.
1863	“ Col. Gray,	Con.	1873	“ L. C. Owen,	Lib.-Con.
1865	“ Jas. C. Pope,	Con.	1876	“ L. H. Davies,	Coalition.
1867	“ George Coles,	Lib.	1879	“ W. W. Sullivan,	Lib-Con.
1869	“ Joseph Hensley,	Lib.			

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LIST OF THE LIEUTENANT GOVERNORS OF PRINCE EDWARD ISLAND.

The following is a list of the Lieutenant-Governors of Prince Edward Island as a separate Province :

1770	Hon. Walter Patterson,	1847	Hon. Donald Campbell,
1786	“ E. Fanning,	1851	“ Alex. Bannerman,
1805	“ J. F. W. DesBarres,	1854	“ Dominick Daley,
1813	“ C. Douglas Smith,	1859	“ George Dundas,
1824	“ John Ready,	1870	“ W. C. F. Robinson,
1831	“ A. W. Young,	1874	“ Robert Hodgson,
1836	“ John Harvey,	1879	“ T. H. Haviland,
1837	“ C. A. Fitzroy,	1884	“ A. A. Macdonald.
1841	“ Henry Vere Huntley,		

CAMPAIGN SPEECH.

**F**ORTY-TWO years have elapsed since the late Mr. Whelan delivered his maiden speech in King's County. A series of public meetings were held in the Second District, which then included Lot 55, during the Election Campaign of the year 1846, for the purpose of nominating candidates and discussing the public questions of the day. At a monster meeting held at Grand River, Mr. Whelan was proposed by Mr. Alexander McDonald and seconded by Mr. John Larkin, after which he spoke as follows :—

GENTLEMEN ELECTORS.—An occasion like this, when the minds of men are agitated by varying and conflicting interests, is somewhat favorable to the flow of eloquence, still I think that a long speech does not always form the best guarantee for a candidate's popularity. I shall therefore confine myself to a plain statement of facts and a few common sense observations, which will be more acceptable to you than impassioned declamation or rhetorical display. It is but a very little time since I entertained the intention of appearing on these or any other hustings as a candidate for Legislative honors. Nor would I ever have been induced, perhaps, to do so, had my enemies refrained from the numerous slanders with which they have assailed me, asserting that I had forfeited the confidence and respect of the country, by the course I had taken with respect to the political events of the last few months. I have come here partly to ascertain the truth of the assertion, partly to acquire the power of opposing them more determinedly and effectively than I have heretofore been able to do, opposing them not for the gratification of any feeling of revenge, but for the purpose of avoiding, if possible, an increase to the mischief

which they have already brought upon the colony in general. No motives of a personal or selfish nature influence me. I have meddled long enough in politics to know that a public life is not the most conducive to one's own happiness and prosperity, and less so in Prince Edward Island than anywhere else, because the public man here has so many petty interests to contend with or gratify, so many parties to conciliate or baffle. Neither private interest nor personal ambition has prompted me to seek the honor which it is in your power to confer ; the former could be better served in a quieter scene of action than the House of Assembly can afford, and by an application to other pursuits than those of a Legislator. As for the latter it is a boon too dearly gained if sought to be won by an incessant anxiety of mind, by a continual toil of intellect, by an unswerving application to the discharge of those duties and obligations which devolve upon a faithful, an efficient representative of the people. If I have any one hope higher than another, it is that, by being returned to the Assembly, I may be enabled to strengthen the advocacy of those principles of Liberal policy in the administration of Government, to which three years of my life have been devoted. And that you, gentlemen, will give me your best assistance towards the accomplishment of this object, is a favor upon which I think I may rely. The generous solicitude evinced by a large portion of the electors of this District for the success of my election is the best answer that can be given to the slanders of my enemies. However blinded, sometimes, by passion and prejudice, and however their faith may be shaken, for a while, by any base calumny that may be propagated for the purpose of blasting the reputation of a public writer, who may have independence enough to expose the shortcomings and deceits of a designing faction, still the mass of the people have always sufficient common sense and discrimination to discover the true from the false man ; and I have some confidence in looking forward to the result of this lecture for a proof of the correctness of this



remark. I will not at present describe to you the character of the opposition that has been brought against me since I have undertaken the editorship of the *Morning News*, but you, gentlemen, have heard the outcry that has been raised about my having changed my principles. Now, what principles have I changed? Have I altered my views respecting the state of the tenantry of this Island? No, I still advocate their claims, I still urge on every occasion the necessity of effecting a settlement of the question so long at issue between the tenant and the proprietor. Have I altered my views respecting the state of the Government in this Colony? No, I hold the opinion now that I did three years ago, that the policy of the Government was opposed to the wishes and interests of the People. Who has made it so? *Not the Lieutenant Governor.* He has been a passive instrument in the hands of others. But the Executive Council, backed and supported by the office-holders—THE FAMILY COMPACT—have made it so. From whom have this Executive Council—this Family Compact—these office holders, from whom have they derived their power? From unfaithful, unscrupulous representatives of the people. The last session of the Assembly was replete with evidence of this fact. Have I changed my mind as to the necessity there exists for the introduction of Responsible Government? No. My opinion in favor of the system is more firmly fixed. But recollect, gentlemen, it is not the mongrel, half-and-half thing that was held up to the admiring gaze of the public in the last House of Assembly, when you and other constituencies were to be deceived, when the political death-warrant of Sir Henry was to be signed—*when the Family Compact power was in danger.* I have not changed my opinion on Responsible Government, then—the whole system—I have not changed it respecting the Land Question, the construction of the Executive Council—the dominancy of the Family Compact. You may say, then, gentlemen, that I have done nothing to merit the obloquy that has been heaped upon me. Oh, yes, I

have taken part with the Lieutenant Governor, when his Excellency was disposed to take part with the people. I have endeavored to expose the motives which have led to the unprincipled attack that has been made upon him when he performed an act of substantial justice to the country, and for this reason I have been denounced as a renegade ; but, if the parties who were hired to denounce me knew how little I cared for their abuse, they might have saved themselves a good deal of trouble, and have avoided a considerable waste of time. But, gentlemen, I shall leave, for the present, these matters of a personal nature. We should now consider for what purposes you are about to elect two members to serve you in the General Assembly. It is not merely for the relief of your local wants that you make this election. It is with the hope of obtaining a remedy for those great political evils which have long and seriously affected the happiness and prosperity of you all, and the most prominent of which arises out of the Land Question. This has been long the greatest cause of complaint with the people of this Island. It produces more discontent and suffering than all the other grievances that have fallen to the lot of this Colony. It has placed the agriculturist—the bone and sinew of the country—in the condition of serfs ; it has cramped their energies, ruined their prospects ; it has disappointed their hopes of happiness and prosperity, and left a land that might have been the garden of British America, the repository of wealth, and the ornament of the trans-atlantic dependencies of the Crown, it has left it a scene of poverty and contention. It leaves the largest portion of the whole population of the Island at the mercy of a few absentee proprietors, who would scarcely know the lands they own if they visited the Colony, and who do not care a fraction how much those who improve and embellish them may be sunk in poverty and degradation, so long as their own avarice can be gratified by the large sums of money which they derive from them. If I ask, as I sometimes did, before I knew the actual

state of the tenantry, any poor farmer, whom I met with in my rambles through the country, why he has not better buildings about his farm, and more land cleared, why he has not a greater number of heads of cattle, I am told that he has only a forty years' or a twenty-one years' lease, and that it would be folly for him to make greater improvements, as he would get nothing for them at the expiration of his term, and that it is often more than he can do to pay 1s. 6d, or 2s. per annum an acre for a lot of wilderness as well as cleared land, without attempting to increase his stock of cattle ; that all he can raise is barely sufficient to feed himself and his family, without feeding an additional number of cows and horses ; and that even were it possible for him to increase his stock, it would only afford a greater inducement to the landlord or his agent to seize on them, in order to pay off any back rents which might have accumulated over him. The tenant has no security against the rapacity of the landlord, he has no heart to extend his improvements, because he will get nothing for them ; and his whole time must be devoted so as to gather the few pounds in hard cash demanded by the proprietor or his agent. This is no imaginary sketch. They are facts which must have come within the range of your own knowledge, and of which, perhaps, many of you have painful experience. It is a fine thing to talk about the glorious privileges of the constitution ! But have the tenantry of this Island enjoyed those privileges entire ? How many of them are this day, throughout the whole Island, prevented from exercising one of the most important of these privileges,—the franchise ? Is it not a well known fact, that many hundreds of tenants paying heavy rents have nothing whatever in the shape of lease, agreement or contract with the owner of the soil, and might be dispossessed at an hour's notice. Their franchise is in the landlord's keeping, and it will remain so until the Legislature and Government interfere to prevent this state of things, because the landlord has reason to apprehend that it would be exercised in a manner

that would be inimical to his selfish interests. Gentlemen, we boast of our liberty, we boast of a community of rights, and yet the tillers of the soil, the promoters of every country's greatness and prosperity, are compelled to exist in abject slavery, to what are arrogantly called "the Rights of Property," while its great and permanent duties are scarcely ever taken into account. Gentlemen, whatever may be said to the contrary, it is in the power of the Legislature to effect a remedy for the evil of which we justly complain. It is in the power of the Representative Body, if it cannot procure a purchase, which would be the most satisfactory mode to confirm the tenant in his holdings, to effect such an alteration in the leasehold tenure as will remunerate him for whatever improvements he may have introduced, and to moderate and equalize the rental, where moderation and equality may be deemed necessary. My efforts shall be directed, as heretofore, towards the attainment of these objects, whether I hold a seat in the Assembly or not; and unless they can be accomplished, your Colonial legislation will be unprofitable and delusive; for the condition of the agriculturists determines the condition of every other class of the population. Goldsmith's lines apply to more countries than one:

"Princes and Lords may flourish or may fade,  
A breath can make them, as a breath hath made,  
But a bold peasantry—their country's pride,—  
When once destroyed can never be supplied."

Now, Gentlemen, with respect to the construction of our local Government, I entertain the same opinion of it now that I did in 1843, since that time it has undergone no distinct change, although measures of a reform policy were loudly spoken of in the last session of the late administration, although high sounding professions of patriotism were then the order of the day, yet no actual alteration in the *form* of the Government was contemplated by the parties most conspicuous in making those professions, and consequently nothing was accomplished

The discussions of last year aimed at the consolidation of the party in power, not at their disruption, which might have been partially effected by the dismemberment of the executive council. I stated in 1843 that the Government of this colony was the most corrupt and selfish, ever tolerated by any people who had the slightest pretensions to liberty and independence. Is it less selfish now, less partial in its views? Is it any less liable, at the present moment, to the stigma of corruption than it was then? In its general policy it is not. It is no more worthy of popular confidence in 1846 than it was in 1843, and cannot establish the smallest claim to that confidence, so long as its whole power and patronage are controlled by a dominant party, whose political principles are at variance with the principle held by the mass of the people, a party who have been always opposed to the adoption of every liberal measure advocated by the Colony, and who have ruined the character and prospects of every administration that has attempted to govern for the benefit of all parties. You all know, gentlemen, the party to whom I refer, it is the *Family Compact*, the Clique of office-holders and Land speculators. They are the only governing party in Prince Edward Island. They are the gentry who have manned and commanded the Ship of State and sailed her, too, for privateering purposes whenever there was a good chance of a successful run. The majority of the people's representatives have been puppets in their hands, because every undue influence has always been exerted at elections to procure the return of a majority of men favorable to their views and interests. They have controlled the House of Assembly,—they control the Executive Council—they controlled, for a while, the present Lieutenant Governor, as they controlled former ones, and have succeeded in shaping the conduct of every Governor to suit their own selfish purposes, so that the very name and office have become matters of universal distrust and alarm. When Sir Henry V. Huntley came to this Colony, he,

like his predecessors, unfortunately for his own popularity, threw himself into the arms of the Family Compact. He regrets it now. But I believe there was no other course open to him. A new Governor naturally enough looks to those in possession of power and influence for counsel and assistance in the formation and management of his Government. Sir Henry had no greater share of political foresight or discrimination than his predecessors; he has consequently had the very same results to experience. But he showed a little more independence than many of them. People in this colony are, unfortunately, apt to blame the Head of the Government for all its abuses. I confess that I suffered myself to be led into the common error shortly after I came to the Colony. But I did not understand the state of parties then so well as I do now. The Governor, I say, is made accountable for the acts of his advisers. Now, it is a well-known fact that nearly every unpopular act of Sir Henry V. Huntley's Government derived its existence from his Executive Council, or from some of its most conspicuous members. Were any of these acts included in the catalogue of charges preferred against his Excellency by the late House of Assembly? No; not one of them. It would have been exceedingly bad policy in the Hon. Speaker, who was foremost in furnishing up the pitiful "charges" with which he garnished his Petition to the Throne for his Excellency's recall. Was not the silence maintained on the unpopular measures *prima facie* evidence of their origin? Undoubtedly it was. It was evidence sufficient to convict the Council before any twelve honest men in the Country. Gentlemen, I did not come here to vindicate the Lieutenant Governor. I did not approve of His Excellency's past conduct in bartering his independence for the smiles of the Compact. A Lieutenant Governor should be placed above the influence of party, he can never carry on his government impartially and independently if he is not so; and the moment he descends to

court such influence, he leaves himself open to suspicion, and merits the censure and reprobation of the press. I am no apologist of His Excellency. But I love even-handed justice, I love fair play. I would not join in the clamor that was raised against him last year, because I knew His Excellency was doing what was right, because I began to perceive that he was doing what I long wished he would have done—striking at the root of the Oligarchy by which he had been held in bondage, that Oligarchy by which your liberties had been assailed—your principles and mine repudiated and reviled—because I found him struggling to break down a great barrier to the introduction of constitutional reform. I was not only unwilling to be seen among the members of his assailants, but I was ready to applaud him for his efforts. I do not regret the part I have taken. My conscience approves it. Future events will show, I trust, that I was right. A mistaken notion exists in this country, that no man can be an advocate of Liberal principles who is an advocate of the governor for the time being—or, rather, who is not an unflinching enemy to the head of the Government. To satisfy the peculiar tastes and prejudices of some men, it would be absolutely necessary to have a change of governors every six months, but at present I see no urgent necessity for a change. The best proof we can have that no such necessity exists is the hostility shown to Sir Henry by the Family Compact and their adherents. If the Lieutenant Governor will refrain from opposition—as I am sure he will—to the adoption of liberal measures in the administration of Government, it would be not only unwise for the Liberals to interfere with his power, but such an interference might be prejudicial to their influence and interests. We want the Land Question settled, we want the Executive Council to be reconstructed, we want the principle of Responsible Government to be carried into effect. Would it not be imprudent to retard, perhaps, the adoption

of these measures, by seeking immediately for a change in the head of the Government, while the present Governor is favorable to them? If Sir Henry will co-operate with the Liberals, consistent with an impartial discharge of his duties, the Liberals would be worse than fools to discard his co-operation. On the subject of Responsible Government, I have no hesitation to avow myself an advocate of the system. There can be but little hope for Prince Edward Island until this system be substituted for the present irresponsible one. Whatever party have a majority in the House of Assembly, that party should have the power and patronage of Government in their hands. But under the present system, no matter whether the Liberals have a majority or not, the Tories—the irresponsibles—cling to office and emolument, as if office and emolument were their birth-right. In England a representative and irresponsible government could never be successfully combined. And every attempt that has been made in the colonies to form such a combination has given rise to well-grounded discontent and alarm. The Crown cannot nominate its officers without a distinct reference to the wishes of the people. In the Colonies, and particularly in Prince Edward Island, the most important public appointments have been made without ever consulting the will of the people. This is a complete nullification of the representative power; it is, as Lord Durham justly remarks, “a mockery, and a source of confusion.” As no necessity can be found to exist for a greater modification of our representative institutions in the Colonies than in England, is it not fair and reasonable that the Colonists should insist on obtaining the same power and influence, in a comparative degree, which attach to the representative institutions of the Mother Country? The advocates of the genuine system of Responsible Government—and I shall ever be proud to rank myself among the number—cannot be satisfied with a mere modification of the Executive. The principle of responsibility must



be brought to bear upon every department of the administration. The great interests of the country are lodged in the hands of the officials. The Representative Body must be allowed to exercise a legitimate control over these officials, otherwise the principle of Responsibility is a delusion. Does any man in his senses think that Mr. Pope and his friends were sincere in voting for the Address passed last year, if it contemplated, as it should, all the changes indicated? I cannot conceive that they were, because I am quite sure that the adoption of the principle would tell more strongly against themselves than against their opponents. At all events there will be another opportunity of testing them in the time to come; and if Mr. Pope and his adherents assist in breaking up the present system of exclusion and monopoly in the possession of Government patronage and power, I will give him credit for what he professes to be, an advocate of liberal principles, and a disinterested friend of the real interests of the country. Mr. Whelan then reverted to the course he had pursued in the editorial management of the *Morning News*; and continued: Whether or not the Lieutenant Governor ever attempted to control the former editorship of the *Morning News*, is a circumstance with which I am not acquainted. But I know this much, that His Excellency never sought to influence my management of that paper. I know nothing more, personally, of the Lieutenant Governor to-day than I did three years ago; but I do know a little more of his public policy, and of that policy I approve. I have my own principles and opinions for my rule of conduct; and however much I may be calumniated and misrepresented, these principles and opinions are too firmly impressed on my own mind to yield to any external influences. I trust to time—to my own exertions—and to your inherent love of justice and of truth, which cannot be long polluted by all the artifices and undercurrents of my Charlottetown enemies, I trust to these things for a full and unanswerable vindication of my character.

“ Time at last makes all things even—  
And if we but watch the hour,  
There never yet was human power  
That could evade if unforgiven,  
The patient search and vigil long,  
Of him who treasures up a wrong.”

Mr. Whelan concluded by reminding them of the great and important privilege they were about to exercise, and the results of its proper exercise, as regarded themselves and their posterity.



CATHOLIC SCHOOLS.

HAVING read a petition presented by the Catholics of Charlottetown in the year 1851, praying for allowances to Schools attended by Catholic pupils, Mr. Whelan spoke as follows :—

I cannot suppose that the prayer of the petitioners will be rejected by the House, for their claims are in every point of view just and reasonable. By a provision of the existing Act, for the encouragement of Education, legislative aid is, I believe, confined to two schools in Charlottetown, one for boys and the other for girls ; and the propriety of extending it to the two which receive it is 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 my opinion, is acting upon very erroneous principles, indeed. By confining legislative aid to the first two teachers who apply for it, it might very easily happen that the assistance afforded by it would be enjoyed by individuals with 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 far more 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, they might be obliged to abandon their undertaking, and their almost invaluable services might 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 are dependent for the education of their children, whilst extending it to schools, the benefits of which are experienced by comparatively few. Legislative aid ought not, in my opinion, be dependent upon the superficial area, or the extent of a district, but upon the number and necessities of the population. I shall, therefore, proceed to set forth the peculiar claims of the schools on behalf of which legislative aid is prayed for in the petition which I have just read. New schools have been established by private bounty, amongst the Catholics, for the purpose of affording education to the poorer classes. The tuition fees are very low, and are only exacted from those who can afford to pay them, but the generality of the scholars are taught gratis. Last summer there were eighty-six boys in daily attendance, but as the winter set in the number was reduced to fifty one, 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 last year, had 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, is not yet fixed, as the trustees are waiting for legislative action with reference to the school. The salary of the mistress is £25 or £30 a year, and for this the trustees are 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 properly encouraged, would be capable of rendering great and lasting

benefits to the community. I attended an examination of the school last winter, and I can truly say that I never have been more delighted with any similar exhibition in my life. Children of from six or seven to fourteen years of age 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. I do not support the petition merely because it proceeds from that body of Christians of which I am a member, or because the aid for which it prays is for the support of schools belonging to, or under the superintendence and fostering care of, that body, for I would with equal zeal support 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 favor of which I seek to interest the House, it is true, have been established and supported by Catholics ; but the system of education is that of the District Schools of the Island, the books used in them are those recommended by the Board of Education, and the schools are free to children of all religious denominations. Much is often urged in favor of the rights of property—and the legitimate rights of property I shall never seek to infringe—but there are other rights which ought to be held equally sacred, of which, however, but little is said, and in favor of which but very little is urged,—the rights of labor and industry. It is to the labors of honest industry, among the poor and humble, that the acquisition of wealth and property by the few is mainly attributable, and long, unjustly and unwisely have the rights of the operative and productive classes been overlooked or denied, and especially with regard to education. Happily, however, the time has at length arrived when the justice and wisdom of acknowledging these rights is becoming manifest to the legislative and governing powers of

nearly every civilized country in the world ; and here, in Prince Edward Island, before long, I hope to see established such a system of general education as will, 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, I move that the petition be received and laid upon the table with a view to its being taken up when the House is in committee of supply.



## FREE EDUCATION.

I have hitherto refrained from offering any remarks on the Report under consideration, and have not taken that interest in the discussion which, perhaps, it was my duty to take, and which I would have done, had I been a member of the committee from which the report had proceeded. I am, however, anxious to express my sentiments generally with respect to the contemplated measure ; but after the very elaborate discussion which has taken place, I will not trespass long upon the attention or patience of the Committee, lest I should follow in the beaten track of previous speakers, and offer as my own some of the arguments adduced by them. Some honorable members who spoke upon the question last night, and intimated their intention to oppose the land taxation part of the scheme, in compliance with the views of their constituents, seemed unable to advance one single sound argument against that mode of providing for the support of the contemplated free education system ; and, that no just or reasonable objection could be taken by them to that mode was almost unequivocally admitted by themselves. The only justification of their opposition they were able to advance was, that their constituents disapproved of it. These honorable members appear, in this respect, to entertain an idea very different from mine, of the course which it becomes an honest and independent Representative of the people to pursue in the Legislature, in reference to an important measure, touching which he and his constituents may not think alike. They seem to think that, in such a case, it is the duty of the Representative to surrender his judgment to his constituents, and to vote only in obedience to their dictation. I, on the contrary, whilst I admit it to be

the duty of a Representative, when so circumstanced, to listen patiently and respectfully to the remonstrances of his constituents, and to give their opinions and arguments the fullest consideration, am fully persuaded that he ought not to abandon his own judgment, or deviate from the path which he conscientiously believes it to be his duty to pursue ; unless, by the force of facts and reasoning, he shall have been convinced that he had taken an erroneous view of the question. With respect to the question under consideration, I would give the mode of providing for the support of the new system of education, recommended in the Report, my hearty support, because firmly convinced of its equity and propriety. Even although I knew a majority of my constituents to be opposed to it (which I am happy to believe is not the case), I would still act an unbiased and independent part. I would support and advocate to the best of my ability a measure, the passing of which, I believe, would confer a most important benefit upon the whole community. Should I have occasion again to present myself before my constituents as a candidate for their suffrages, I would do so in the full assurance, that my having acted conscientiously in opposition to their views, in one particular, although of the greatest moment, would be acknowledged by every truly independent man amongst them, as the very strongest guarantee I could have afforded them of my fidelity as a Representative of the people and my devotion to the public good. I am glad to find that the question has, hitherto, throughout the course of a very long and close debate, been considered solely with a view to the public weal ; and that no party or personal feelings have been allowed to enter into this discussion, or to prevent a fair and honest consideration of the whole matter. It has also been very gratifying to me to observe that some honorable members, who usually vote with the Government, have on the present question given sufficient evidence, through their opposition to the Government with respect to it, that they acknowledge no slavish subjection



to the Administration, and have ranked themselves with its supporters, solely because, as the friends of the people, they believe they may justly place their dependence upon it, and rely upon the principles by which it has hitherto been characterized. It is being very industriously bruited abroad that the Government is indebted for the support which it receives to the bestowal of petty offices of emolument or honor; but the conduct of those honorable members of the majority who have opposed the Executive on this question is a sufficient evidence of their independence, and a direct refutation, as concerns themselves at least, of the charge of slavish subjection to the Government. In the effect which the tax to be imposed on the proprietors towards the support of the free-education system is expected to have, I also see much cause for satisfaction. One of the greatest grievances under which the colony has labored has been the retention of their lands, in a wilderness state, by the proprietors, with a view to the leasing or selling of them, eventually on higher terms than they can now secure for them. We are now, however, told that the imposition of a tax on the wilderness lands, as contemplated by the report, will have the effect of compelling the proprietors to lease or dispose of their wilderness lands at market prices; and such a prospect could not be otherwise than cheering to the country, for its realization would certainly remove many of the evils which at present oppress the colony, and give that scope for general improvement which has long been desired in vain. The proposed system of education is one of which every true friend of the colony must warmly approve. I will not, by a repetition of what has been so well and truly urged, by some honorable members with respect to the great boon which the free education system will confer on the community at large, run the risk of exhausting the patience of the committee; but I will yet take leave to say that the system will afford the most effectual means of removing all grounds for the reproach, the assumed justice of which afforded a pretext

for withholding from the people certain political privileges. The futility of the objections which have been made to the scheme has, I think, been already pretty well established; I will, however, briefly notice some of those objections before I sit down. Some honorable members have said that the number of schools to be established will be too few for the requirements of the Colony; and others have objected that the qualifications of many of the present teachers are too low. To these objections I reply: first, that the scheme contemplates an immediate provision for about the same, if not a greater number of teachers, than are now employed; and that, as the demand for instruction increases, there is good reason to hope that through increased resources and an improving revenue, the Government will be able to make the number of free schools equal to the demand; and, in the second place, that certain provisions made for teachers, by which the respectability of the profession will be much increased, will not fail to secure to the country a class of duly qualified and respectable teachers. The honorable member for Charlottetown has just said that the tax will press heavily upon many of the poorer settlers; and it has also been said by some other honorable members (of whom the honorable member for Belfast, Mr. Douse, is one) that that class of settlers are so poor, that they cannot pay for the seed grain with which they were supplied by the Government a few years ago. However, admitting all this to be true, I reply that, to the great majority of parents among the tenantry, the new system will afford very sensible relief; for, where they had heretofore to contribute 40s., 50s. and even £4 a year, for the support of a district school, they will have to pay no more than 4s. 2d., and the balance will be left them for the clothing of their children. If we take into account what their fathers spend in luxuries—even the poorest among them—at home, or at market, it will appear quite ridiculous to say that they cannot pay 4s. 2d. each per annum, or even four times as much, for the education of their children.

And, as to the notion of the honorable member for Charlotte-town, that with the inability of some tenants to pay this small annual tax for the education of their children, there would occasionally be found an unwillingness to avail themselves of the benefits of free school education for their children, I believe that scarcely an instance can be found, in any country, where the advantages of education are at all known and appreciated, of a parent, however ignorant and uninformed, as respects school learning, who would not gladly secure to his children, if he could, the means of overcoming the difficulties and mortifications which the want of education have entailed upon himself. Nay, more, I believe it is very often, if not generally, found that parents who have had little or no advantages of education themselves are more anxious to secure those advantages to their children than many amongst those of superior educational attainments. Another honorable member has objected that teachers of sufficient acquirements and respectability could not be procured for annual salaries not exceeding £40 or £60. That might be true, as respects Great Britain; but, in the United States where common school education is of a very advanced and comprehensive character, and where the educational and moral qualifications of the teachers are of the most respectable order, the salaries do not exceed these amounts. The salaries of teachers in Canada are also on a similar scale, ranging from £25 to £60 a year. And, if in the United States, in which the field for the employment of talent and acquirements is so extensive, and the occupations so various in which they might be advantageously employed, superior teachers, in almost any number, can be secured for those limited stipends, we can have little, if any, reason at all to doubt that here, where the opportunities for the profitable exercise of talents and learning are so few, we shall not be able to find a sufficient number of duly qualified and respectable teachers to conduct our free schools for such salaries. It has also been objected to the contem-

plated scheme, that it would operate unjustly with regard to tenants and other holders or occupiers of property who had no children ; since they would be obliged to contribute as much for the support of the system as they who had children to be educated under it. The operation of the scheme, however, in this particular is perfectly fair and justifiable. The support and working of the system will be for the general good ; and every individual in the community will eventually be benefited by it. To use what, by some will be termed a jesuitism, this is one of those measures concerning which it is allowable to do a little wrong to effect a great good. The man who has no children to be educated, under the operation of the contemplated scheme, is obliged to contribute for the maintenance of jails and a lunatic asylum ; and it ought to be remembered that crime and licentious indulgence, which have supplied both with their victims, have generally had their source in ignorance and in the want of moral and intellectual training. It is an old and true saying, that it is better to pay the baker than the doctor ; and if I may be allowed, I will add to this a similar adage, and say, " it is better to pay the parson or the schoolmaster than the lawyer or the hangman." The general diffusion of education will be the general diffusion of all the elements of order, peace, harmony, and happiness. It will increase the capacity for, and the amount of, pure enjoyment in domestic circles. It will afford security to property, and give the best guarantee for the fulfilment of every obligation. It will give a stimulus to industry, and assist ingenuity. It will diminish the temptations to commit crime, and enable individuals to secure the objects of their reasonable or laudable ambition. And, while operating thus with respect to individuals and families, it will increase public spirit, aid in the opening up and improvement of our resources, and contribute largely to the general prosperity of the Colony.


I am not aware whether or not the details of the Education Bill will embrace any new matter not alluded to in the Report

now before the committee ; but I would suggest that it is worthy of consideration to amend the report so that it may contain a recommendation to the effect that the contemplated Education Bill shall include a provision for the establishment of three Scholarships in connection with the Central Academy. These Scholarships might be fixed at about £30 each to be open to the competition of the youth of the three counties of the Island for which they should be set apart. Looking to the good effects arising from the establishment of Scholarships in other countries—in England, in the United States, and in the North American Colonies—to the wholesome influence they exercise in stimulating and sustaining the inquiry and ambition of young men of talents and acquirements, and to the fact that a Scholarship frequently affords the requisite means to a person of talent who may be fortunate enough to win it, of pursuing his studies at an educational establishment, when, without such Scholarship, the want of the necessary funds to maintain himself in a respectable position would compel his abandonment of academic pursuits. Looking, I say, to the good effect arising from the establishment of Scholarships, on the grounds I have just mentioned, I am thoroughly convinced that an annual expenditure of ninety pounds would be a highly judicious one, for the purpose I have just alluded to. If it be necessary to adduce any proof of the advantages to result from Scholarships, I may remind the committee, that two of our Island youths—educated at the Central Academy in this town, have won distinguished honors and rewards, one in the Academy at Pictou, and the other in the Academy at St. Andrews, N.B., and that by their success in first winning Scholarships at the places I have mentioned, they were enabled to compete for and carry off the higher prizes of Professorships. These are facts not only creditable to the young gentlemen themselves, but it is gratifying to their fellow countrymen to reflect that in an arena, comparatively so extensive as that of Nova Scotia, or that of New Brunswick, two Island lads

should have so nobly distinguished themselves as the young gentlemen to whom I have made reference. The neighboring Provinces have given such proofs as these of their enlightened liberality, in making provision for the support of their educational institutions, thereby conferring the most solid advantages on two individuals whose thirst for knowledge was first created within the walls of our Academy. We should not, in my opinion, lose the present opportunity—when we are revising and amending our Education Law—of introducing a feature into the character of our Academy, so productive of private and public good as the one which I have just suggested.



FRANCHISE BILL.

N February 7th, 1852, in moving the second reading of the Bill to equalize and extend the Elective Franchise throughout this Island, Hon. Mr. Whelan said :

I feel it to be my duty to offer a few observations explanatory of the object and principles of this Bill. The principles of this measure are so just and equitable, that few, if any, honorable members on either side of the House will hesitate to give it their sanction when once understood. It aims a direct blow at the invidious system that at present prevails, by which a large though a poor and humble class of our population are disfranchised, and by which the residents of towns are placed in a far worse position as regards the enjoyment of an important privilege than that which is held by those of the country districts. The object of the Bill is to extend the Franchise to each and all alike, who have been in the possession of property, for a period of not less than twelve months previous to an election, of the annual value of forty shillings. It is of no consequence whether such property is in fee simple or under lease—whether, if rented property, the occupier is under agreement or not, all will be alike entitled to a vote who are in the undisturbed possession, occupation or ownership of a house, or shop, or warehouse, or piece of land worth forty shillings a year. The enlightened and reforming spirit of the age demands this extension of the Franchise ; other countries have set Prince Edward Island an example in respect to it ; and Nova Scotia, only last year, went so far as to confer the elective privilege upon every individual—no matter whether he held property or not—who paid poor and county rates. It has long been the practice to overlook honest labor and industry in the establishment of representative institutions—not only to make laws for the benefit of property and wealth, but to

exclude the laboring and industrial classes from having a full, free voice in the making of those laws. It seems to be forgotten that labor is the source of wealth—that property is merely the offspring of industry. What was labor yesterday is property to-day, and may be wealth to-morrow. Is it not, therefore, the duty of a Legislature, which claims to be representative of the popular will, to take care that the legitimate claims of labor are adequately recognized in the making of laws which affect the privileges of the people? As respects the distinction which the existing law makes between the residents of town and country districts, I can see no good reason why the qualification of electors should be higher in one place than another. In the Town and Royalty an individual cannot vote, unless he enjoys freehold or leasehold property to the value of £10 a year; whilst the man who lives perhaps only a stone's throw from him, on the other side of the Royalty line, can exercise that privilege, if he has rendered himself liable under a lease or an agreement to pay rent to the amount of forty shillings a year. Nor is this, perhaps, the worst feature of the case. No matter what is the extent of a man's possessions—he may have hundreds of pounds worth of property around him; but unless the right ownership is vested in him, or unless he has some instrument in writing from the person who claims the ownership, he cannot exercise his right in the election of representatives who make him, by taxation, contribute towards the support of Government; whilst his neighbor having the accidental advantage of a lease, with comparatively little means, and consequently less able to contribute to the public purse, may help to send a man to the Assembly to represent his interests and opinions therein. Surely this is an inequitable, unjust distinction—an anomaly that ought to have been long since blotted from the Statute Book; and I trust that, by passing the Bill I hold in my hand, the House will remedy so monstrous an injustice, and award to a large class of the population the inalienable and essential right, which all persons should alike enjoy, of choosing their representatives.



## SELF DEFENCE.

**A**N investigation, respecting Mr. Whelan's qualification as a member of the Legislature, was held on March 26th, 1852, which caused considerable excitement in political circles, and a lengthy debate on the floor of the House. The enquiry was instituted by the then Leader of the Opposition, in a cutting speech, to which Mr. Whelan replied as follows :

As to my position before this committee, it is one of the most novel and unprecedented in which any member of a legislative body has ever been placed. Without having been guilty of any violation of duty or of law, I am placed as a criminal before those with whom I have an indefeasible right to stand upon a footing of perfect equality as a duly qualified and duly chosen representative of the people. I am placed in this position by one who has no right to accuse me, and whose charges against me, I feel convinced, the Committee are already fully satisfied have no foundation, either in fact or in law, and which the highest forensic talent, could it have been prostituted to the disingenuous support of so bad a cause, would fail to sustain before any honest and independent jury, possessed of merely ordinary discernment and common sagacity. Does the practice of the Imperial Parliament justify so indecorous an assault upon the rights and privileges of one of its members? I think not. Does even the more lax and perhaps less dignified usages of Colonial assemblies afford any precedent? I believe I might safely affirm that the Records of none will afford an example of any similar outrage upon the individual privileges of a representative of the people, or upon the collective dignity of the assembly. And how has so great an outrage been accomplished? By the instrumentality of a single section of the Election Law, which gives to any indivi-

dual member of the House, who might wantonly and malignantly wish to insult and annoy a fellow member, power to demand the production of his qualification, and to call for an investigation of its validity. This is the first time that a course so utterly repugnant to every manly, honorable, or noble feeling has been pursued, by a member of this House, and I hope the issue of the enquiry, and the manner in which the House will testify their disapprobation of it, will tend to make it the last. I could not—because it is hidden from me except by outward manifestations—undertake strictly to analyze the composition of the mind which devised the inquisitorial and hateful clause which confers so unwarrantable a power upon any member of the Assembly who might desire to indulge his whim or caprice, or choose to gratify his malignity, in the character of a public accuser; but certain I am that such a mind must have been wholly destitute of all the finer and more ennobling feelings of human nature. It is a clause which gives one man a most unjustifiable power over the conventional and constitutional rights of another in the very highest character with which he could be invested by his fellowmen—that of a legislator and a representative of the people. It gives one man power to destroy with impunity the moral life of another, against whom his malignity might be aroused by the ranklings engendered in his bosom by disappointed ambition, defeated intrigues, and political humiliations; and it bears in all its features the most unmistakable evidence of its being the legitimate offspring of a mind prone to any species of tyranny and oppression. Look at the consequence of such a law to myself, to the public, and to the House. A member of the House has thought proper to rise, and by implication charge me with the foul, the detestable crime of perjury. The charge is not nor cannot be confined to the House, to Charlottetown, or even to Prince Edward Island. It has been made in the hearing of all the members, and of all the strangers, in the House; and by their instrumentality, and that of the news-

papers, will, unfounded and unsustained by evidence as it is, find its way, not only into every corner of the Island, but into and throughout every Province and country with which we maintain political and commercial intercourse; and little to me, my family, or my friends, might it avail, with respect to many at a distance, amongst whom the unfounded calumny might be circulated that it was afterwards most triumphantly refuted. Many who might see the accusation might never learn that it had proved to be a most unjustifiable and villianous slander; and wherever my name is known it may most unjustly be coupled with the infamy, long after I shall have passed from this earthly stage. And by whom has this foul and unjustifiable calumny been uttered? By one who knows that no legal proceeding can be instituted against him for the utterance of it within the sanctuary afforded him by the walls of this House. I may, however, say that it was very fortunate for that honorable member, that the accusation which he has thrown out against me has been made within the sanctuary of this Assembly, for had it been made elsewhere, I would have dragged him before the tribunal where he has been so often obliged to seek assistance from the quirks and quibbles of the law, to sustain him in his advocacy of a bad cause, I would have bearded the lion in his den; but I must beg that noble animal's pardon for having likened him to one who resembles him in none of the nobler traits of his savage character, not in his magnanimity and courage, but the comparison might hold as to his cruelty and ferocity. (Here Mr. Whelan was called to order by the Chair.) If not allowed latitude of speech upon the floor of this House, I will take care to do myself justice before the public through another channel; the accusation set forth against me is of a two-fold character. In the first place, I am by implication charged with the crime of perjury, and, in the next, accused of sitting as a member of the House without having a legal qualification. And the accusation is in no way mitigated by any hesitancy on the part of the accuser, by no

dubious or qualified expressions, but on the contrary is directly, positively, and confidently urged ; and to make the mode of accusation still worse, the alleged crimes are set forth by one who, besides arrogating to himself the functions of both judge and jury, would, I verily believe, with little reluctance, discharge those of the hangman also. My accuser has said that I have no right to sit as a member of this House, he has charged me with having committed the crime of perjury, and has said that I ought to have my ears cropped off ; but if the charges are true, the offences were committed at a time when my accuser was the sworn Law officer of the Crown, and when it was his duty, if he believed me to have been guilty, to have me indicted for the crime. It cannot be said that he was withheld from pursuing such a course through the influence of any charitable feelings towards me, for he was then opposed to me with little less vindictive hostility than now. I have been a member of this House for six years, and during that period he has had frequent opportunities of trying the validity of my qualification, had he been desirous of doing so, and bringing the question of alleged perjury to an issue. That allegation, however, has, at length, been fully disproved, and I would scorn to make any further allusion to it. With respect to the second particular of the pending investigation, the validity or invalidity of my qualification in 1850, the evidence before the committee, is such as to prove, in the most satisfactory and direct manner, that my qualification was, at that time, as well as at the present, indisputable. But he maintains that I had then no valid or sufficient qualification as respects my title to 73 acres of land, purchased by me from Mr. Dawson, although Mr. Dawson has, on his oath, stated to the Committee that he had sold the land to me in 1846 for £50, by an agreement to that effect duly entered into and executed at the time ; and that he had handed over to me the Deed of the same, at the same time, in further confirmation of the sale and relinquishment of the property. The title to the property must certainly

have been in some one's possession at that time, and that it was not in Mr. Dawson's, he has himself clearly stated. Mr. Dawson has told the Committee that after he entered into the agreement for the sale of the land to me, he considered that he had nothing more to do with it, but that, from that time, it became my *bona fide* property ; and that he had positively no further claim upon it. He (Mr. Dawson) has sworn that I had a perfect right to sell it in 1846, had I chosen to do so. The honorable member for Charlottetown next argues that the conveyance to me from Mr. Dawson did not constitute me a freehold proprietor, because the estate so conveyed was not unencumbered, inasmuch as the purchase money was not paid at the time. But what is the fact ? A receipt for the purchase money is endorsed upon the deed ; and although it has been shown that the payment was by a Promissory note, that did not alter the case. A Promissory note is as much a species of paper money as a Treasury Note or Bank paper. A note of hand is analagous to a Treasury Note, which is a promise to pay a certain sum of money, without specifying on what account. The difference between it and a Treasury Note is that the latter is issued on the public credit, the former on the credit of an individual. It could not have been exhibited in proof of an encumbrance upon my land any more than any other note of hand, which I might have given in acknowledgment of and as a promise for the payment of a debt or obligation, which I might have contracted on any other account. The receipt is sufficient evidence that the purchase money has been paid, it matters not what species of money ; and to quote the honorable member's own words, my having paid for the land is the strongest and best evidence of my title to it. But in attempting to prove my disqualification, the honorable member has proceeded to the supposition that I had no claim to any other property on which I could establish a legal qualification, whereas in the schedule of my qualification, handed to the Sheriff on nomination day, in March, 1850, is set forth my

qualification on account of a leasehold interest in 300 acres of land, as well as my distinct qualification on 73 acres of freehold, and to this qualification, as generally set forth in the schedule, I have sworn. Although witnesses have been called for the purpose of showing that the land was not of value sufficient to constitute a legal qualification in its owner, the evidence of those identical witnesses has in the main rather tended to establish than overthrow the very fact which they have been summoned to disprove, which was, however, put entirely beyond doubt and question by the very credible and respectable witnesses whom I have summoned to show the value of the property. All the conditions of the agreement entered into in 1846 have been fulfilled, that has been sworn to by Mr. Dawson. Oh, exclaims the honorable member, entrenching himself behind another quibble and a sopnism, he had no legal interest in the land, he was not in seizin or possession; then, pray, who was in possession? Was Mr. Dawson? No. It has been declared by him upon oath that I could exercise all the rights of ownership from the time the agreement was signed in 1846. Was Mr. Dawson, then, the possessor? No; that could not be the case, because according to the honorable member for Charlottetown I had an equitable claim upon, and interest in, the land. Mr. Dawson could not, therefore, possess what another had an equitable claim upon, therefore it is unnecessary to further expose the absurdity of these quibbles.

## SALARIES BILL.

**I**F, hitherto, I had no desire to take part in the discussion now going on, I think, indeed, I would be fully warranted in replying to the allegations, which have just been directed against myself individually, with so much rancour and injustice, from the other side of the House. When I first read the notice on the Order Book, some few weeks ago, that it was the intention of the honorable member for Darnley (Mr. Clark) to introduce a Bill to commute the charges of the Queen's Printer for a stated salary, it was my determination—a determination not only in accordance with the practice of the House, but fully in accordance with my own judgment,—to maintain a strict silence in regard to a Bill of that nature. But when the honorable member—acting, no doubt, under the advice of certain gentlemen of the minority of this House,—has thought proper to tack on to the Bill the office of the Attorney General (Hon. Chas. Young), and by making a general assault upon both, secure the passage of a measure by which the interests of either the one or the other would be damaged, I felt that I was no longer restrained from expressing my opinions upon the Bill; and I now beg to warn the honorable member for Darnley, that if I be disposed to handle him and his bantling somewhat roughly and uncourteously, I do so, not because I feel that I am assailed in an open and manly manner, but because he thinks it safer to whip me on the Attorney General's back, and to whip the Attorney General on mine. I have no doubt the honorable member will disclaim personal motives in bringing forward this measure. It is quite fashionable to do so. Zeal for the public interest will, no doubt, be pleaded in justification of the step he has taken. *Perhaps* the honorable gentleman *may* be actuated by such a patriotic in-

tention. *Perhaps* he *may* be animated by the ambition to signalize his public life by the introduction of *one* original measure into this Assembly. He has been for seven years a member of Parliament, and it may be that he does not wish his career to be brought to an inglorious close—it may be that he burns with the desire of being able, in after years, to tell his present constituents that he has been instrumental in placing at least one law upon the Statute Book. I may be wrong, however, in imputing such vanity to the honorable member. But if I am wrong, he certainly has taken no pains to guard me against the error. The Bill has been long enough before the House to have enabled the honorable member to come down here, with such an array of facts and figures as would have been sufficient to convince every other member around me, that the time had at length arrived when it was necessary to commute the fees of the Attorney General and Queen's Printer for fixed salaries. Judging from the time which has intervened—extending over weeks—from the introduction of the Bill to the motion now made, I confidently expected that the honorable member was fully prepared to show that both the Queen's Printer and the Attorney General had practised the most arrant extortion upon the public, and that it was now time to put a stop to such practices. But what has been the result of the honorable gentleman's long deliberations? Why, simply nothing. Not a speech—not a fact—not a figure has he condescended to vouchsafe. Yet, if *he* himself has been wanting in this respect, his new friends in the minority have most graciously come to his relief; and I am sure they will feel grateful to him for the admirable opportunity he has afforded to them of making their annual fling at the Queen's Printer. It has been a favorite pastime with the gentlemen on the other side of the House to make the character, both public and private, of the Queen's Printer a target for their unjustifiable assaults; and if the honorable member for Darnley has been made a tool of on this occasion to pander to their mal-



evolence, I presume he will receive from them his reward in his private intercourse with them in the shape of a compliment for his so-called independence, without thinking that those compliments have been earned by the sacrifice of that confidence and kindly feeling which everywhere subsist between the members of the same political party. It has often been the subject of slanderous imputation, in a certain newspaper printed in this Colony, that the majority of our House of Assembly are banded together for unholy motives, and that office-holders especially, should they happen to be guilty of fraud or peculation, are safe against scrutiny or challenge, so long as they can command a majority to support their general political principles in this House.

The honorable member for Darnley is doubtless desirous of showing that such a stigma cannot fairly attach to him, that he is not only determined to check wrong doing in the conduct of his adversaries, but that he is prepared to gibbet his friends, and to act, if necessary, the part of their executioner, if even the minority suppose or fancy any of them to be guilty of a crime. If the office-holders were really guilty of any faults, they might well exclaim, "Oh, save us from our friends," when some of those friends manifest so ardent a desire to convict them without sufficient evidence. What is the object—of course I mean the ostensible object ;—I suppose it is to economise the public money, to reduce the emoluments of the Attorney General and Queen's Printer, but I am not aware that it provides for a reduction of the labors of either office, or the costs attending their management. This object, then, pre-supposes that both officers are over-paid, it pre-supposes that they are in the habit of making charges not commensurate with the duties they are required to perform, it was certainly incumbent upon the honorable member for Darnley to establish this point ; if he could, it was clearly his duty to shew that the public had paid higher professional fees to the Attorney General than those allowed to his predecessor ; and that the Queen's Printer had made

charges against the Government not warranted by the practice of *his* predecessor. He has not, however, done so, he cannot do so; but his officious interference in the matter must lead to the opinion, that in *his* immaculate belief both officers are public extortioners. Now, since the honorable member appeared to be ignorant of the course he should have taken in reference to this matter, I will take the liberty of telling him; and perhaps before the subject be brought to a close, he may be induced to act upon the information. If he thought the Attorney General and Queen's Printer were over-paid, he should have moved for a committee of enquiry, and demanded before that committee an examination of the accounts of both officers, and compared those accounts with the charges made by their predecessors. If the result of such enquiry justified his apprehensions, and proved that the officers in question had overcharged the public, then it would have been right to compel them to refund the excess, and to establish a proper scale of charges, so as to prevent extortion for the future. But instead of that very obvious and very proper course of action, the honorable member flings out a proposition, which exposes two of his political friends to the most scandalous imputations. How well the opportunity has been turned to account has been just shewn by a member on the other side of the House. That member appears to have studied the Queen's Printer's accounts with great zeal; and he must feel deeply indebted to the member for Darnley, who has given rise to this occasion for spurting forth his resentment against me. But I shall come to his observations and quotations from my accounts bye-and-bye; and I think I shall shew that on this, as well as on other occasions, his bungling and special pleading is likely to be far more damaging to the character of his own client—who happens to be the late Queen's Printer—than to the party on the other side, whom he is hired to assail. Is the principle of the Bill a just and equitable one? If it is, why was it not thought of before? The honorable member has been seven years in the House; he has had the

accounts of the Queen's Printer and Attorney General every Session before him; those of the former, for the past two years especially, have been thumbed like an old primer in the hands of a school-boy, and many a voyage of discovery has been made through their pages to discover an error or an over-charge. If the principle of the Bill is just and equitable now, it was equally so when the fees of the Secretary and other public officers were commuted some years ago for fixed salaries, and the honorable member was then amongst us. But the bright idea did not flash upon his mind whilst his political opponents were in office. During Sir Henry Huntley's administration of the Government there were actually three Queen's Printers in the colony. Mr. Haszard stood at the head of the list, as he had what he called his patent; but Mr. Ings reprinted almost every thing that appeared in the *Gazette*, except the laws; and Messrs. Cooper & Bremner, in their turn, reprinted the official notices after Mr. Ings, so that each had a very handsome share of the public plunder. The principle of this Bill was neither just nor necessary in those days; nor does it appear to be considered just or necessary by its introducer in reference to other officers paid by fees, as well as the Attorney General. If the honorable member wished to bring forward an honest and impartial Bill, why not have made it general in its details. Why not have included the Solicitor General? He is paid by fees as well as the Attorney General, and the clerk of the Crown and Prothonotary; he is paid in the same manner as the High Sheriffs of the counties, whose emoluments, with the exception of £20 to each, consist of indeterminate fees? Why not have included in the Bill all these officers, and others, who may happen to be paid in a similar manner? Of course, the principle of the Bill would not be just and equitable if made to apply to any other but the Attorney General and Queen's Printer. But, sir, I do not think the principle is a sound one with regard even to the Attorney General; and as to the office of Queen's Printer, it is totally impracticable. It is very proper to

pay a fixed salary to a public functionary like the Treasurer, or Secretary, whose duties are well or tolerably well defined, and involve no mental toil or study, who enters his office without it being necessary for him to undergo a certain course of training ; but with regard to such an officer as the Attorney General, he has had to acquire a profession, which must have cost a large amount of time and money ; and as to his duties as one of the Crown law officers, it is impossible to define them, with the view of determining what his salary should be—in one year he may have more Crown business to transact than in two other years ; and for the former, with a salary, he must be either greatly underpaid, or, in the latter years, shamefully over-paid. But suppose you fix a salary for the Attorney General, you must fix it at the average of what the emoluments of that office have been,—unless it is meant to perpetrate an act of injustice. I don't expect the honorable mover of the Bill will be disposed to do this, for his object is to reduce the emoluments of the officers affected by his Bill, and not to put them on a footing with their predecessors. But let us see what is the average of the fees received by the Attorney General. I hold in my hand a return of the emoluments of that office from 1848 to the present time. For that period the average of the Attorney General's allowance has been about £450 a year ; for the first year mentioned in this return the amount of fees and salary paid to Mr. Hodgson was £550, whilst last year Mr. Young received only £437. With regard to the charges for conducting Crown prosecutions, they were fully as large an item during the incumbency of the late Attorney General as during that of his successor ; for putting notes to the laws there has been no extravagance practised by the present officer, but on the contrary, his charge for this service last year was less than Mr. Hodgson's in 1849, when the laws were not only fewer in number but less voluminous in extent, as may be seen by comparing the laws of 1849 with those of 1852. It is true that Mr.

Young's charge for miscellaneous services last year was greater than Mr. Hodgson's had been for a similar period ; but the services rendered, it should be borne in mind, were very numerous, many of them consequent upon the change of government. It has not been shewn, however, that Mr. Young has charged for any particular service a higher fee than his predecessor. In the case of the land tax collection, it is true, he derived greater profits from this source than his predecessor ; but the construction evidently put upon the law by the judges of the Supreme Court, and the only legitimate construction which the act will bear, justified his proceeding by separate informations against the several townships in arrear respectively ; but his charge for these informations was not higher, I believe, than what his predecessor had been accustomed to make.

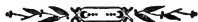
Now I shall address myself, but very briefly, to that branch of the subject which relates to the office I hold myself. Properly speaking, the Queen's Printer is not an officer of the Government ; he merely enjoys a monopoly of the public printing. Can his charges be commuted for a salary. There is only one way of doing it ; but that way would entail heavier expense upon the Government than the present system. If you legalize the Bill, and make the Queen's Printer a responsible public officer, you should place him on a level with the other officers of the Government, provide him with a printing office, stock it with types, presses, paper, stationery, and all the other requirements of a printing office, and give the Queen's Printer a salary to take charge of it and superintend the labor, and as a compensation for his skill in the business. But it is manifestly absurd to talk of a salary, when you want the Queen's Printer to provide everything himself. Now he is required to keep on hand at all times a large and expensive stock of paper, which may or may not be required for the public service,—if not required, he must make use of it, in the best way he can. He is also required to keep a sufficient number of hands em-

ployed, to be ready for any emergency. At particular seasons only the whole force may be required on the public printing; they must be employed on private business at other times, for it would be unsafe to discharge them, as their services might not be attainable when required. The cost for paper, labor and miscellaneous charges in the Queen's Printer's office last year was over £800; next year it may be £1000, or perhaps not half the amount. As the prospective work of the office is not ascertainable, so is it impossible to determine what the cost of its management would be. Fixing a salary for the office, therefore, seems to me to be as impracticable and as visionary as it would be for the honorable member for Darnley to say to his tailor—"My good fellow, I have passed a little law of my own by which I mean to put you on an allowance. You shall make what clothes I require for that sum, and find the materials, too." But suppose the honorable member took it into his head to go to Paris, London or New York, and after admiring the fashions of those places, came back with a passion for fine and expensive dress, so that instead of being content with one coat a year of honest homespun, he should have three of the finest broadcloth and of the newest fashion. In vain, I suppose, would the unfortunate tailor remonstrate, and say that he had double the labor to employ to make the honorable gentleman's clothes, that he incurred heavier and daily increasing expense for materials. Why the honorable member would reply to his remonstrance—"That's the very reason why I cut you down to a fixed amount; I perceived that my custom would be alarmingly on the increase, that you would have more journeymen to employ, and more cloth to cut up; but I can't consent to pay more than I did when you had no such heavy outlay." The honorable member might preach the same agreeable doctrine to his shoe-maker. In fact, I see no reason why he should not extend it into every branch of business; the shopkeeper should give him what he wanted for so much per annum,

the butcher should be put upon a salary, and the blacksmith should have horses without number for so many dollars a year; the doctor should give physic and advice, without thinking how many visits he made, or how many children he carried out of the measles and the whooping cough; but in this reciprocal age, the honorable member would be content, I suppose, to abide by this mode of payment himself, when he brought his produce to town. I should like to give him a fixed salary for his butter and eggs, and oatmeal and flour. What matter if I and others, who dealt with him in this way, would bye-and-bye have double the number of people to feed that we have now? To be sure he would have to extend the area of his poultry yard, and the limits of his dairy, add to the number of his farm servants, sow more oats and wheat, and keep more cattle to work his farm. But he could not consistently complain; he was the first to lay down the wise principle of paying indeterminate and undefinable services by a fixed salary. Gentlemen on the other side of the House urge it as a reason for supporting the bill in its present shape, that the expense of the public printing is greatly increased. Of course the total expense must be increased when the labor is about trebled. Look, for example, at the amount of printing now required for some of the departments of the public service. In the Post Office, before the transfer of its management to the Colony, there was hardly any printing to be done beyond a few advertisements in the *Gazette*. All the blank forms were provided by the general Post Office in England. Those blanks are of the most costly description, being generally ruled work. The charge for them, and they are very numerous, has now to be borne by the Colony. Then there are the Customs and Excise offices. Two years ago there were only four or five such offices, now there are fifteen; the public printing, consequently, for these offices is about trebled. Take, again, the road service. There are now 31 commissioners, formerly

there were but sixteen. The printing for this service is about doubled ; whilst several other departments have been added to the public service, and those heretofore in existence have extended their operations, and consequently the labors of the Queen's Printer have been extended likewise. The increase in the total cost of the public printing the last year or two is, therefore, easily accounted for.

But let the honorable member opposite, or let the honorable introducer of the Bill now before the House, do as I first suggested, ask for a committee of enquiry, let that committee scrutinize my accounts, compare the charges contained in them with those of my predecessor, and I feel satisfied that their report would be greatly in my favour. But thus taking up at random my accounts or those of my predecessor can lead to no satisfactory result. "One story is good till another is told," and if members opposite will, forsooth, persist in just picking out such items out of my accounts as may seem to tell against me, I can easily follow their example with regard to Mr. Haszard's accounts, and throw stone for stone.





## DEFEAT OF THE COLES-WHELAN GOVERNMENT.

THE regular quadrennial election, held in August, 1853, resulted in the temporary overthrow of the Coles-Whelan administration; and the opposition forwarded a memorial to the Lieutenant-Governor, asking him to summon the Legislature to meet forthwith. This he declined to do, thereby allowing the Liberals to hold the reins of Government until February, 1854. When Parliament met, a vote of want of confidence was carried, the result being the formation of the Holl-Palmer Government. About this time the new Franchise Bill, having received the Royal assent, was on its way out, on the arrival of which Sir Alexander Bannerman dissolved the House, and on the 20th June, 1854, the Liberals were returned to office. During the debate preceding the defeat of the Liberal administration, Hon. Mr. Whelan addressed the House as follows:—

I conceive it to be due to my party to put their political sentiments on record, at what appears to be a public crisis; because I know it is the intention of the majority to have everything their own way, and to negative every part of the address from this side of the House. The Speech, to which the Address about to be considered by the House in committee is a reply, is the most statesmanlike which has ever been delivered in this Colony. Contrast it with former speeches, in which the policy recommended was the narrowing of popular privileges, and how much more in accordance with the enlightenment and liberality of the present era are its tone and character? How often have we heard that the constant aim and study of the Crown is to diminish or confine the liberties of the people; but His Excellency—the representative of Her Majesty—has, in this Speech, assured us that no Colonial

Minister, unless for very cogent reasons, would deem it expedient, at least by Imperial interference, to narrow or diminish the principles of self-Government just established in this Island. Contrast that Speech with others, on the subject of Finance, and how favorable to us the comparison ! Whilst previous Governors have found it their duty to hold up to view the restraining burthen of the public debt, and to urge upon the Assembly the necessity for rigid economy in their pecuniary appropriations, the more pleasing duty has devolved upon His Excellency Sir Alexander Bannerman, of calling the attention of the Legislature and the people to the present most prosperous and gratifying state of the public finances. For that Speech Sir Alexander Bannerman will long deserve the gratitude and esteem of the people of Prince Edward Island. It will long be remembered by them that the first statesmanlike Speech ever delivered in this colony by a representative of the Crown emanated from him. Some months after the General Election last summer, His Excellency informed us that a Requisition had been addressed to him by fifteen of the individuals who had been chosen the parliamentary representatives of the people, calling upon His Excellency to summon the Assembly at an early day, to afford them an opportunity to exclude departmental officers from the Legislature by legal enactment. But with this Requisition, he further informed us, he had not thought it proper to comply, because his doing so would have been construed into an admission, on his part, that evils had arisen demanding an immediate change ; and also because the practice as then existing was in accordance with an Act passed six years ago, and still in force, defining what are departmental offices. I happen to have before me the draft of the Requisition having the names of fifteen members of the Assembly subscribed to it ; of one of those members, however, it is worthy of remark, his name is in the handwriting of another. Now, will any of those gentlemen tell us of any instance, either in Great Britain or her colonies,

in which any portion of the chosen representatives of the people presumed to address such a Requisition to the Sovereign, or the Sovereign's representative, before they were duly sworn as the people's representatives in Parliament? Those presumptuous requisitionists were, in fact, before being sworn in, no more parliamentary representatives of the people, nor had they any better right to exercise any of the privileges of members of Parliament, than any other simple and unprivileged members of the community. But for what purpose have they arrogated to themselves the right to exercise such a privilege? Was it to farther the business of the country? It was only that, expecting to constitute the majority in the Assembly, they might have the earliest opportunity to turn out of the public offices their present incumbents, and appropriate the vacancies to themselves. Yes, so much did they covet the power and emoluments attached to the chief appointments and offices, out of which they have been kept so long, that their impatient eagerness to repossess them drove them into the adoption of a most extraordinary, if not unconstitutional, course for the attainment of their object.

DR. CONROY.—The late Daniel O'Connell, member-elect of the House of Commons for Clare, has, although not sworn in a member of Parliament, publicly exercised, freely and unquestioned, one of the peculiar privileges of members of Parliament,—that of franking letters, and I have one now in my possession franked by that gentleman when so circumstanced.

HON. MR. WHELAN.—If he did so, he did what he had no right to do; but he never set his hand to such a document as the Requisition of which I have just spoken. The honorable member for Queen's County, who sits near me, has just said that it was the intention of the Requisitionists to exclude only *certain* office-holders—not all. That is very true; it was only *certain* public officers whom they meant to exclude, and it is equally true, I believe, that they intended to make cats-paws

of certain members. It is not their intention, I can readily believe, to exclude the Attorney-General or the Solicitor-General, or, perhaps, the Colonial Secretary. The Requisition states that public opinion had been tested at the last election with respect to the Departmental system and had decided against it. The truth of that statement I, however, most emphatically deny. Public opinion was neither tested with respect to that system, nor had it pronounced against it. The very reverse is the fact. The great majority of the people are well satisfied with the working of Responsible Government, as from the first it has been established, and it was only by means of professions in accordance with the general feeling and sentiment of satisfaction and approbation, which its favorable working had excited throughout the country, that certain candidates for the suffrages of the people had deceptively secured their elections, and are now ranged in opposition to the views of their constituents, to ensure, by a direct and total abandonment of their electioneering *liberality*, a majority to the old Tory obstructionists in the House. I am now alluding to Mr. McGowan and Mr. McEachen, both of whom secured their elections by their unequivocal declarations during their canvass, and at the hustings, in favor of Responsible Government, as it had been established and carried out by the majority of the last Assembly. In the Requisition which they have signed, a declaration is made against the system of Responsible Government established in Canada, New Brunswick and Nova Scotia—in all of which it has brought about changes most beneficial to the people—and also as established and successfully carried out in Prince Edward Island. In the Provinces in which it was first established the result has been increased prosperity, and in Prince Edward Island not a single evil has resulted from it—no neglect of duty nor any instance of peculation on the part of the public officers can be pointed out as a proof of its inefficiency. It is in vain to talk about the rights and privileges of the people having been

trodden upon or neglected. It is in vain to ascribe tyranny to the Government ; not one instance of arbitrary or tyrannic exercise of power ; can be brought against them. If they have erred at all it has been in the exercise of too great liberality towards their enemies. Accusations of tyranny and neglect of the people's rights come with a very bad grace, indeed, from parties who are not without good and substantial reasons suspected of having lent collusory aid to the late Lieutenant Governor (Sir Donald Campbell), in his attempts to carry into effect his tyrannous and traitorous scheme for the disfranchisement of four-fifths of the tenantry of this Island. Formerly every record of designs so foul and black was kept secret from the people in the archives of the Government, but the establishment of Responsible Government has made public that infamous purpose to the lasting disgrace of its author and his abettors. Will that party deny that their aim and object are to bring back the old detestable system and to elevate to power the men who formerly acted upon such principles? There is no doubt—cloak it under what name they may—that the real object of the outcry raised against Responsible Government by the obstructive party is to bring back that system under which the public functionaries could again be chosen without reference to the people, and might hold their employment in defiance of the people's wishes. Now it is irresponsible Government the opposition are seeking to re-establish, for how, I ask, can office-holders be made responsible if not in Parliament? Under the responsible system, has any peculation been practised? No. The check is too great. When members of the assembly are appointed to offices, they are sent back to their constituents for ratifications of their appointments, without which they cannot enter their offices. Besides, when in office, their accounts are audited every quarter, and that, too, under the present Government by gentlemen having no sympathy with the party in power, whilst, again, their accounts are subject to parliamentary inspection. With these precautions it is scarcely possible for

the smallest error, let alone defalcations, to escape detection. It was not so, however, under the old system. Then, whatever their practices, office-holders were able to hold—as they actually did—their appointments in defiance of the people and of Parliament. The measures which have distinguished the three years that have elapsed since the establishment of Responsible Government have been the means of bestowing lasting benefits upon the people. First, the Education Act, the wisdom of which has been highly extolled, is conferring, and will hereafter to a much greater extent confer, important benefits upon the Colony. The proprietors, it is true, memorialized the Home Government, praying that the Royal assent might be withheld from that Bill, not because they had reason to apprehend any evil result to the Colony from its being allowed to go into operation, but because it would extract something from their pockets. The Elective Franchise Bill is on its way back, and will, perhaps, arrive sooner than will be agreeable to the majority. That Bill is a proof of the anxiety of the Government and their Parliamentary supporters to extend the liberties and rights of the people, and how desirous they are to promote their welfare and happiness. How totally different is it from, and how completely opposed in character to, anything that has ever proceeded from our predecessors, or can be looked for at the hands of the present obstructive party. How often has it been said that the present Government are the bond slaves of the proprietors. Do not, however, the strenuous efforts made, but happily vainly made, by the proprietors, to prevent those two Bills from going into operation, completely refute those unprincipled statements? The Government have, by passing the Education Act, done their utmost to remove the stigma which has been so often and so unjustly cast upon the people of Prince Edward Island. A few in the House, I am inclined to believe, think the people are so ignorant as not to be able to appreciate the present form of Government; but perhaps they will find to their cost, at no very distant period, how sadly they are mistaken. The opening of our


ports to the commerce of the world, and the efficient footing upon which the preventive service has been placed, has contributed largely to the increase of the revenue, the credit of which is due to the present Government. Other benefits will be found in the reduction which we have made, in the duties on articles of general consumption, and on articles used by ship-builders. Notwithstanding these reductions and exemptions, the trade of the Colony has been so prosperous that the revenue has nearly doubled since 1849. It cannot be denied that when the present Government came into power, the public debt amounted to nearly £30,000, but it is now almost liquidated, being reduced to the paltry sum of £3,028, whilst a saving of £1 per cent. has been effected on the interest thereon. Under the financial management introduced by us, money is no longer allowed to lie in the Treasury, in order that capitalists and shop-keepers may have opportunities to fleece poor contractors paid in Treasury warrants, by exacting exorbitant rates of discount for cashing them, or by requiring contractors to take one half the amounts in goods. When the present Government proposed to raise a loan of £10,000 at 5 per cent. interest, the capitalists denounced the scheme, and declared it would ruin the credit of the country; but, greatly to their annoyance, in about three months the whole amount was advanced on Government Debentures at 5 per cent., and twice the amount could have been obtained on the same terms, had they been required. It is the prosperity which has resulted from our policy, and the increase of the revenue consequent upon that prosperity, which enabled the assembly to appropriate last session £1,000 for the purchase of stud horses, and to grant £500 a year to the Royal Agricultural Society, besides many other large and unusual appropriations. I only wish that when our opponents come into power they will so exercise it, during the period of their ascendancy, as to be able on their retirement to furnish as gratifying an account of the services which they may have rendered to the Colony. With respect to my own party,

much as they have done for the country, they have certainly much to blame themselves for on the score of the conciliatory policy which they have practised towards their political enemies. However, a day of triumph to the Liberal party will again come, and that before a long while ; but let it come sooner or later, I hope it will bring with it a bolder and less magnanimous spirit than that which characterized its past career. Conciliation has been practised to a disastrous extent ; to any extent it is wrong, so far as the political opponents of the Liberal party are concerned, for it is vain to suppose that any Tory can be conciliated.





## THE MAINE LIQUOR BILL.

 ON motion of Hon. Edward Palmer, the House resolved itself into a Committee of the whole, on the 14th April, 1855, to take into consideration the following resolution:—

“Resolved, that it is expedient to prohibit by law, to take effect from the first day of——the manufacture, importation and sale of spirituous and all other intoxicating liquors, except for medicinal and mechanical purposes, and the sacred ordinances of religion, and also to prohibit the keeping of such liquors for sale, except for such purposes as aforesaid.”

Hon. Mr. WHELAN:—I regret, Mr. Chairman, that I was not in the House when the honorable member for Charlottetown (Mr. Palmer) opened this discussion. Not having heard his arguments, I cannot, of course, reply to him; but the principles involved in the resolution which he has submitted, I shall take leave to consider and controvert. But I will first turn to the resolution submitted by my honorable friend from the first District of King’s County (Mr. Cooper). I cannot subscribe to all the propositions it contains; and the conclusion on which it is based, is, in my opinion wholly inadmissible. I will not dispute the justice of the encomium passed upon the Sons of Temperance, for their efforts to abate the evils resulting from the immoderate use of spirituous liquors, but I cannot believe that either the Sons of Temperance represent the majority of the people of this Island, or that the names subscribed to the petition now before us are those of a majority of our population. That our shores are easy of access, and therefore present great facilities for carrying on a contraband trade in liquor, after the prohibitory law would go into operation, is another reason assigned by my honorable friend in his resolution opposing the measure. That is a mere quibble, unworthy of my honorable friend, who usually takes a candid and straightfor-

ward view of public questions, and can only have been thought of as an excuse for giving the question under consideration the "go by." We all know that smuggling would prevail to a great extent, if the Maine Law were put in force; but this might be checked by an efficient preventive force, if we were disposed to give the law a trial. Smuggling now prevails to a very considerable extent, but that circumstance affords no reason for our removing the excise duties from the merchandise imported here. I shall offer no such reasons as those advanced by my honorable friend, in opposition to the enactment of a prohibitory liquor law for this Island, I will take my stand in opposition to the measure on a higher and broader ground. But I will first give one moment's attention to the resolution submitted by the honorable member for Charlottetown. It appears to be a copy of that which was before the Assembly last year. I shall directly meet it with the following amendment, if my honorable friend from the first district of King's County will withdraw his resolution, as I feel assured he will, when he perceives that the one I am about to read goes more directly to the point:—

*Resolved*, that it is inexpedient to prohibit by law the importation or sale of spirituous liquors, inasmuch as such prohibition would be a serious infringement of the private and inalienable rights of individuals and society at large, would entail an excessive loss to the revenue, to meet which no provision has been indicated, and further, inasmuch as there is no evidence before the Committee, that a majority of the inhabitants of this Island desire a prohibition of the sale, manufacture or importation of spirituous liquors; nor have this committee any sufficient reason to believe that Prohibitory Liquor Laws have been productive of any material advantage in those parts of the United States, wherein it has been attempted to put them in practice, no part of Her Majesty's dominions having yet imitated the example of the United States in this respect."

If we carry out the resolution proposed by the honorable member for Charlottetown, we perpetrate an invasion of the rights of individuals and of society at large. The argument used in support of such an invasion is that the drinking usages of society are productive of grievous evils, and that moral

means have been found to be inadequate to check them, that they have not had the effect of turning inebriates from the error of their ways, and that therefore a prohibitory law must be passed. I will ask the honorable member for Charlottetown, if, in supporting such an argument, he means to say that, because a fraction, and a very small fraction, of the community cannot or will not refrain from an inordinate indulgence in spirituous liquors, therefore we are to pass a law, placing not that class alone, but the whole community, the majority of whom are men of strictly temperate habits, on the same footing? The majority of the people of this Island are not drunkards, nor are the majority of mankind, and I for one will not consent by vote of mine to put the two classes on a level, to place the sober and respectable man in the same position as the worthless drunkard. There is one point in this matter worthy of consideration, namely, the loss of revenue which would be the result of prohibiting the importation of liquors. The public accounts show that last year we received from that source nearly £12,000. The friends of the proposed law may philanthropically exclaim: "What is the revenue in comparison with the public morals? Why trouble our heads about pounds, shillings and pence, when virtue and sobriety are at stake?" This is all very well for simulated patriotism, it is an excellent theme for declamation. But in grappling with a question like this we don't want declamation, we want facts. The traffic in liquors is as legitimate as the traffic in anything else, it is nearly as ancient as the traffic in anything else, it is as universal as any branch of trade ever followed; and the oldest, most enlightened, most civilized, and most moral countries of the universe permit it to be carried on, and to make it the source of a large revenue. For the followers of Neal Dow to say that the trade is demoralizing in the aggregate does not prove it so. These people conduct their arguments upon false premises; it is not the trade that is at fault, it is the frailty of those who cannot subdue their evil propensities, and who often, from


being great drunkards, become for a time great temperance orators, and because they, and many others like them, think there is a probability of their relapsing into their old habits, they would fain fasten the door of the hotel and public house against sober people as well as against themselves. "Abolish the traffic in liquor," say the enthusiastic followers of Neal Dow, "because its continuance leads to drunkenness." What if it does? Drunkenness carries with it its own punishment, and cannot legally or constitutionally be noticed by the governing power, *unless it interferes with the rights of others*. We have no more authority, and should have no more authority, to punish the drunkard than we have to punish the glutton, unless either or both invade some acknowledged right or privilege of others in the community. Drunkenness *per se* is not a crime, it is a vice, and only a comparatively small portion of mankind are degraded by that vice. Are we then justified in seeking to restrain all mankind, because a small portion of them happen to be the slaves of this vice? If we thus carry our notions of moral reform into the domestic circle, and prescribe what a man shall drink, we may go further, and establish our dictum as to what he shall eat, in order that he may avoid gluttony, or what we may consider unwholesome food; or establish our canon as to the cut and quality of the clothes he may wear, in order that he may avoid the vices of vanity and extravagance. But to return to the financial view of the question, the more reasonable and the more thinking advocates of the prohibitory liquor law should be prepared, before coming before the Legislature, to point out some feasible means by which the deficiency in the revenue is to be made good. One idea is that the closing of the shops and places where liquor is sold would have the effect of calling habits of industry into more active operation, and that consequently we should, if not directly, at least indirectly, experience an increase of revenue. The probability of such a result, and the degree of credit to which the assertion is entitled are, however,

mere matters of opinion, and the men who press such a line of argument should at least be prepared with facts and figures to prove the correctness of their opinions. Nothing of the kind has been attempted, although the question has now been debated several sessions. The only dictum in proof of this view of the question is, that if the people do not use intoxicating liquors, they will consume more tea, tobacco, and other dutiable articles, and that, consequently, there will be no ultimate loss to the revenue. I want something better than mere conjecture to convince me that this would be the case, to convince me, in short, that people do not now use as much tea, tobacco and other dutiable articles as they would require under any circumstances. I now, Mr. Chairman, advert to another argument that has been used in favor of the cause of the petitioners, namely, that the size of the petition, that is the number of signatures, shows it is the wish of the people to prohibit the use of and traffic in strong liquors. Now, sir, I say that there is no evidence before the committee to warrant such opinion. This argument I have heard before, but no sane man can honestly say that the petition is expressive of the will of the majority of the people. I assert, sir, that it bears the signature of hundreds of persons who really have no will or opinion of their own on this or any other matter; it has been signed, for example, by young boys and girls who put their names down for the sake of the novelty of signing a petition to go before an august body like this, or because their friends or acquaintances asked them to do so, and they could not well refuse compliance with a request that occasioned neither trouble or expense. The petition is also signed by men engaged in the importation and sale of liquors, and when I see that, I ask, do they desire a law prohibiting the very business in which they are engaged, and by which they have made and continue to make their living? (Mr. Clarke, yes.) The honorable member says "yes;" I ask for the grounds on which he answers me so positively. Why, then, sir, if the

parties who are engaged in the liquor traffic were sincere in putting their names to the petition now before the Committee, they must regard that traffic as an immoral and pernicious one, and should abandon it, without waiting for the Legislature to prohibit its continuance. But when they *affect* to say that such is the character of their trade, and still pursue it, it is quite reasonable for me, or any one else, to conclude that in signing the petition they have acted with the utmost hypocrisy and duplicity. \* \* As to the argument founded on the fact that similar laws have been passed in the United States, it would be but fair in those who adduce that as a reason to give us at least a true account of their practical working. The State of Maine was the first which adopted the law, and what has been the practical result? I appeal to the testimony of those who have been there. The honorable the Colonial Treasurer was there last autumn, and I ask did he find that the law was observed? No, sir, he found quite the reverse; he found that the people could obtain intoxicating liquors as freely as before. I myself was in that State a year or two after the law passed, and I experienced no difficulty in obtaining any liquors I might require. Now, Mr. Chairman, what do facts like these prove? They manifest the existence of an active rascality and shameful violation of law, and the total disregard of serious moral obligations on the part of the importer and consumer. The law once in force, a direct inducement will be held out for fraud and chicanery; and I ask whether it would be more conducive to public morality that a man should be allowed to drink a glass of liquor honestly and openly before all men, or that he should take it at the expense of the violation of the law on the part of him who furnishes it, who will do so though he have to lie and deceive. Massachusetts tried the law, and I have yet to learn that the morals of her people, in respect of drinking, have improved since its introduction; Boston, I believe, is not a whit more free from vice and immorality than she was before the State adopted the Maine Law. As to the state of the

question in the British Provinces, I do not agree with the honorable member for Charlottetown, when he states that the measure has become the law of the land in New Brunswick. There is no foundation for that statement. I admit that the Bill passed the House of Assembly in the Colony, but the honorable member cannot show that it has been put in operation there, or even found a place upon the Statute Book of that Province. Last year this House passed the Bill, yet honorable members, who did not desire it, voted for it because they knew the Council would throw it out. In Nova Scotia the same thing has occurred. The House of Assembly passed the Bill, and the Legislative Council gave it the "go by." But, sir, I say, and I say it without hesitation, that even if the Prohibitory Law were in force in Canada, Nova Scotia, and New Brunswick, that circumstance would not show that it was necessary here. I speak thus, not from any desire to encourage habits of intemperance; not that I would withhold my most strenuous efforts to eradicate the evils of vicious indulgence; not that I would not wish to hold the tavern keepers and retailers liable for the results of their pandering to a morbid appetite, for I think that the immoderate use of liquors is not only highly injurious to individuals, but that the very presence of drunkards is a positive curse to the community in which they may be found; but because I will not consent to punish ninety men out of a hundred, because the remaining ten will not conduct themselves as they ought. I cannot consent to prevent the ninety men who do not disgrace themselves, or offend their neighbors by the sober, moderate and legitimate use of liquor, from continuing their customary habits, merely because a few abandoned people unfortunately disgrace the community. The temperate use of liquors is not forbidden by the Divine law, nor was its suppression ever thought of in any part of the world until one of the United States, too well known for a fanatical desire for extreme innovations, put a law for that purpose on its Statute Book, with what result I have already stated.

## THE PATRIOTIC FUND.

N motion of the Hon. George Coles, leader of the Government, on February 22, 1855, it was proposed to grant the sum of £2000 towards the relief of the widows and orphans of British soldiers who fell while defending their country in the Crimean war. It was hoped that the vote of the Legislature would be unanimous, but it was not favorably entertained by three members of the House. The speech of Hon. Mr. Whelan, on that occasion \* was both patriotic and eloquent. He said :—

I have listened, Mr. Chairman, with surprise and sorrow to the remarks which have fallen from my honorable friend, the member for the second District of Queen's County. Sentiments such as he has expressed would not be creditable to any man, much less to a British subject, and a member of this House; but far, far less still to a member of Her Majesty's Colonial Government. He says he is opposed to a grant in aid of the Patriotic Fund "on principle." Sir, I am

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\* As a mark of their high appreciation of the oratorical power and humane character displayed by Mr. Whelan on all suitable occasions, a number of his friends waited upon him a few days after he delivered this speech, and presented him with a richly-framed engraving of Florence Nightingale, who, at her own expense, equipped and went with a corps of nurses to the hospital at Sentari, with the laudable design of alleviating the sufferings of the sick and wounded. Mr. Whelan prized this peculiarly appropriate token of esteem very highly, and had it placed over his desk, in his private residence, where it remained during the rest of his lifetime. When on death-bed, he desired that it should be presented to his friend and colleague, the Honorable Senator Howlon, a request which was duly complied with; and it is needless to say that it is one of the most valued souvenirs of the departed statesman.



in favor of such a grant "on principle," and I think it will be found that my "principle" is much more defensible than that of the honorable member. He says, likewise, that voting away the money of the people of this Colony, to relieve the widows and orphans of our countrymen in the British Islands, involves no patriotic feeling. I differ with the honorable member. I think that if anything ever deserved the name of patriotism,—and patriotism, too, of the purest and loftiest character,—it is the spirit which has prompted, and the spirit which responds to the appeal made by Her Majesty to the benevolence of all Her subjects, on behalf of those who are rendered fatherless and husbandless by the war now raging in the east, not for the honor and glory of Her name alone, but for the maintenance of freedom against the encroachments of a despotic and barbaric power. How often are we called upon to exercise the discretion with which, as representatives of the people, we are invested in voting sums of the public money for purposes of which our constituents have had no previous knowledge. But this case is an entirely different one. Our constituents were not only aware that this subject would come before the Legislature, but in many instances, at public meetings, they took occasion to express their desire that the grant in aid of the Patriotic Fund should be a liberal one. That proposed by my honorable friend, the Secretary, is, indeed, eminently so. I myself should not have ventured to suggest so large an amount; but it being proposed, and meeting, as I know it will, the concurrence of both sides of the House, I will not propose a smaller amount. I declared before now my determination to vote for any sum which a majority of the House might think proper to offer, and certainly I will not falsify my declaration by asking for a less liberal grant. Nor do I believe my constituents will censure me for sanctioning so large an appropriation of their money. It is often wasted for far less useful and less honorable purposes—purposes, I regret to say, that are too often made

subservient to the electioneering tactics of some honorable members. Sir, I did not expect that there would be much, if any, debate on this subject, and consequently came to the House unprepared for it. I knew that the proposal for a grant of money was to come from a member of the Government, and was satisfied that it would be agreed to without much discussion. I joined in the hope expressed by the honorable and learned member for Georgetown, that when we came to discharge a duty sanctified by the pure spirit of charity, and which appealed to the holiest feelings of our nature, the demon of discord would have vanished from these walls ; our rivalries and party feeling would have been forgotten, and that we should have cordially united in performing an honorable and generous act. But since the opposition to the proposed grant comes from my own side of the House, and from one whom I am ashamed to see differing on this subject with the Government of which he is a member, I shall take the liberty, Sir, of saying something about the war, and more particularly about the brilliant achievements and dreadful sacrifices of those brave men who have fallen in battle, and whose widows and orphans are thrown upon the bounty of the British Empire—trusting that my honorable friend may learn to entertain more generous sentiments than those he has expressed to-night, and that he may form a more correct opinion as to what really constitutes patriotism. It is not necessary to enter into a review of the causes of the war, nor yet to criticise the management of it—an humble member of a Colonial Legislature like ours may entertain as strong opinions on these points as any other subject of the Empire ; but he feels that, as to the result of his dependent condition, his voice can exercise no influence over the counsels of his Sovereign, nor leave any durable impression on the minds of the nation. Whether this isolation of interests and ideas is calculated to secure the strength and stability of the empire, and to elevate the colonial character, is another topic, the discussion of

which may be likewise appropriately deferred. The war I believe to be a just and righteous one—that England and France have entered upon its prosecution with no mercenary, selfish, or ambitious designs, is evident from the conduct and language of ministers at Westminster and Versailles throughout the protracted and vexatious negotiations which preceded the expedition to Varna—negotiations of which the people of England and France had become heartily weary long before the declaration of war. Never did the British public so vehemently clamor for war, never did they rush into a contest with so much enthusiasm, nor display such boundless liberality in providing means necessary to secure success. The British nation thought—and events have since proved them to be right—that Lord Aberdeen's Government placed too much reliance on their diplomatic skill, and by their tardiness in preparing for offensive operations, were permitting the Czar to seize advantages which would be of the utmost importance to him in carrying on the war. Turkey was not merely menaced by her powerful antagonist, but her territory was invaded and despoiled, the authority of the Porte over the Greek population audaciously usurped, and its subjects massacred, before Turkey and the Western Powers fully awoke to the perils which environed them. Even then, England and France who were bound by treaty to protect and defend their invaded ally, but were more solemnly enjoined by a sense of what was due to the threatened liberties of Europe, to arrest the progress of the despotic autocrat, even then England and France were disposed to humor the ambitious Czar, and to restore peace on terms the most disreputable and the most disastrous to their injured ally—terms which conceded everything to Russia, and afforded no satisfaction to Turkey for present injuries, nor constituted the smallest guarantee for future security. These terms were: 1st—the immediate evacuation of the Principalities; 2nd—the renewal of the old treaties; and 3rd—the communication of the firmans, relative to the spiritual advantages

granted by the Porte to its non-Mussulman subjects. These were the basis of negotiations a little more than a year ago. The Porte modified these terms, but the Emperor Nicholas rejected them *in toto*; it is well he did so, his power might still overshadow Europe, the prestige of his name still overawe weak cabinets, and retard the progress of free institutions, the cloud of despotism would hover over the continent as darkly as it did when the conquering legions of the first Napoleon swept its fertile fields, and sported with the crowns of feeble despots, when unhappy Poland became the victim of a conspiracy the most foul that ever disgraced crowned heads and ministers of State, and still later in 1848 and 1849, when Austria, true to its old perfidious policy—that is now about turning its arms against Russia—found assistance in the bayonets of that powerful, but not more despotic, neighbor, to extinguish the flame of discord, and subdue the spirit of independence with which the Magyars threatened to overwhelm the House of Hapsburg. It is well that Russia did not conclude a peace on the terms proposed in January, 1854—the gallant and successful defence of Silistria would not have occurred to raise the drooping spirits of the Moslem troops, the Aland Islands would not have been captured, and their apparently strong forts destroyed, nor would the Crimea have been occupied, nor the glorious battle of Alma fought and won, nor displays of heroism made, such as were never witnessed, at Balaklava and Inkerman, not surpassed for their brilliancy and success during the most warlike and chivalrous period of the world's history. The evacuation of the principalities—the first condition of the proposed treaty of January, 1854—immediately followed the defeat of the Russians before Silistria, and must be regarded as the immediate consequence of that defeat. The other two conditions, if agreed to, would leave Russia as powerful in the East as she had ever been; the renewal of the old treaties (the second condition) would only perpetuate the pretext which Russia had advanced for constantly under-

mining the authority of the Sultan, and harrassing his subjects—treaties which secured to Russia the navigation of the Danube, and which excluded the ships of other European nations from the Bosphorus. The “communication of firmans” regarding the Greek Christians (the third condition) was a mere screen, for Russia would still exercise as much control as ever over the Greek population. But since the war has assumed an aspect favorable to the allies, notwithstanding the disasters in the Crimea, the sad consequences of no timely and efficient provision having been made for the health and comfort of the troops ; since Russia has been defeated in every management fought upon her own territory as well as upon Turkish soil, since she has been forced to fly from the Principalities, been ejected from the Aland Islands, and her almost invincible fortress in the Crimea well nigh dismantled, which cost millions of money in its construction, and from which she could securely menace the commerce of every other European nation in the Black Sea, since her hordes of Cossacks, led by her ablest generals, and stimulated to desperation by copious draughts of raki, were unable to bear up under the steady valor of the British and the dashing gallantry of the French, whose combined forces were hardly one to five of the enemy, since the ports of the enemy have been blockaded, her towns bombarded, her commerce crippled, her magnificent fleet—the “invincible armada” of modern Europe—partly submerged in front of Sebastopol, and partly powerless within the harbor of Cronstadt, since such have been the results of the first campaign, it is no wonder that Russia is now disposed to make peace on terms favorable to the allied powers. The last English mail but one brought intelligence that Prince Gortschakoff was empowered to negotiate a peace on the following terms :—

“*First*, That the protectorate hitherto exercised by Russia over the principalities of Moldavia, Wallacia, and Servia, shall cease, and that the privileges granted by the Sultans of those

dependencies shall, in virtue of an arrangement with the Sublime Porte, be placed under the collective guarantee of the Powers;

“*Second*, That the navigation of the Danube, as far as its outfall into the Black Sea, shall be delivered of all restriction, and submitted to the principles consecrated by the Acts of the Congress of Vienna;

“*Third*, That the treaty of July 13th, 1841, shall be revised in concert by the High Contracting Powers, in the interest of the European equilibrium, and in the sense of a limitation of Russian power in the Black Sea;

“*Fourth*, That no power shall claim the right to exercise any official Protectorate over the subjects of the Sublime Porte, to whatever sect they may belong; but that France, Austria, Great Britain, Prussia and Russia shall lend their mutual cooperation, in order to obtain from the initiative of the Ottoman Government the consecration and observance of the religious privileges of the various Christian communities, and turn the generous intentions, manifested by His Majesty the Sultan, to the account of their various co-religionists, so that there shall not result therefrom any infringement of the dignity and independence of his Crown.”

My honorable friend opposite favors me with a sneer, and is, perhaps, inclined to ask, what has all this to do with the question of providing for the relief of the widows and orphans of those who have fallen during the campaign? It has this to do with it: The war being a necessary and righteous one—a war forced upon Great Britain and France, and on the success of which depend the liberties of Europe—it is well we should bear these facts in mind, because they are calculated to induce on our part a more liberal spirit in throwing in our mite towards the relief of those whose holiest ties have been torn asunder, and whose humble homes have been rendered desolate and drear, by the cruel ambition of the Czar. The close alliance which has taken place between France and England, and the

recent entire severance of Austria from Russia, are not the least momentous events of the present war. The magnitude of the resources of the two former countries—those of each being doubled, as it were, by the alliance—the readiness with which those resources could be directed against a common foe, and the valor which a forty years' peace could not enervate or diminish, have given as much surprise to the allies themselves as to the rest of the world. Russia, baffled and beaten on her own territory, her fleets rendered useless, her ports blockaded, her fortresses destroyed, her prestige departed, and her despotic tendencies checked by the ingratitude of her ancient ally,—Austria; while Britain and France, in close alliance, are the authors of those achievements, are circumstances well calculated to fill with hope those other nations of Europe, whose liberties had been altogether destroyed, or trembled before the frown of the oppressor. It cannot be expected that Russia will display so magnanimous a disposition as ever again to back Austria in her crusades against liberty, and her stupid and demoralizing attempts to perpetuate despotism. Italy, Hungary, and the inferior German powers will no longer stand in such awe of Austria as they did while she could lean upon Russia for support. The heterogenous population of Austria,—if Austria desires to preserve the integrity of her empire, and desires to become stronger and mightier than ever,—must be ruled in such a manner as to secure their willing obedience and attachment. She must abate her iniquity to Hungary, she must discontinue and discountenance such barbarities as have rendered the names of Haynan and Radetsky deservedly infamous in Hungary and Italy, and surely these will be advantages to the cause of freedom and civilization. The sympathy of Russia not only lost to Austria, but Russia irritated and ready to take advantage of any outbreak in the Austrian Empire—with Italy panting for an opportunity to assert its independence—and no prospect of encouragement to her despotic views from England and France,

Austria must cease to be the barbarous scourge of weaker nations, or must cease to be a nation of any considerable power herself. But whatever territorial changes and alterations in the map of Europe may be caused by this war, there is one change which we may all sincerely deprecate—a change in the mutual relations of France and England. Two of the most polished and enlightened countries of Europe, with Constitutions which guarantee civil and religious liberty to all—and, united, constituting a power too mighty to be resisted, their proximity to each other admirably fits them to be the guardians and encouragers of free institutions elsewhere. Opposed to each other, they have fought the most memorable battles recorded in history, and now joined by the closest bonds of friendship and interest, they have accomplished, side by side, feats of arms in the Crimea, which will not pale when contrasted with the glories of Crecy, Poitiers, and Agincourt. The French chivalry, with their countless hosts, did not confront the armies of the Black Prince and the Fifth Henry, which bore about the same proportion to the members of the French armies as the allies bore to the Russians, with more assurance of signal triumphs than animated the hosts of Cossacks led on by Menschikoff and Liprandi at Alma and Balaklava; but the instances of personal daring displayed by the allies crossing the Alma, while its narrow stream, now become classic, ran crimson with blood, and driving the Russians from their almost impregnable position on the heights, and their subsequent achievements at Balaklava and Inkerman—surpass all that history records of Crecy and Agincourt. The honorable member opposite questions the patriotism of contributing to the relief of the widows and orphans of those who have been struck down in the terrific conflicts to which I have just alluded. Was there no true patriotism in the breasts of the gallant troops who, fighting for their Sovereign and their common country, for liberty and right, encountered and overcame the most appalling disadvantages in their first



battle in the Crimea? The heights of the Alma—where Menschikoff, with every assurance of success, had entrenched his legions—were deemed inaccessible, or from which he thought at least the allied armies would not dislodge him if the conflict continued for weeks; nevertheless, in three hours those heights were captured, the Muscovite hosts were scattered like chaff, the valorous spirit of the allies rose superior to every danger, difficulties of position were forgotten, or, if thought of, overcome as soon as thought of, the cool intrepidity of the British, and the dash and enthusiasm of the French battalions, were elements of power more serviceable than mere numerical strength or superiority of position. The valor which distinguished the knights of Crecy and Agincourt never shone with brighter lustre than when the same spirit nerved the arms of their descendants and their rivals on the blood-stained heights of Alma. Is it patriotism in us, then, to refuse the widows and orphans of those valiant men the poor pittance that may help to keep them from starvation? It is not necessary for me to remind you of the still more sanguinary, and, perhaps, more splendid, engagement fought a little more than a month later, at the now ruined village of Balaklava. In reading, as I have done repeatedly, the details of that engagement, I have felt proud to think that my countrymen there displayed more than their accustomed heroism. I have been proud to consider myself even a subject of the Sovereign who had such soldiers in Her service. It is an interesting coincidence that the battle of Balaklava was fought on the anniversary of the battle of Agincourt—so often the theme of song and the groundwork of romance. That memorable event occurred on the 25th of October, 1415; the French were more than five to one of the English, but they were signally defeated, as every schoolboy knows. On the 25th of October, 1854, four hundred and thirty-nine years later, the descendants of the two armies, now associates and brothers in arms, achieved a victory over the Russians, which

will shed a greater lustre upon the page of history than that of Agincourt. But though our French allies at Balaklava evinced no lack of their ancient spirit when brought into the heat of war, the brunt of battle bore upon the arms of the British and Irish troops. They, indeed, gathered nearly all the laurels, as they sustained nearly all the loss. We all remember the magnificent charge of the Enniskillen Dragoons and the Scotch Greys, when they rushed at the compact lines of Russian Cavalry, twice as long and three times as deep as their own, the latter affecting to despise, and threatening to annihilate the dauntless hearts of the Greys and Enniskilleners. But with a cheer which thrilled every breast, and a shout that rang out through the valley, they dashed into the midst of the enemy, his flanks closed upon them; for a moment they were lost, but in the next, with uplifted sabres, the remnants of them were seen cutting their way through his broken and confused squadrons. It was a wonder that even one of that little band escaped through the apparently solid rock of Russian Cavalry. But British valor had not yet been put to its severest test, until Lord Cardigan's Light Brigade—counting only six hundred sabres—made that stupendous charge upon the Russian gunners, which was the crowning feat of the battle of Balaklava.

“ Then shook the hills with thunder riven,  
Then rushed the steeds to battle driven,  
And louder than the bolts of heaven,  
Far flashed the red Artillery.”

With thirty guns, belching forth destruction in front, and an oblique fire from the batteries on both sides of them, which mowed down rider and horse at every stride they took, that handful of men rushed into the smoke of the batteries, cutting down the gunners at their posts, and returned all that was left of them, breaking through a column of Russian infantry, and scattering them like chaff. I need not remind you of the fearful loss sustained by the gallant brigade on that occasion;

we all remember it too well. Of six hundred who went into action, scarcely two hundred returned. The heroic exploit of those who survived, as well as of those who perished, will live in the remembrance of posterity as long as the language survives which chronicles their chivalrous deed. This disastrous charge may not have been necessary to bind victory to the arms of the allies, and may have been the result of a lamentable blunder on the part of Lord Lucan, or of Captain Nolan, whose life was sacrificed at the commencement of it; but it nevertheless gives proof of the extraordinary heroism and self-devotion on the part of the English and Irish soldiers. It is an episode in the annals of warfare for which there is no parallel. I will not trespass upon your time to recall any of the incidents which distinguished the subsequent battle of Inkerman. We all know the odds against the allies were fully as great, if not greater, than at the previous battles; that the British and French numbered only about 14,000 men, opposed to a force variously estimated at from fifty to seventy thousand, who were encouraged by the presence of two sons of the Emperor; but, notwithstanding, the triumph of the allies was as complete as on any of the previous occasions. I must, however, ask your permission to say a few words upon another and totally different branch of the subject. Many persons seem to think that this war is not a popular one with Her Majesty's Irish Catholic subjects. If the allegation be untrue, as I sincerely think it is, now is the time to meet it. I cannot see why the war should be unpopular with the Catholics of the Empire. A least one third of the army now in the East are Irish Catholics, some of them being led by the ablest and most distinguished Irish generals, such as Pennefather, Torrens, and Sir De Lacy Evans, the latter having received in person the thanks of Parliament for his gallant services in the Crimea. A large contingent of the army are Scotch Catholics, the 92nd and 93rd Highlanders, for example, who performed at Alma and Inkerman such prodigies of valor under

their veteran and devoted leader, Sir Colin Campbell. The Fighting Eighty-Eighth, the Connaught Rangers, all Catholics, that have moistened every battlefield in Europe with their blood, maintained more than their ancient glory in the Crimea, and the Welsh Fusiliers, that were so desperately cut up at the battle of Alma, were nearly all Catholics. Then there were the Enniskillen Dragoons, a mere handful of fire-eating devils, who charged and routed a myriad of Russian cavalry at the battle of Balaklava, the warm Celtic blood firing their hearts, and the ancient faith of the Celtic race beaming upon their souls. It would be difficult to enumerate a tithe of the sacrifices made by Catholics since the commencement of the war. Why, the fall of Silistria, in which the Turks displayed so much bravery, was mainly stayed by the arm of an Irish Catholic, poor James Butler, whose life fell a sacrifice to the gallant achievement with which his name is now inseparably connected. And in the wild charge of the Light Brigade at Balaklava, how many a Catholic spirit winged its way to the other world. Poor Capt. Nolan, who conveyed the rash order to charge, being nearly the first Irish soldier that paid the penalty of that disastrous exploit. But then there are the French army, they are all Catholics. They do not hesitate to fight against the ruthless oppressor of the followers of their ancient creed. It is impossible that Catholics, indeed, as a body, can have any other feeling than that of deep-rooted aversion towards the autocrat of Russia, who has tolerated, perhaps commanded, the most atrocious barbarities against Catholics in his empire. A monster that would allow a large number of poor helpless nuns to be publicly whipped at Minsk, to be left to suffer the most excruciating torments from cruelties repeatedly inflicted, to be dragged and kicked about by ruffian hirelings, and to be finally left to starve, because they would not conform to the Greek schism, can have no claim to the sympathy of the smallest portion of civilized society. I deny then, Sir, that this war is unpopular with Her

Majesty's Irish Catholic subjects. Why, in Ireland, the Irish Catholic Bishops and Archbishops were the very first to lend their powerful influence to the movement for raising a Patriotic Fund on behalf of the widows and orphans of the British and Irish soldiers in the Crimea. If the war were unpopular, if fatal to Catholic interests, the heads of the church would not be the first to manifest their desire for its success, as they have done. If there be, however, on this side of the Atlantic, any prejudice against the cause of the allies, and if there be, I certainly trust it is not widespread, it must be owing to the irritated feelings against the English Government with which the unhappy children of Erin so often fly from oppression and wretchedness in their native land, to find a refuge and a home in the New World. Ireland, unfortunately, has not been ruled as she ought to be, at the hands of the Government, whose supremacy her loyal sons are now fighting to maintain, and it may be natural enough that a sense of wrong and the remembrance of a cruel oppression should awaken feelings in the exile's heart not favorable to England, feelings which no change of time or scene can obliterate. Whatever my own feelings may be as an Irish exile, they never did and never can check my warmest aspirations for the success of the allied arms, and the complete and overwhelming humiliation of Russia.

## REVIEW OF THE GOVERNOR'S SPEECH.—1856.

THE fluctuation of the revenue of the past year is alluded to (in the opening speech), and his Excellency has justly observed that the decrease may be easily accounted for. The revenue for 1854 amounted to £46,000; that for 1855 reached £42,000, exhibiting a deficiency of only £4,000; and that deficiency is mainly attributable to the limited amount of importations in the spring of last year. In 1854, there was great activity in the ship building trade, merchants speculated or traded extensively, and in the fall of that year so heavy were the importations made, that large stocks of goods remained on hand in the spring of 1855. This circumstance will account, as well for the large revenue in 1854 as for the falling off in the Import duties in 1855, which amounted to £6,275 10s. 11¼d., which was principally in the first quarter of last year. Again, the reciprocity established last year with the United States helped to lessen the amount of revenue. Too much importance cannot be attached to that measure, for there is no doubt that an extension of our commercial relations with the great Republic in our neighborhood will advance the material prosperity of the Colony; but it was only perfectly reasonable to expect that for a year or two at least the amount of revenue would be diminished by it, yet whatever losses will be sustained by the Treasury in this respect must be a gain to the pockets of the people. Another circumstance, which contributed in no small degree to lessen the amount of our import duties for the past year, was the scarcity of West India produce and liquors in the American and Colonial markets last fall, which rendered it impossible for our merchants to get their usual large supplies of those articles,—the price of and demand for West India produce and spirits being unprecedented, ow-

ing to the war in Europe. Well, then, there was a falling off of £329 10s. 5½d. in the land assessment collected, which is easily accounted for by the fact of the Worrell estate having fallen into the hands of the government, and, therefore, of course, becoming exempt from the payment of the assessment. There was likewise a decrease of the amount of £127 5s. 2d. in the sale of Crown Lands, from that of the previous year, which was owing to the very large quantity of public lands thrown into the market by the purchase of the Worrell property. The miscellaneous items exhibiting a decrease show a falling off of only £368,128. Now, as the revenue of the past year was only £4,000 less than that of the previous year, there must have been a considerable increase in some things. Well, there were £127 1s. 1¾d. more collected at the post office last year than during the previous year, which is somewhat indicative of the growing intelligence of the country, and the interest on Bonds in the Treasury exceeded £134 15s. 8d. over that of 1854; while from the sale of public lands a sum of £2120 11s. 2d. was realized. His Excellency recommends a revision and consolidation of the revenue laws, with the view of checking illicit trade,—not that illicit trade is carried on to a greater extent now than has been the case in previous years, but because the acts on the Statute Book, bearing on the collection of revenue, have become so numerous from repeated amendments, that it is not without some difficulty a thorough knowledge of them can be acquired. In consolidating those Acts into one, it will be the duty of the Legislature to revise them, in the hope that smuggling, which prevails in every country to a greater or less extent, may be checked. With a sea coast so unguarded as ours is, while the neighboring provinces are so easy of access, and while large bodies of American citizens can and do come during the summer season, into our out harbors, where revenue officers are not always at hand to watch their movements—it is folly to suppose that smuggling is not practised. We cannot hope that it will be completely

put down, but still a careful revision of the laws may suggest some mode for lessening the evil. With regard to that part of the speech which makes allusion to the war, I shall not trouble the Committee with many lengthy observations. I think, however, we may safely assure His Excellency that we still watch with deep interest the varying aspects of the stupendous conflict in which Her Majesty's Government is engaged. About this time last year we evinced our sympathy with the suffering of the many poor widows and orphans who had been thrown on the bounty of the British public through the calamities of war, by appropriating a very liberal sum towards their relief. The gallant exploits of the Army and Navy eminently justified such an expenditure of the public money. But what was the condition of that Army and Navy about this time last year? The Army especially was in the most hopelessly wretched condition, so dispirited, so shattered, so diminished in number by disease and want, rather than by the sword, that few persons, who could witness from a nearer point of view than ours the process of annihilation which was taking place, ever hoped or imagined that that army would be ever capable of performing the deeds of valor which signalized their movements in the Crimea a few months later. It must have been a melancholy spectacle to witness a great army—the most powerful, the most imposing that had left the shores of England during a period of forty years, so reduced and disorganized through neglect and incapacity on the part of those entrusted with its care, that its presence before Sebastopol was almost deemed a mockery. It was no wonder that the public mind in Britain was aroused, and that the Government which tolerated such a state of things was made to feel the just resentment of the nation. The House of Commons at length ordered an investigation into the state of the army in the Crimea. The facts, as disclosed by the press, were made painfully apparent, and so complete was the exposure of the government, that even a Minister of the Crown, one of those who planned the campaign in South-



ern Europe, was obliged to fly before the storm of the public indignation, confessing, as he did so, that the state of the army was "horrible and heart-rending in the extreme." But no sooner did Lord Palmerston succeed the Earl of Aberdeen in the direction of public affairs, then a new spirit was infused into the Camp at Sebastopol. The rigors of winter, too, had given place to the soothing and balmy air of spring, and ere the summer's sun had again given bloom and fragrance to the earth, the British army, in conjunction with their noble allies of France and Sardinia, gave abundant proof that the old martial fire burnt as brightly in their breasts as it ever did. Indeed, with the exception of the disastrous attempt at the taking of the Redan, on the 18th June, every engagement with the Russians (and there were many) terminated in favor of the allies; and the summer's work was gloriously crowned by the capture and destruction of Sebastopol in September. Since that event, nearly every mail from Europe held out some promise of renewed negotiations for the restoration of peace. Peace is once more upon the lips of the Czar, peace is echoed by the German Cabinets,—the ready and subservient tools of Russia; but if the Russian eagles still waved from the towers of Sebastopol, if the allies had been vanquished or foiled, there would be no present speculations as to the prospects of peace. Now, Sir, to descend from a great to a little subject, let us inquire what influence the war had in relation to ourselves; His Excellency truly says that we are exempt from the sacrifices which it entails. Unlike our fellow-subjects at home, we have no taxes to pay for a vast military and naval force, it is not in the power of any minister to call upon us for such support; but unfortunately like every other part of the empire, we feel the effects of war in a crippled trade, and generally restricted commercial transactions, and in the continuance of famine prices for many of the necessaries of life. We have been made also to feel the effects of war in the withdrawal of the small detachment of troops formerly stationed

in this garrison. Her Majesty's Government assured us that their withdrawal was necessary to the augmentation of the Crimean army, but sixty soldiers constituted a very small addition to the ranks of the besiegers. The other provinces were not deprived of their military force, although the same reason would apply as strongly to them as to us. The numbers in garrison in the other provinces were no doubt diminished, but still respectable bodies of troops continued to be stationed there, while not a soldier was left with us. I do not regret the absence of the military from any apprehension for the internal peace of the Colony. Our population, we are all happy to know, possess too orderly, too loyal and peaceable a disposition to require an armed force to maintain the supremacy of the law ; but if our republican neighbors, who have such a fondness for fillibustering, and who sometimes make an inconvenient display of their physical force, as they did a short time since at Georgetown, were disposed to commit infractions of the law, a military force, no matter how small, might be of considerable service in bringing them to their senses. Her Majesty's Government, having thought proper to deny us the same privilege in this respect as the other colonies enjoy, we were thrown upon our own resources for the organization and maintenance of an armed force. A company of Newfoundland pensioners—whose services, in a military point of view, were specially recommended to us by the Duke of Newcastle—were enrolled here, and paid, for some months, out of the Island Treasury. But our revenue was too small to continue to support a military establishment, even on the most limited scale ; and in order to meet the necessary outlay a Bill was passed, imposing a very moderate tax on the rent rolls of the land proprietors—they being a class deeply interested in the preservation of law and order, and contributing comparatively little towards the support of the institutions of the country, excepting their proportion of the assessment for education. His Excellency informs us that that Act, together

with the Act to secure compensation to tenants in cases of ejection, has been disallowed by the Queen ; and we are told that the despatch of the Colonial Minister, conveying the reasons for the disallowance, will shortly be laid before us. It is to be regretted that we are not at present in possession of the correspondence ; but as we know that the proprietors petitioned Her Majesty to disallow the Acts I have mentioned, there is no doubt that through the force of their representations the Acts were rejected. It is degrading and humiliating to the Colony that the proprietors—most of them, or many of them absentees, and quite irresponsible—should exercise so arbitrary an influence at the Colonial Office, as to render nugatory the deliberate action of our Legislature. This is a species of despotism that strikes at the root of one of our most valued privileges—that of self-government. What good purpose can be served by our sitting here to frame laws for the regulation of our internal affairs, if a secret and irresponsible cabal of land proprietors can successfully interpose between us and the Sovereign ? Legislation, in such a case, is only an expensive mockery, and we should be quite as well, if not far better, without it. That our proceedings, as a representative body, should be thus frustrated, is a melancholy proof of our weakness as a dependency of the Crown. The powerful province of Canada is exempt from such intolerable despotism—even the far less powerful provinces of Nova Scotia and New Brunswick are happily free from an *imperium in imperio*, like that exercised over us by a proprietary junto. Weak and insignificant as we may be, I trust we will not quietly submit to the indignity offered and the injustice done us, but that we may have spirit enough to address such a remonstrance to Her Majesty's Government and to the Imperial Parliament, as will have the effect of securing to us unfettered action in all legislation that immediately concerns our domestic affairs, and thus enjoy, as far as a dependency of the Crown can, all the privileges of self-government in reality as well as in name. I shall not make any observa-

tions on that part of the speech relating to the sale of public lands, further than to say, that a report has been prepared by the Commissioner, and will, I presume, be shortly submitted by the Government, which exhibits, as I understand, the most satisfactory statement regarding the quantity of land sold, the amount realized, and the value of the land still in the possession of the Government. But the next topic brought to our notice, by His Excellency's speech, is one on which the House possesses positive information, and regarding which it may not be out of place to offer a few remarks: The progress made under the free system of education has been so rapid and conspicuous, that the Lieutenant-Governor could scarcely fail to notice it, as a subject of general congratulation, on the occasion of the annual meeting of Parliament. His Excellency informs us that there are at present 268 schools in operation, attended by 11,000 pupils. These figures exhibit an extraordinary increase over the numbers of schools and pupils under the old defective system. On reference to the School Visitor's Reports, for the year previous to the introduction of the present free system, I find that there were only 126 schools in operation—not half the present number, and that during the periods of the year most favorable to a regular attendance of scholars, there were only 4735 pupils in attendance throughout the Island—very considerably less than half the number who now regularly attend our public schools. But it is only by comparison with the resources and population of the other provinces, and by reference to the provision made by them for the support of education, that the importance of our efforts in this direction can be fully appreciated. Nova Scotia, for example, has a population of about 300,000, and a revenue of £133,000. She pays for the support of education out of this large revenue only £16,280. New Brunswick has a population of about 200,000, though the Province is greater in area than that of Nova Scotia, but not nearly so densely settled, while her revenue amounts to the comparatively enormous sum of £203,000.

The reason why the revenue of New Brunswick so much exceeds that of Nova Scotia is owing to the peculiar nature of the business transacted in the former province. The lumbering business is its great staple; and the supplies of dutiable articles consumed in a tent, where that business is carried on, are far more than would be requisite in any manufacturing establishment in the sister province, with the same number of hands employed. Now I find that New Brunswick limits her expenditure for education to the insignificant sum of £9,435. Here, then, we perceive that Nova Scotia pays nearly double as much for education as New Brunswick, while the latter has a revenue of £70,000 more than the former. But Prince Edward Island makes a larger appropriation for education than either of them, aye, or both put together, in proportion to her means and population. By the last census, the total number of our inhabitants was 71,000, our revenue last year was £42,000, and our expenditure for education for the same year was £12,000, nearly one-fourth of the whole revenue of the Colony. Well, then, our population is about one-fourth of that of Nova Scotia, our revenue about one-third, and we give for education only a little over £4,000, or one-fourth less than she gives. New Brunswick has more than four times our revenue, has about three times our population, and we give for education nearly £3,000 or nearly one-third more than she gives! Now, have we not great reason to be proud that with regard to an institution so essential to our moral, social and material progress, as that of education, we are so immeasurably ahead of two very important—two great Provinces like Nova Scotia and New Brunswick—placed, as they are, in the highway of nations, between the Old World and the New? Only one other topic in the speech remains for me to notice, but it is certainly one to which our best attention should be given, as it concerns, as much as any other, the best interests of the country. His Excellency directs our attention to the necessity of making provision for keeping up a regular communication with the neighboring Provinces. We do not require to be

reminded of the importance of such a subject. Our farmers and merchants, and through them every class in the community, are deeply interested in the maintenance of a close, regular and constant inter-communication between us and the neighboring Provinces of Nova Scotia and New Brunswick, and through them with more distant lands. It must be admitted that this service was fairly attended to during the past season. The provision made for mail communication last session was liberal, and the Government were fortunate in securing the services of a steamer that appeared, last year especially, to give such general satisfaction as the *Lady Le Marchant* did. But still there is great room for improvement, and I sincerely trust that the appropriation to be made this session for our Summer Mail Service will be on so generous a scale, as may enable the Government to far transcend all previous efforts in the same direction. Let us give liberally for this service, if we be obliged to practise a close economy with regard to other matters of less importance; so deeply sensible am I of the advantages which are sure to accrue to the Island generally, from our taking an enlarged view of this subject, that as one member of the House I will be ready to vote the largest sum that may be proposed to keep up efficient communication with the other provinces. In connection with this topic it may not be improper for me to mention, although I am not a member of the Government, that the Executive, as I understand, recently entered into an engagement with Col. Favor,—an American gentleman of great enterprise and activity—for extending to this Colony the benefits of the admirable system of Express communication, which has for many years prevailed between New Brunswick and the United States, and by means of which our letters between the Great Republic and Canada may be received and transmitted about three days sooner than they could be received or transmitted when entrusted to the ordinary mail routes. The sum stipulated to be paid, I understand, for our participation in this very valuable arrangement is only £40 a year.

## RESPONSIBLE GOVERNMENT.

**T**HE following speech was delivered during the debate which preceded the adoption of Responsible Government :

The minority say that His Excellency Sir-Alexander Bannerman has, in his speech, avowed the same sentiments, with regard to the great question at issue, as those which were entertained by the late Lieutenant Governor, Sir Donald Campbell, and that in the address proposed by them, there is an expression of the utmost respect for those sentiments. That certainly answers very well for those who uphold the policy of Sir Donald and his Government, but it is language which cannot, with any degree of consistency, be adopted by those who have condemned his policy in the most positive and direct manner. Unless the majority mean to condemn and stultify themselves, they are bound to carry the amendment to the address. The amendment which has been submitted is one which, although it plainly indicates the feelings of the majority towards the Government, is in every respect strictly temperate and respectful. But had the majority thought that His Excellency intended in his speech to pass the same censure upon their proceedings as has been pronounced by Sir Donald Campbell, they would have held it to be a palpable insult, and might, in that case, have been fully justified in proposing an amendment less expressive of respectful consideration. The minority also say that the advocates of Responsible Government have obtained no victory ; in saying so, they falsify His Excellency's speech. Sir Donald, even at the most favorable stage of the negotiations with him for the introduction of the Responsible system, merely proposed to consult Her Majesty touching the propriety of such

a step. But Sir Alexander has told us in express terms, that he has been authorized to introduce that system. An announcement such as this compared with the declaration of Sir Donald, that he was not at liberty to comply with the wishes of the people, is either victory or nothing. Should the House adopt the original draft address, they would be receding from the objects which they have, during the last two sessions, vigorously striven to attain. Should they adopt the amendment, they will merely maintain the position which they occupied under Sir Donald Campbell. They told Sir Donald that they could not transact business with his Government, until it should be re-constructed in such a manner as to claim their confidence; and through the proposed amendment they merely purpose making the same declaration to Sir Alexander Bannerman. It is as much an inherent right of the Assembly of this Colony, to seek to effect a change in its Government, as it is of the British House of Commons to require a change in the Imperial Administration; and that, too, at any time, and quite independently of any contemplated change in the nature of the Government. In Nova Scotia, in consequence of the Responsible movement, a reconstruction of the Executive by Sir John Harvey preceded the necessary details preparatory to the establishment of the Responsible System; and I conceive that Sir Alexander Bannerman is at liberty, in the exercise of a discretionary power, to pursue that course here. Two honorable members have said that Responsible Government will produce corruption. Quite the contrary. When a member of the Assembly shall accept a government office of emolument, under the Responsible system, his seat being vacated, he will have to appeal to the people, and should they reject him, the consequence will be that he will lose both his seat in the Assembly and his office. And what, I ask, could be a better guarantee for strict integrity on the part of officials, being members of the Assembly, than the knowledge that their tenure of office will wholly depend on good behavior; and the certainty that, although they may retain



their appointments during the legal existence of a House, if they are found undeserving, they will be altogether cast aside by the people? One honorable member has strongly insisted that the Responsible System is proving the ruin of Canada and Nova Scotia. To disprove this assertion, however, it is sufficient to allude to the fact that parliamentary majorities in these provinces are increasing, and to the still more significant one that their revenues have amazingly improved; that of Canada, as I understand from an authentic newspaper report, having increased about a quarter of a million, whilst that of Nova Scotia, according to the official statement of the officer entrusted with the collection of the Revenue, has augmented to the amount of £15,000. This extraordinary increase of revenue is not, it may safely be assumed, indicative of "ruin and decay." And what is especially worthy of notice, this increase has been effected under the operation of tariffs, fully as conducive to the promotion of trade and commerce as those which emanated from preceding administrations. If the system were based upon folly and vice, it could never be productive of such happy results in any country. The consideration also, that comparatively few can procure official appointments, is almost in itself sufficient to disprove the assertion that the proposed system is calculated to produce corruption, for it cannot surely be supposed that a majority of the representatives of the people will lend themselves to the support of a corrupt system, for the pecuniary benefit of three or four individuals. The dissatisfaction of the people of New Brunswick, with the imperfect working of the Responsible system, is solely attributable to the coalition which has taken place there between the Tories and Liberals in the Assembly. (After the introduction of the Civil List Bill, the debate on this question was resumed, in the course of which Mr. Whelan completely demolished every argument resorted to by the supporters of the doomed system.) "The conduct of the minority," he continued, "reminds me of the story of the 'dog in the manger.' They

are now convinced that it is quite impossible for them any longer to retain both their official honors and emoluments and their seats in the Assembly, and they, therefore, have made up their minds to strive to the utmost of their power, although they know it is vain, to exclude the majority from the advantages which they can no longer enjoy themselves. The amendment submitted by the Hon. Solicitor General is tantamount to a declaration that a member of the Assembly, holding a public office of emolument, cannot be honest. Surely the honorable member has overlooked this evident interpretation of his amendment, and the application which might be made of it to himself and the honorable members on his right and left, Messrs. Longworth, Thornton and Haviland. I am very far from saying that the circumstance of those gentlemen now being, or having been, in the receipt of the emoluments of public offices, at the same time that they were members of the Assembly, has rendered them corrupt or dishonest, but I wish to show how very dangerous the application of the arguments of the Hon. Sol. General, if admitted, would prove both to himself and to his friends. The best safeguard for the honesty of public officials, occupying seats in the Assembly, is that they can hold neither their official appointments nor their seats, unless confirmed in both by the voice of the people; and in addition to this safeguard the sureties which they will be compelled to furnish before they can enter upon their offices will be responsible for the honesty of such officials. Indeed the checks imposed upon public officials are the most efficient which can well be imagined; they are those of their accountability to the people, the Lieutenant Governor and the Assembly. The cry first got up, long maintained, and scarcely yet abandoned, against the introduction of Responsible Government into this Colony, was the absence of proper materials, so far as regards intelligence and respectability, to carry it into effect; but the very working of the system will produce materials for its own support; and many who disregarded the barren honor of seats

in the Legislature in the past will henceforth press forward to obtain them, when it shall become apparent that the support and confidence of the people will be the best recommendation to official or honorary appointments. The Responsible system will thus produce the requisite materials, not only for the Legislature but also for the Government and public offices. In the present as in all their former movements to prevent or postpone this new and better state of affairs, the real aim and object of the minority is to keep themselves and their friends in office.



## HON. GEORGE COLES' ELECTION.

THE subjoined speech was delivered by Mr. Whelan in the House of Assembly three years before the introduction of Responsible Government :

I have risen several times with the intention of taking part in the discussion, but until now have not been so fortunate as to obtain a hearing. Whether this is attributable to the remoteness of my place, or to the extreme anxiety displayed by gentlemen on the other side of the House to make themselves seen and heard, I am not prepared to affirm; but certain it is that the eye—I will not quote the words of an hon. gentleman opposite, and say “the evil eye”—of the chairman has not been on me. I have no desire to travel at any great length over the various topics introduced in the course of the debate; to do so, I know, would be useless, for however forcible, and however clearly expressed might be the arguments brought forward in opposition to the resolution before the committee, they would be urged in vain, a majority of members being, no doubt, pre-determined to carry the question, right or wrong. I do not mean to say that they have completely driven from their minds all consideration of the sacred principles of right and wrong, but I do think, Sir, that they have used all their ingenuity to make those principles—immutable, unpliant, as they are—subservient to the unfair, indecorous and implacable hostility manifested towards Mr. Coles. Let us suppose Mr. James McCallum to be in the situation of the gentleman whose name I have just mentioned, that he had held a seat in the House for years past, that he had been a true and faithful upholder of the political principles which distinguish the gentlemen on the other side, that he had been called to the council, that his seat in

the Assembly had been declared vacant, and that he had been sent back to his constituents, and had again polled a majority of votes, and that the Crown officers had declared that no vacancy had existed, and that the election was illegal—let us, I say, suppose that all this had occurred with respect to Mr. McCallum, just as it has done with respect to Mr. Coles, and let us then enquire how, in all probability, the hon. members on the other side would have dealt with the case. I feel convinced, Sir, that had Mr. McCallum been the individual whose right to a seat in this House was so involved, those hon. members would have argued in favor of Mr. McCallum's right to sit here, with a zeal and determination equal to that which now characterizes their opposition to the claim of Mr. Coles.

And with respect to the course which, in such case, I should myself have pursued, utterly unconscious as I am of being influenced in the consideration of the question as it really stands, either by party or personal feelings, I sincerely think that, had Mr. McCallum, or any other gentleman, stood in the position now occupied by Mr. Coles,—awaiting our decision with respect to a right asserted by him to a seat in the House—I would have spoken and voted in favor of that gentleman, as I now do in favor of Mr. Coles, fully persuaded that I was only endeavoring to secure a decision in strict accordance with the principles of justice and impartiality; and, for such a line of conduct, certain I am that I should never either be at a loss for a justification or fear being called to account by my constituents.

This consideration, however, apart, I am not so vain as to imagine that I possess the power to make proselytes of honorable gentlemen on the other side; but at the same time I honestly assure those honorable gentlemen that, although I do not believe myself to be in general too tenacious of my own opinion, I am not likely to become a convert to their views with respect to the present question, from a review of the arguments or rather sophistries which they have advanced in support of the resolution submitted by the hon. and learned member for Charlottetown,

The most plausible of all his arguments is that which relates to the privileges of this House. In order to support their assumption, that our privileges are involved in the question, gentlemen on the opposite side of the House have entertained us with elaborate reports, setting forth the result of their enquiries through the several authorities in which the privileges of Parliament are defined. I do not presume to cope, in matters of constitutional law and Parliamentary usage, with the hon. gentleman who has taken a different view of the question from that adopted by my hon. friends and myself upon this side of the House; nor am I ambitious of that notoriety which some of the "constitutional" lawyers in this House have attained (and I may remark that I have not my "evil eye" on the learned member for Georgetown) by their frequent references to Parliamentary authorities—that notoriety which I consider often gives them a claim to be ranked with that class of would-be poets, who, it was said, had "just enough learning to mis-quote;" but I would be regarded as one who cherishes as profound a reverence for the real and unmitigated privileges of Parliament as may be found to distinguish the conduct of any of those diligent investigators into the mysteries of Black Letter Lore. And I do not for a moment suppose, Sir, that the vote which I mean to give upon the resolution now before you will be in the slightest degree dangerous to the security of those privileges for the preservation of which they affect so much zeal. Had the Crown dared to dispute our right to pass such laws in this House, as the wants and circumstances of our constituents demanded and the principles of the constitution allowed; had it presumed to assert a control over the appropriation of the public money for wise and necessary and constitutional purposes; had it insinuated a claim to interfere in our discussions; had it assumed a right to govern the conduct of any member within the walls of this Assembly, I would then have considered that our rights and privileges were invaded, and have stood boldly forward in their defence. But the matter before you, Sir, involves, in my opinion, rather a question of ab-

stract law than of privilege, a question that may be embodied in these simple words—Is there any enactment of this Island to compel Mr. Coles to vacate his seat? The Law officers have distinctly declared that there is not. But we are advised to reject their opinion, and to judge for ourselves. Here, then, we are called upon to act in a two-fold capacity; first, as the makers of the law, and secondly, as its interpreters. We are called upon to renounce the opinions of the Crown officers. I might as well say to our advisers and instructors on the other side of the House—“Renounce the opinions and declarations with which the library has supplied you, and upon which you so frequently lean for support.” The writers quoted were no doubt learned in the usages of Parliament, but they were no less liable to err than other men. I cannot conceive why men, writing of events now dimly seen through the obscurity of the past, men of whose love of truth and impartiality we have no positive testimony, should be considered more worthy of credence than those who have equal ability to express an opinion, whose motives we cannot impugn, and whose freedom from prejudice and party feeling, so far as relates to their legal opinion in this matter, is unquestioned. I will now, Sir, ask the supporters of the resolutions one simple question. Supposing the ambiguous clause of the act, which led to the present discussion, had been obliterated from the Statute Book, would they contend that Mr. Coles was bound to vacate his seat in accordance with the resolution passed last session? (Mr. Haviland—Yes.) Mr. Whelan—Then you admit that a resolution is equally as binding in such a case as an Act of Parliament? (Mr. Haviland—No.) Mr. Whelan—No!! Well I can only say that after this I shall not be surprised at receiving a denial from that gentleman upon any point. However we may have all erred in reference to the Resolutions of last session, we must admit that they are insufficient to confirm Mr. Coles in his seat or deprive him of it; for if we argue upon a contrary proposition we are compelled to adopt the conclusion that the Lieutenant Governor, who issues a writ for the election of a member in the room of one

who accepts a seat in the executive council, is not bound by law but by the mere expression of opinion on the part of one branch of the Legislature. Acting in pursuance of such an assumption, this House, independent of law, might with perfect consistency proceed to declare its own permanence, or in other words to create itself. But, Sir, I consider it an unprofitable expenditure of time to argue in favour of the resolution of last session. It could not possibly have the effect of vacating Mr. Coles seat; for if it had, the Legislature of New Brunswick might have spared themselves the trouble of passing a Bill which went to establish the principle contended for by the Hon. gentleman on the other side of the House, for on that principle a resolution would have effected their object in a safer and speedier manner; and had the Lieutenant Governor declined to act upon it, the House of Assembly of that Province might then proceed to lecture him upon encroaching on the privileges of Parliament and the rights of the people. Sir, I am not disposed to give much credit for sincerity to those Hon. gentlemen who have raised their voices on behalf of privilege and right. Last year, when the contested elections engaged the attention of the House, these walls echoed the same cry.—“Protect the rights of the subject—vindicate the privileges of Parliament!” But what did it amount to? One of those elections was decided contrary to the views of gentlemen opposite, and I am not aware, Sir, that that decision has proved injurious to the privileges of this House, or to the interest of those who have sent us here. Hon. members may twist and turn as they please—may weave fine-spun arguments to captivate our imaginations—may cull the choicest flowers of rhetoric to adorn their declamation, but their real intentions and desires cannot be wholly hidden from our view. We may admire them for their rhetoric, but we cannot praise them for their ratiocination; we may applaud them for their zeal, but we cannot commend them for their sincerity. I believe it to be their object not so much to sustain the privileges of Parliament as to humiliate a political adversary.



LIEUTENANT GOVERNOR'S SALARY.

A resolution was moved in the House of Assembly, on June 19th, 1848, proposing to increase the salary of the Lieutenant-Governor, in reference to which Mr. Whelan made the following remarks :

The honorable member for Charlottetown has made, in his usual eloquent and felicitous style, a long speech in favor of adding £500 to the burthens of this daily declining Colony ; but it appears to me that the honorable member labored against his own convictions—that he felt he had a bad case in his hands ; but as a lawyer he was bound to employ every faculty of his mind for the benefit of his clients, who are not the representatives of Her Majesty in this Colony, but the intriguing officials or Black Watch, who expect, no doubt, by promoting such a move to win the confidence and good will of the present Governor. The honorable member for Charlottetown has told us that *now* is the time to vote the £500. Why *Now* ? Are we growing so immensely rich that we ought of necessity *now* to increase the salaries of our public officials ? *Now* is the time ; when petitions are crowding our table, which proclaim that poverty is everywhere in the land—driving many to premature graves and many to foreign lands. Petitions on the one hand praying for relief, that hundreds of our population may be enabled to live—a resolution, on the other side, voting £500 to increase the luxuries of a public functionary. *Now* is the time, when our little trade and commerce are in a state of paralysis ! *Now* is the time when the prosecution of the Fisheries—the only resource we have left worth turning to advantage—ought to be stimulated and promoted to the greatest possible extent. A few nights since,

when I asked for a small bounty on the exportation of cod-fish, I was told that there were so many demands upon the public purse, such an appropriation was impracticable—impossible ; and yet £500 can be set apart for the Lieutenant Governor, unasked and perhaps unneeded. We are told that, so far from His Excellency having expressed any opinion on this subject, he did not even know that it was to be introduced into this House. May we not then conclude that he does not require it? But, say the speaker, and the honorable member for Charlottetown, it is necessary to make this appropriation so as to secure to the Colony a Governor of independent mind ; and yet these gentlemen profess to believe that the contemplated appropriation would not influence the mind of His Excellency one way or the other ; then His Excellency is, of course, independent enough without it. The member for Charlottetown, who seems to be ambitious of gaining for himself the title of conscience-keeper to the Governor, declares that His Excellency not only holds himself aloof from both parties, or all parties, in this Colony ; but, “ what is better,” as the honorable gentleman wisely observes, he intends to keep himself so, and to be wholly uninfluenced in the administration of his Government by any local political feeling or partizanship. I hope the honorable member for Charlottetown enjoys the true gift of prophecy, and that his declaration in reference to Sir Donald Campbell may prove scrupulously correct ; but remembering the source whence such a declaration has proceeded, I cannot help regarding it with some degree of suspicion and mistrust. It is rather amusing to notice the coolness and self-sufficiency with which some honorable members on the other side of the House proclaim their unwavering and constant concurrence in the principle involved in the resolution under discussion. “ *They* were always in favor of an increase to the salary of the Lieutenant-Governor.” Why, then, was it not brought before the Legislature in Sir Henry Huntley’s time? Those who now


advocate it had a majority in the Assembly then—they could have carried the principle into practice without any difficulty ; and Sir Henry Huntley, as the Representative of our Queen, was certainly not less entitled to it than is Sir Donald Campbell. But when the present advocates of the measure quarrelled with Sir Henry Huntley I presume they no longer regarded the principle to be admissible—(at least during Sir Henry's term)—for, on this very ground, they labored to excite the country against Sir Henry—denouncing him as an avaricious man, and assigning as the cause of his dissension with the Family Compact their refusal to grant £500 a year. It has been strongly urged by some members on the other side, that the salary of the Lieutenant-Governor of this Island is not at all in proportion to the salaries allowed to Governors in the neighboring Provinces. I do not hesitate to admit that the salary of our Lieutenant-Governor is small in comparison to those alluded to ; but are gentlemen prepared to say that those salaries are what they ought to be—that they are not too large? It is well known that in England the scale of salaries to public officers is most extravagantly high—that no country in the world, perhaps, pays its servants so liberally as England ; and it appears to me that the Colonies have not failed to follow the example of the Mother Country in this respect, and often showered the public money, without any regard to economy, into the pockets of public officers, not because the duties of their stations have been considered great and onerous, but because they might be enabled to maintain what is termed “the dignity of their offices.” But it should be borne in mind by those gentlemen, who insist on the disproportion of the salary of the Governor of this Island to the salaries allowed to the Governors of the neighboring Colonies, that the allowance made for the administration of the Government of this Colony is fully equal to its extent, population, resources and revenue ; though Nova Scotia and New Brunswick pay three times as much to their Governors,

their Revenue is five times as large, being considerably over £100,000 for each Province; and the population of each, four times as large, being some hundreds more than 200,000, and 208,000 each; besides, those Provinces have no leasehold tenure to repress their energies; they have a rapidly increasing commerce, extensive manufactories, and great mineral wealth. It should be likewise borne in mind, that the expenses of a Governor's establishment in this Colony is insignificantly small when compared with those of the other Provinces. No army, no navy, no bevy of distinguished visitors surrounded by a small coterie of officials and their friends; the hospitality of Government House cannot, therefore, be so very burthensome to its occupant. The Speaker, in urging the necessity of passing the resolution, has told us that with his salary of £1,000 sterling, the late Governor (Sir H. V. Huntley) was compelled to live in a "beggarly manner." If such was the fact, is the assertion thus made creditable to the justice or the gratitude of the Speaker? In the last Parliament he surely had the power of rescuing the Governor from a position so degrading as that upon which he has bestowed the epithet of "beggarly." A truculent majority was not wanted to carry any vote—however flagrant, howsoever obnoxious—to the "50,000 freemen." "Beggarly" as may have been the style of living at Government House, it was assuredly not despised by the Speaker, if we may form an opinion from the regularity of his visits to that establishment, ere its precincts were invaded by those who are now denominated "snatchers." No man could have had better opportunities for judging of the style of living at Government House than the Speaker, he could estimate its resources from the kitchen to the garret, from the larder to the cellar, and if actuated by no sympathetic feelings, no motives of justice, is it not to be presumed that in gratitude for favours received, hospitality enjoyed, he, at least, should have been foremost to augment His Excellency's exchequer,

by putting his hands into the pockets of the people. I think the time chosen for proclaiming the poverty of the late Governor is very inauspicious, for we were never informed of the fact whilst the Speaker enjoyed the festivities of Government House; and when he ceased to participate in them, he ceased also to be a judge of His Excellency's mode of living. One honorable member has pertinently observed that the present Governor was perfectly aware when he applied for the appointment of the amount of salary he, in common with his predecessors, should receive, and we must presume that he was fully satisfied with it. The House of Assembly never pledged themselves to any increase; on the contrary, when such a measure was recommended by the Imperial Government, it was vigorously, almost unanimously, opposed. It had been hinted that the addition had been promised by the ex-Delegates, but these worthy gentlemen repudiate the "soft impeachment." Then why introduce the question? I regret that I cannot help thinking it is intended for a bribe, and, as such, is eminently discreditable to its promoters. We are advised by the honorable member for Charlottetown to vote the increase, in order to secure the independence of the Governor. The honorable gentleman surely does not think so meanly of His Excellency as to suppose that he cannot be independent without it. Is not this paltry and contemptible excuse an insult to His Excellency? To secure his *independence*, to induce him to discharge his high and important duties with integrity, we are called upon to vote him five hundred pounds!! Certainly, Sir Donald Campbell has very great reason to applaud his *friends* for the interest they manifest in his affairs. It is not the independence of the Governor those gentlemen seek to maintain,—his dependence, his slavery to them and their partizans is the object they hope to achieve. Had His Excellency at once given any sign of a disposition to pursue the later policy of the late Governor, to accomplish those measures of reform which he had so vigorously com-

menced, to prepare the colony for that system of Government which has swept to the wild winds of heaven the abuses and pretensions of dominant oligarchies in the neighboring colonies, not one of those who are now so zealous in their advocacy of this measure would be found to utter a syllable in its behalf. It had been urged by the speaker that we ought to vote the increase, so as to conciliate the Home Government, and to prevent our being called upon to pay those public officers whose salaries are now drawn from the Imperial Revenue. I am not anxious that the colony should escape from the payment of its Civil List, if our unwillingness to pay it is to be held up to us by the Colonial Minister as a mark of degradation, and as a reason for refusing to us those improvements in our local institutions which might enable us to keep pace with the surrounding Provinces. As a British subject, I have felt ashamed of the reproach which the Secretary for the colonies has repeatedly cast in our faces in reference to the payment of our Civil List; and I consider it to be the duty of the Legislature to strain every nerve, and husband every resource to provide for the payment of every department of our civil establishment. The Legislature, the country, ought to be honest and independent enough to despise such an attempt at conciliation; and the Governor who would receive the appropriation now contemplated, on such a condition who would quietly submit to the shameful attempt made to bribe himself and gag the Colonial Minister, would be undeserving of that character for independence, integrity of principle, and faithfulness in the discharge of his important functions, which I earnestly hope the present administrator of the Government is determined to maintain.

## STOPPAGE OF SUPPLIES.

N the 10th April, 1850, the advocates of Responsible Government submitted a resolution in favor of stopping the supplies necessary for the current year. Replying to Hon. Edward Thornton, Mr. Whelan reviewed the situation as follows :—

I am rejoiced to find that one, at least, of the minority has the courage to oppose the passage of the Resolution. As the discussion proceeded—I cannot say debate, as that word implies difference of opinion—I felt no animation at the prospect of triumph, since the enemy appeared too weak to offer battle. Now, however, that the honorable member for Murray Harbor, who represents the Government, has fairly entered the arena, I feel pleasure in coming forward to confront him. I should, indeed, give the honorable gentleman credit for the caution and tact displayed in his opposition to the resolution. It might be supposed that when he rose to speak, a defence of the Government would be the chief object of his solicitude, but he has very wisely left the Government to take care of itself, and labored to vindicate himself, as an individual member of the Council, from the obloquy which attaches to the whole. The honorable gentleman has proclaimed his adhesion to the Responsible Government movement ; but at what time has he chosen to do so ? Having opposed it the last and preceding Sessions, what value should he set upon his support now, at the eleventh or twelfth hour, when the question can be settled independently both of him and his party. But, Sir, I value but slightly the pretensions of any honorable member who will say he is favorable to the introduction of Responsible Government, and declare, at the

same time, his determination to vote against the Resolution now before the Committee, as the adoption of that Resolution appears to be the only alternative left to the advocates of responsibility. I am aware it will involve consequences of very serious moment to the Colony ; but for the part I am prepared to take in bringing about these consequences, I am ready to assume my full share of the responsibility before my constituents. It has not been with me the subject of merely an hour's or a day's consideration ; before the session commenced, I believed that such a proceeding would be found necessary, for I understood the character of our Government too well to give it credit for that independence and regard for public opinion which would induce any other Administration to make a prompt and gracious concession to the wishes of the people's representatives. The honorable member from Murray Harbour cannot, forsooth, vote for the Resolution, because he is a member of the Government, and because that Resolution contemplates a step unprecedented in the history of the Colony. If he is a member of the Government he ought not to be ; he would prove the sincerity of the sentiments which he professes to entertain with respect to Responsible Government, and his regard for the opinions of his constituents, by ceasing to be a member of the Government, when it is shown that it no longer possesses the confidence of the country. That the Resolution was without precedent in this Island, at least, I am willing to admit ; but how many things are here done for which no precedent can be found ? Must we of necessity pause before adopting any measure, and ask—is there an example for this ? To make it necessary to find a precedent for every change clearly necessary for the well being of the Colony would be a most effectual way, indeed, to stop the progress of all beneficial reform. Individuals who can never think it right to advance without a precedent seem most absurdly to forget that there must have been a time when every record now accoun-



ted a precedent was an original and unprecedented act. In the Legislature of a small Colony like Prince Edward Island, whose Government is conducted according to no well-defined principles, questions relating to the administration of affairs will sometimes be adjusted without reference to any rule or practice which may be found to exist in Britain. But since the honorable member from Murray Harbor must bring the question of precedents into the debate, I ask him, will he find in the history of this Colony, or any other, an analogy—or precedent, if he prefers the word—for the course taken by the Government on this occasion? When and where did the circumstance occur, that a vote of want of confidence was passed by a majority of 17 to 3, and the council against whom such an unmistakeable condemnation was recorded still held their places? His Excellency the Lieutenant Governor declares he has not power to change his Government—that a concession to the views of the Assembly would be a direct contravention of Her Majesty's instructions. With all proper respect for the Queen's Representative, I beg to say that I think he is in error. The Despatch to which reference has been made by the hon. member from Murray Harbor, in support of the position assumed by the Lieutenant Governor, does not prohibit the introduction of the new system of Government, and sanction hostility to the people. The hon. member may imagine that he finds in the Despatch of the 27th December last a justification of His Excellency's policy; and it is no doubt a source of satisfaction to him and to his colleagues in the Government that some portion of that Despatch may be construed to warrant their unjustifiable retention of power. But let the hon. member cast his eyes a little further down upon that Despatch, and he will plainly see that it is not the desire or intention of Her Majesty's Government to have the affairs of this colony administered in a manner contrary to the feelings and opinions of the people. What

does Lord Grey mean when he repeats the declaration made to the Governor of Nova Scotia, if he were not disposed to sanction a change in the character of the administration whenever public opinion should call for such a change? Public opinion has called for it; but members of Government look awfully grave, and say unto themselves—we are, and shall be, above public opinion! Irrespective of the abstract claim which the Island possesses to a participation in the advantages which must result to any colony from a faithful adoption of the responsible system, I contend it was the duty of the Governor to dismiss his council, if they would not resign, and call new advisers around him, at the moment the House of Assembly declared it had no confidence in their administration of affairs. In this procedure His Excellency would have been borne out, not only by the Despatch of the 27th December, but by one of a much older date; and since the hon. member from Murray Harbor appears unwilling to do anything—to move either to the right or to the left—without the direct sanction of a Despatch, I trust his apprehensions will be removed, and his mind informed by an extract, which I am now about to read from a Despatch transmitted to a former Governor of this Island by the present Prime Minister of England, while acting as secretary for the Colonies. “You will understand,” said Lord John Russell, in 1839, “and cause it to be generally known, that *hereafter* the terms of Colonial officers, held during Her Majesty’s pleasure, will not be regarded as equivalent to a tenure during good behaviour; but that such officers will be called upon to retire from the public service *as often as any sufficient motives of public policy may suggest the expediency of that measure.*” Why have not the hon. member from Murray Harbor and his colleagues in the Government been called upon to retire from the Council? Is not a vote of a large majority of the People’s Representatives a “sufficient motive” to “suggest the expediency of that measure?” If it be not,

then it is difficult to say what is. An attempt has been made to render the movement for Responsible Government an unpopular one, by representing that its adoption would involve a pension list, in addition to the burthens of the Colony, and the hon. member for Murray Harbor has complacently referred the Committee to that part of Lord Grey's Despatch, which alludes to the subject of pensions. I think those who have charge of the public money should be the fittest persons to decide as to the manner of its appropriation ; and I am quite satisfied that neither Lord Grey nor any other Lord will succeed in convincing the House of Assembly that pensions ought to be given to, or that they are deserved by, any of the present officials. For my part, I would not vote a shilling of the public money towards a pension for any officer in the colony, because there is not one who can establish a claim to such consideration—not one individual connected with the Government who, by taking office, relinquished any superior employment, or sacrificed any prospective advantage, and because the country is too young and its revenue too small to warrant the ruinous system of providing retiring allowances for gentlemen, who have been patriotic enough to serve themselves while they served the Crown for a series of years. If it be necessary, however, that we should be guided in our deliberations in reference to the question of pensions, by instructions contained in Despatches from the Colonial office, it will be admitted, I presume, that the suggestions of a former Colonial Secretary, who is now at the head of Her Majesty's Government, ought to have as great an influence on the minds of this Committee as anything which has emanated from his successor. In Lord John Russell's Despatch of 1839—often quoted in this House, and from which I have just now cited a passage—an opinion is expressed, that only those officers who received their appointment in England should be regarded as having claims upon Government whenever they would be required to retire from the public service. "It may not be inadvisable,"

his Lordship observes, "to compensate such officers"—that is, "such as have left Great Britain for the express purpose of accepting the offices they *at present* fill,"—"for their disappointment, even by pecuniary grants, when it may appear unjust to dispense with their services without such an indemnity." Is there any one of our officials so circumstanced? No. A similar cry for pensions was raised in Nova Scotia, previously to the introduction of the Responsible System into the Government of that Province, but the only gentleman who was provided for when the change occurred was the late Provincial Secretary, who received that appointment in England, from which "motives of public policy" dictated the expediency of his removal. Did Earl Grey, who was then, as now, Secretary for the Colonies, complain of the conduct of the Legislature of Nova Scotia? Were the claims of the late office-holders made the subject of long correspondence with Downing street? Did the Lieutenant Governor haggle with the House of Assembly as to the price this gentleman or that gentleman should have for relinquishing his situation? No, Sir, the adjustment of this question was very properly left to the House of Assembly; and it will be ultimately left to the House of Assembly of this Island too, though it may for a time be obstructed and annoyed by mal-official interference and secret intrigue. I do not believe the professed advocates of pensions can be sincere in urging this subject upon the attention of the Assembly. I regard the outcry that has been made about it only as a trick to deter the public from sanctioning the advocacy of Responsible Government. Every other subterfuge having failed, a pension list is now considered to be a good argument against the measure, and as such it is used. We were first told that we were incompetent to be entrusted with the management of our own affairs—that we had no men of wealth and education to fill situations under Government, if the present holders of office were required to retire. Will any honorable member tell me what amount of wealth, what

extent of erudition, distinguished the present officials on their accession to power? Even now, how far superior are they in mental acquirements to many other individuals to be readily found in the community? And as for their wealth, it cannot be very abundant, else we should not be so often told, that if some of them, at least, be deprived of their official employments, they will be immediately reduced to indigence and want. But how was the Government of the Island conducted before those good and eminent men came into the world? Was the country in a state of barbarism—were its inhabitants poor and unenlightened, savages till, in the fullness of their compassion, in the plenitude of their wisdom, those immaculate and incomparable gentlemen came forward to guide the vessel of state? Alas, that the common lot of humanity will not permit us to hope for a realization of the extravagant Spanish compliment,—“May they live for a thousand years, and their shadows never grow less;”—for when they shall depart for “that undiscovered country from whose bourne no traveller returns,” who will be found to “fill their vacant places” and maintain the institutions, the liberty and prosperity of the land? An honorable member from Prince County (Mr. Pope) has called to our recollection the rise and progress of the United States of America, and has very happily and forcibly shown that it is not to aristocratic influence, nor great wealth, nor profound and extensive scholastic attainments, the people of those States are indebted for the establishment of a Government, one of the happiest and best that human genius has ever planned. Their unrivalled progress in the arts and sciences, their vast accumulation of the comforts and luxuries of life, their wide-spread influence amongst the nations of the earth, are all unmistakeable evidences of the efficiency of their Government, and of its adaptation to their inclination and opinions. Why are British Colonists in America so far behind their republican neighbors in the scale of social and political importance? In their mental and physical organiza-


tions they are not inferior, and the natural resources of the countries they inhabit are not inferior to those of some of the American States. The reason of their social and political inferiority is obvious. Had the Colonists been permitted to manage their own affairs as well as the Americans, without entirely severing the connection with the mother country; had they been freed from the blighting incubus of a Downing street cabal, swayed by the secret interference and influence of officials in the Colonies, who deem, from long possession of power, that they have, or should have, "a right divine to govern wrong,"—the prosperity of the Colonies would be commensurate with that of the United States. But we have no need to confine ourselves to the United States for proof of the fact, that the cause of public liberty is not dependent upon any favored class in the community, or that its greatest triumphs have been co-existent with eras of mental enlightenment. The structure of British freedom is not the work of aristocratic hands; and although the "bold barons"—many, if not most of whom were unable to write their names,—have received from history the credit of winning the Great Charter on the field of Runnymede, yet it is well known that the tyrant John would never have been awed into submission but for the co-operation of the Commons. In every subsequent period of England's annals, wherever we trace the encroachments of arbitrary and aristocratic power upon the rights and privileges of the people, there do we behold the humbler classes of society, the men of small means and of limited education, battling for the right and success, fully establishing those principles which have been formed into a system of polity that has become the boast of Britain in every quarter of the world, and which free and civilized countries have rejoiced to copy. In this Island, however, "the glorious British Constitution" could never properly have been made the subject of panegyric, its inhabitants could not boast of the enjoyment of a right which has been practically denied to them, for while every other

dependency of the Crown on this side of the Atlantic, with the exception of Newfoundland, has successfully won its way to freedom, the loyal people of this Colony have been forced to bend beneath the sway of a faction, who seem to think they have an especial right from Heaven to monopolize all the honors and profits of Government, to howl into disgrace, as disaffected subjects of their Sovereign, and ignorant and mercenary agitators, any class of men who might be found bold enough to scrutinize their acts, and render them accountable to the public for the faithful discharge of their duties. Yes, here indeed, may we find an exact copy of the picture in miniature, which the Poet has given of another oppressed land :—

“ —————in this humbled Isle  
Where honor mourns, and freedom fears to smile,  
Where the bright light of England's fame is known  
But by the baleful shadow that is thrown  
On all our fate—where, doomed to wrongs and slights,  
We hear men talk of Britain's glorious rights,  
As weeping slaves that under hatches lie  
Hear those on deck extol the sun and sky. ”

The Representatives of the people have determined that this shall be the case no longer ; Her Majesty's Government in England does not insist that it shall ; and if the House of Assembly be forced to adopt the alternative, which the Resolution now before the Committee contemplates of withholding the supplies, until the well understood wishes of the people be complied with, the Lieutenant Governor and his advisers will, and ought to be, held responsible for that proceeding. We have been told by a member of Government, that if we pass no Revenue Bill and grant no supply, we shall next year be required to raise a two years' revenue, and grant a two years' supply, this, I trust, will prove to be a mistaken notion. I should be sorry to make the public pay for the folly of the Government ; and if the officials receive their salaries for the present year, most certainly they will not be indebted to me for a vote.

## INAUGURATION OF THE NORMAL SCHOOL.

NE of the most important events in which Mr. Whelan ever participated, in this Island, occurred on October 1st, 1856. The Charlottetown Model and Normal School was, on that day, inaugurated by a grand Soiree, presided over by his Excellency Sir Dominick Daly, Lieutenant-Governor, and attended by many leading citizens; also prominent teachers from various parts of the Island. At half-past three the Company, or rather as many as could be accommodated at once, were summoned to the tea tables, fourteen in all. The company assembled, according to the printed report of the proceedings, numbered upwards of three hundred, a large proportion of whom were ladies. Tea being over, His Excellency, on being motioned to the Chair, assumed the same, and organized the meeting by delivering an excellent address. Speeches were also delivered by Hon. Col. Swabey, John Lawson, Esq., City Recorder; John M. Stark, Esq., Superintendent of Schools; John McNeill, Esq., Secretary Board of Education; Wm. Monk, Esq., Master of the Normal School; John Kenny, Esq., Central Academy; Hon. George Coles, Col. Secretary; Hon. W. W. Lord, Archd. McNeil, Esq., the Hon. Edward Whelan, and Hon. Benjamin Davis, all of which together with the whole proceedings, were reported by R. B. Irving, Esq., and published by the Committee of Management, in pamphlet form.

Hon. Mr. Whelan, preparatory to moving a resolution which he held in his hand, then moved, "That his Excellency do now vacate the Chair;" which having been done, and His Worship the Mayor, Robert Hutchinson, Esquire, having, on motion, taken the same, the Hon. Mr. Whelan spoke as follows:—

Mr. Mayor, Ladies and Gentlemen:—If the resolutions



which have been already proposed have passed without a dissentient voice, I am satisfied that the one which it becomes my agreeable duty to move, and which I will at once read, will be received with heartfelt acclamation!

*Resolved*,—That the thanks of this Meeting are due to His Excellency, Sir Dominick Daly, for his able conduct in the Chair.

In this resolution there is but a feeble testimony of our obligations to our late worthy Chairman, for the interest he has manifested in the cause of popular education, and it is a consolation to me to know that it requires no oratorical support, for its simple proposition would be sufficient to secure its hearty adoption. But as every gentleman entrusted with a resolution on an occasion like this may be fairly expected to make some observations in reference to the object of our present assemblage, I shall avail myself of the opportunity I possess to offer a few remarks, although I feel that no new thoughts or ideas can pass from my lips, after the several interesting speeches we have heard to-night. Were I further to speak upon what has been done in Prince Edward Island to advance the cause of Education, and to indulge in an eulogistic recapitulation of the services to that cause by some amongst us, whose merits on that score have already had their full share of laudation, I should only be performing a very superfluous task, such as “painting the lily,” or “throwing a perfume on the violet.” I am glad to find that the prospects of School teachers are growing so bright, and their situations so desirable, as to be worthy of being coveted by one who formerly ranked high in the profession, but was induced to resign it for a Government appointment. I refer to our friend the Deputy Registrar (A. McNeill, Esq.), who has just cast such a fond and lingering look back to the days when, within the bounds of the Schoolroom, he was “Monarch of all he surveyed;” but I sincerely trust that he will be introduced to restrain his enthusiasm, and continue his service in that important department to which he now belongs. In moving the present resolution I am led to reflect upon the novel

and interesting spectacle of a Lieutenant Governor's condescendingly uniting in action with a public meeting, and freely participating in the general feelings which the object of the meeting excites. I call the spectacle a novel one, to me at least, and, I believe, to the majority of those present it is so, for Sir Dominick Daly is the first Governor, within the period of my experience in the Colony, who has descended from his high Station to mix freely and cordially with the people committed to his care in many of their rational and intellectual entertainments. To find our Governor as anxious to promote the object of this meeting, as if he had a direct individual interest in it, cannot fail to be most gratifying to those to whom its success will impart benefits which cannot be too highly valued. To the teachers, in particular, it must be highly gratifying, as showing the estimation in which their vocation, with reference to the diffusion of learning among all classes, amongst the poor as well as the rich, is now held by men in the highest stations. But much as we are gratified by His Excellency's presence here to-day, I am sure it must be a source of very great satisfaction to himself, to have it in his power to countenance so worthy an object as the more general diffusion of the blessings of education, by presiding over a meeting called together for the inauguration of a new era in our educational system, and for encouraging teachers in the steady pursuit of the arduous duties allotted to them. I need not remind this meeting of the very obvious fact, that it is only by means of a widespread education that rulers can govern with pleasure to themselves and with satisfaction to the governed. As not the least important feature of education is to inculcate obedience to the laws, and by imbuing the youthful mind with sound principles in morals and religion, rear up the best ornaments to and barriers for the protection of society, it is obviously the first duty of a liberal-minded and enlightened Governor to promote, as far as it may be in his power, the intellectual advancement of the people committed to his care. That His Excellency is ever ready to discharge this duty we have the

most convincing testimony, and it must be gratifying to him to know that his efforts in this direction can be so well seconded by the mass of the people themselves, for I do not believe there can be found in any part of Her Majesty's North American possessions a community that appreciates moral and intellectual training more highly than the inhabitants of this Island. This testimony I can bear from considerable personal observation, and without laying myself open to the charge of egotism—for I am not a native of the Island, which I might be tempted to regret, if I did not in some measure share with its sons the advantages they enjoy. Though Prince Edward Island happens to be the smallest and the poorest of the North American Colonies, regarding our poverty in a commercial sense, we are entitled to boast that we have taken the lead and set an example to all the others in the important matter of education. The enlightened policy which placed us in a position thus to boast, though originating with one section of politicians, will be hailed as the brightest inheritance of all who come after us, when the rancour and petty heats of party warfare will be forgotten, and the sons and daughters of Prince Edward Island, unable to take an interest in the conflicts of their predecessors, may exult on common ground over the boon bequeathed to them. For my own part, though, as I said before, not a native of the Colony, I shall always consider, wherever my lot may be cast, that I have been highly privileged in being not only a member of the community, but a member of the Legislature which gave birth to our free system of education. The important impetus, which has been given to education by the universal spread of the printer's art, has completely revolutionized the whole republic of letters, bringing knowledge hitherto inaccessible, and books unattainable by reason of their cost, within the reach of all, the poor as well as the rich, so that it seems to be an almost unpardonable sin on the part of those who are brought up, where public and private libraries abound, to plead ignorance on subjects of general science, literature and art.

## INCREASE OF REPRESENTATION, 1856.

I did not intend to enter upon the discussion of this question before the House went into Committee; but as honorable members seem inclined to oppose going into Committee, and are desirous to know my reasons for introducing the question, I shall at once state them as briefly as I possibly can. The honorable member for the first District of King's County (Mr. Cooper) was the first to show symptoms of alarm at the introduction of the measure. It is not for me to say that his interests will be specially and injuriously affected by it; but, it is quite probable he may apprehend that, if carried into effect, there will be an end to his ambitious schemes. He reminds us, of what we all very well know, that the country has sent no petitions in favor of an increase of representation. True; but is it necessary that, before legislating upon any subject, we should wait for petitions? He asks if any despatches have been received from the Imperial Government, recommending the adoption of the measure I am about to propose? I can safely say that I have heard of no such despatches, and I believe the Colonial Secretary (Mr. Coles) has told us there are none. I can never subscribe to the doctrine that, before legislating upon any important question, we should wait to receive petitions from our constituents, or despatches from the Home authorities. I have always entertained the opinion—and I think I shall never abandon it—that when a member is sent here, he does not appear in the character of a delegate to carry out a certain code of instructions, but rather to act in accordance with the dictates of his own conscience and judgment, and to pursue that policy best calculated to promote the interests, not of his

own constituents only, but those of the whole Island at large. It is right that a member should consult with his constituents on public questions, as I frequently take an opportunity of doing, and endeavor to ascertain their opinions, and, if possible, reconcile them to his own, should there be any disagreement; but I do not conceive it to be any part of the duty of a member to sacrifice his own conscientious convictions to suit the views of any class of men. Now, Sir, I could easily point to some of the most important measures that ever passed the Legislature of this Colony, on behalf of which there was no popular demonstration at the time of their introduction. Let us take the bill for increasing the elective franchise. That involved an important change in the constitution of the Colony. There were no petitions in favor of it; yet it passed, and I believe the people are thoroughly satisfied with it. I had the honor of first introducing that measure, and did so independently of the Government, because I did not then, nor do I yet, consider that the Government should initiate every important measure. An objection has been made that the question under consideration has not been made the subject of a Government measure. But if that had been done, I have no doubt the old cry would be raised by those who make the objection, that the majority are bound to be subservient to the Government, and must vote for the measure, so that in either case the minority would be sure to have an excuse for opposing it. If the principle were once established, that the Government—and the Government only—should bring forward important questions like this, then I should be out of place in making the motion I do; but until that doctrine, which I think is never likely to find favor in any free representative assembly, becomes the rule amongst us, I must consider the course I have taken to be quite correct and legitimate. A far greater change was effected in the Constitution of this colony than that which I now propose, not only without the concurrence of the Government, but in spite of its powerful influence and long continued opposition. I would ask

the gentlemen who profess to be so anxious that the Government should lead in this measure, if they think we should ever have had Responsible Government, if we had waited for the administration of the day to carry it through the Legislature? (Hear, hear). With respect to an increase in the number of our representatives, I must say that, since the change in our Constitution, I have regarded such a measure as highly necessary. During the past year, I have several times brought it to the notice of some of my friends in the Government, and urged them to bring it before the House; but until the present time they did not see the necessity for it. The course of our proceedings this session has, however, convinced the most sceptical of my political friends that an increase of members and a revision of the electoral districts has become highly necessary. Parties have become so nearly balanced, that it is difficult to proceed with any business, should there be any members absent from either side of the House. Indeed, questions affecting the policy of the Government could not be discussed without a full House, for the minority would be always in attendance to meet such questions, in the hope of defeating the Government, while the majority would postpone or not commence the discussion until their entire force should be assembled. The expense to be incurred by an increased number of members will, no doubt, be insisted upon as a very strong argument against the measure; but I think it is an argument worthy of little or no consideration, in comparison to the advantages it will confer. It is most unquestionably a great extension of the popular privileges, and it is, indeed, as much entitled to the support of one political party as to that of another; for, under an enlarged and improved representation, Liberals and Conservatives would have equal chances. In the new subdivision of the Districts which I shall propose, there will be,—with some few exceptions that cannot possibly be avoided—nearly the same number of inhabitants to every electoral District; and another principle which shall be kept steadily in view will be,

to give about the same extent of territory to each district—not as at present, fourteen townships to one, eight to another, all thickly settled, four or five to another, and so on; while the new districts can be so arranged that the several Townships constituting them will be in a direct line, one close upon the other, and not running in different directions, as is at present the case. The opposite party say that they stand well with the country, and that public opinion is against this side of the House. If that be the case, there can be no reasonable objection to giving additional force to the popular element in the House. If the assertion regarding their great popularity is based upon truth, then the chances are all in their favor and against us. The strongest opposition to this measure, I have no doubt, will come from the gentlemen who represent the Towns. Now there is no intention to interfere with the representation of the Towns and Royalties, at least not with two of them. No one will dispute the right of Charlottetown to return two members; Georgetown is entitled to similar representation; it is a place of growing importance—rapidly extending its population and its commercial transactions. But such is not the case with Princetown. The Royalty, indeed, has been long since settled, but the town is nowhere. I am not aware that the place called the town has any inhabitants at all, for many years it had only one; and that one removed from his solitary location. The Royalty is, in fact, the place that has the representation, and not the town; and yet we find, according to the last census, that the whole place has only ninety-five persons capable of exercising the elective franchise. Now, considering that some of the electoral districts in the Island have as many as fourteen hundred and fifteen hundred electors, is it not absurd to give ninety-five voters the same extent of representation as we give fifteen hundred? I therefore propose to make Princetown and Royalty a more respectable constituency, by adding Lot 18 to it. (Hear). I am glad the honorable members on the other side approve of the

proposition. I do not know whether the exclamation of "hear" came from the honorable member who represents Princetown and Royalty, but I have no doubt that he is well pleased to learn that I wish to give him a constituency of over two hundred electors instead of ninety-five. There are about 120 electors on Lot 18, these added to Princetown and Royalty would make it a tolerably respectable constituency. Not the least important object to be gained by the change is a general and more equal sub-division of the electoral districts, so that population and territory may have their legitimate influence in the scale of representation. By referring to the map of the Island, it will be seen that the District, which the Hon. Col. Treasurer represents, comprises nearly one-fourth of the Island, including fourteen townships. Then look to the first and second districts of Queen's county, they are not only enormously large as regards their area, but the population of each is more than that of any other two districts in the Island; besides they have not been divided off with any regard to their topographical position, for in order to get to one district you have to run across the other. The same objection will, in some measure, apply to two of the districts of King's County. It must be owned that there is not here that great inequality with regard to population which is observable in the other two counties, but it will be quite easy to make a far better subdivision of the districts, especially since it will be necessary to make two districts of what is now called the Murray Harbour district. It has been hinted that this change in the election law is brought forward as the preliminary to a dissolution of the House. The Governor can, of course, dissolve the House whenever he sees the necessity to do so; but I utterly deny that this measure is mooted by me, in concert with the Governor or his advisers, or in connection with any intention, if such does exist, to dissolve the House before its legal expiration. Indeed, I shall be willing to insert a clause in the Bill,—which I trust will be brought in—



to the effect that the Bill shall not go into operation until the House shall legally expire. This is not the time or place to discuss the details of the measure, but I may be permitted to observe that, notwithstanding the addition of six members to the present number (which is the increase I am prepared to propose), I think we should adhere to the present rule of the House, that twelve members and the Speaker shall form a quorum, in order to facilitate the transaction of the public business. In a House of thirty members, twelve would be decidedly a minority; and it may be objected that it would be giving the minority too much power to permit them to proceed with the performance of the public business; but for that we have a precedent in the practice of the House of Commons, where out of about six hundred members, forty-five constitute a quorum. Another advantage connected with the proposed change would be that the country members would often have an opportunity of visiting their families without detriment to the public service. It is now eighteen years since there was a change in the constitution of the House of Assembly. Previous to that time there were only eighteen members. Eighteen years ago it was considered that the Colony had sufficiently far advanced to justify the addition of six members in the lower branch of the Legislature. Are we to remain as we were eighteen years ago? Must the growth of our institutions stop, while the country at large progresses? What was the state of the colony when our predecessors enlarged the popular representation? Its population is now more than one-third larger than it was then; whilst the number of electors under our present law has considerably more than doubled. Under the old representative system, the franchise was restricted to property-holders, whose numbers were small, in a country where, eighteen years ago, there were comparatively few freeholders, and very many tenants without the legal qualification to vote; now, every individual twenty-one years of age may exercise the franchise; and it is therefore not too much to say

that the number of electors has considerably more than doubled. The revenue of the country is now nearly £50,000; eighteen years ago it was little over £10,000; and if we could afford the expense of a House of eighteen members, then we can surely better afford the expense of a House of thirty members now.



## BIBLE QUESTION.

**D**URING the session of 1857 an amendment to the Education Act was proposed, providing that the Bible should be read daily as a class book in the public schools of the Colony. This gave rise to an animated discussion, and on a division the motion was lost.

Hon. Mr. WHELAN spoke as follows :—After all the agitation and misapprehension which have been caused by the discussion of the Bible Question out of doors, I indulged the hope that more correct views than some of those I have heard expressed during the debate would prevail in this House. I do not see how any honorable member can doubt the fact that the whole of the agitation now existing is the result of a serious and most unaccountable misunderstanding. A considerable effort has been made to remove it, but there are some parties in the community who appear to be bent upon sowing discord—who will not, if they can help it, suffer the public to be rightly informed on the question at issue, but who go on from day to day laboring to involve the settlement of that question in difficulty, by mystifying all the facts connected with it. Whether this extraordinary conduct proceeds from an inherent love of discord, or from a desire to serve a political purpose, I am not prepared to say, nor do I care; for in spite of all the efforts of the designing, I believe that the people of this Island are too liberal and enlightened in their views to become parties, for any length of time, to a religious crusade, and that the present excitement will shortly subside, leaving no trace of its operation but that which may be found in the disgrace that will inevitably attach to those who have fomented it. I did not, I confess, expect to find their machinations encouraged in

this House ; but the debate has taken such a turn as to justify, in a great measure, the course pursued by the parties to whom I allude, and may possibly lead strangers to the Colony to suppose that attempts have been made by the head of one religious denomination to deprive all the others of their religious liberty. To meet this most fallacious view of the case, I hold a resolution in my hand, which I shall presently offer ; and as it must be admitted to contain nothing but the facts, its proposal will obviate the necessity of reviewing at any length some of the arguments and statements urged by gentlemen who have preceded me. Permit me, however, to ask what is the particular circumstance which has given rise to the agitation that has been created in regard to the introduction of the Bible, as a class-book, into our public schools. I shall be referred, I presume, for an answer to this question, to the letter addressed by His Lordship the Bishop of Charlottetown, at the close of the last year, to the Secretary of the Board of Education. And what is the purport or spirit of that letter? This question I shall presently answer myself. Throughout the whole of the discussion which that letter has provoked, not one of those who assailed His Lordship has had the fairness to put an honest and legitimate construction on the expression of his views. But, on the contrary, we have been every day met with the cry, that it was the design of the Bishop to suppress the reading of the Bible in our public schools. Now, his Lordship's letter very clearly shows that he had no such design. That letter was written in consequence of some injudicious remarks having been made and published by the Visitor of Schools, at the inauguration of our Normal School—that officer having assumed authority, on the occasion referred to, to propound rules for the regulation of the Normal School—one of which was that the reading and exposition of Bible truths should form part of the daily exercises. This announcement by a public functionary at the head of our educational establishment, as Inspector of

Schools, and as a member of the Board of Education, was of so general a character, that His Lordship was easily led into the error that, if the Inspector could prescribe rules for one School, there was nothing to prevent his doing the same thing for them all. And could the Bishop entertain any doubt as to the kind of religious instruction to be imparted in those schools? He well knew that the Catholic version of the Bible would not be the one introduced, and well knowing that nearly half the children attending our public schools belong to the Church over which he exercises spiritual authority, it was not too much for His Lordship to apprehend, that a system of proselytism would be attempted; and influenced by such an apprehension, it was clearly his duty to interfere. This duty he discharged in the most unobtrusive manner—he stated, in his letter to the Board of Education, the grounds of his apprehension, he pointed out the evil consequences of infusing the religious element into our mixed schools; and in that spirit of Christian forbearance and toleration, for which His Lordship is so highly distinguished, deprecated the adoption of a system of instruction, which would so certainly disturb the harmony that now happily subsists between the different religious denominations. Under these impressions, he asked the Board of Education to reconsider the subject, and he suggested that it would be far better to adopt the *godless* system—such as is pursued in the national schools of Ireland—using the word *godless* in the sense in which it is generally used in reference to those schools—than a system which would necessarily deprive nearly one-half the rising generation of the benefits of a free education. Such was the purport of the Bishop's letter, and I cannot see how any reasonable man could find fault with it—taking into consideration the shadowy lights in which it was written. It is true that His Lordship committed an error in supposing that the Bible—meaning, of course, the Protestant version—was to be forced as a class-book into our public schools; but this

error was caused, as I have already shown, by the extra-official assumptions of an individual who has since been disingenuous enough to take improper advantage of His Lordship's error. But the Bishop, having discovered that his apprehensions were unfounded, acknowledged his error in the most unreserved and unequivocal manner, by addressing a note to the Hon. Colonial Secretary, in which he stated that having received full explanations from the Colonial Secretary, that there was no disposition on the part of the Government to prescribe *new* regulations for the management of our public schools, he was perfectly satisfied. Why, then, should an attempt be made to mislead the public into the belief that the Catholic Bishop has sought to invade the conscientious rights of his Protestant fellow-subjects? We all know that the public meeting held at the Temperance Hall, on the 13th February last, under the direction of certain Protestant clergymen, was called for the purpose of arousing public opinion against the Catholic Bishop and the Church in this Colony, of which he is the head ecclesiastic. At that meeting his letter was referred to, and censured in the strongest terms by some of the speakers, but not one of them had the candor to admit that that letter was virtually cancelled by the one subsequently addressed to Mr. Coles. A great deal of nonsense was uttered at that meeting about the demoralizing tendencies of "Popery" (as the religion of one-half of our population was insultingly described), and much vehement denunciation was expended on the despotism alleged to prevail in Catholic countries; but what this had to do with our social, religious, or political condition, in this country, these orators did not condescend to enlighten their hearers. There was one circumstance connected with this meeting which I cannot easily forget, and that was the presence of several individuals, whose character for probity and uprightness does not stand remarkably high in this community. Their zeal on behalf of the Bible, and their

enthusiasm in defence of the Protestant religion, were such as to lead many persons to hope that they had "turned over a new leaf," and would become better members of society than their previous conduct proved them to be. I am willing to give credit for sincerity to most of the Protestant ministers who have placed themselves at the head of the present movement, and who were mainly instrumental in getting up the meeting to which I have referred, I think they were acting under the impulse of an honest though very injudicious zeal ; but I think that any person of common sense and understanding cannot, in his heart, acknowledge that most of those laymen, who are rendering themselves conspicuous in the present agitation, are influenced by any other motives and prejudices than those which are wholly foreign to religion. The simulated zeal for the Bible, observable in the conduct of such persons, is the greatest obstacle that can be presented to the circulation of the Scriptures, and cannot fail to cover with suspicion, and bring into disrepute, all others who associate with them. Now, Sir, let us suppose that we should give effect to the wishes of the petitioners, and make the Bible a compulsory class book in our mixed schools, what advantages would we confer on society in Prince Edward Island? Does any one suppose that sounder morality and more true religion would be the result of such legislation? If any one does, I do not envy his credulity. Countries which have tried the religious element in their public schools have not been more fortunate in cultivating public virtue and morality than those countries, that wisely leave all the inculcation of religion to those places which are especially set apart for its ministrations, and to the domestic hearth. We have had a system of public instruction in this Colony for many years, and for the last five or six years the freest and most liberal system known to any of the British Provinces. I certainly think we are not behind our fellow-subjects abroad on the score of

religion ; and why should we now seek to disturb the public harmony, and impair the efficiency of our educational system, by setting Catholics and Protestants against each other on matters of religious faith ? To illustrate the impracticability of making the Bible a class book in mixed schools, let us suppose an individual case. Here, in a particular settlement, one half the children in attendance at the public schools are Catholics, the other half are Protestants ; the teacher is a Protestant ; the majority of the Trustees are Protestants ; we may readily conclude that when there is a rule to have the Bible read and expounded by the teacher, the Protestant version would be the one selected (it is absurd to suppose that the two versions of the Bible, Protestant and Catholic, will be used in the one school under the direction of the one schoolmaster). Well one half the children are compelled to read or listen to a Book which they are taught to believe is an entirely incorrect version of the Holy Scriptures. Does this compulsory attention encourage a veneration for the Bible, either on the part of those who believe in the version read or on that of those who do not believe ? What feelings are implanted in the guileless hearts of those who are sent to drink at the strengthening and refreshing fountain of knowledge, and find little but gall and bitterness in the draught ? Why, Sir, we should find in every county and township of the Island, a horde of juvenile dogmatists, ready to annoy, and persecute, and worry their schoolmates about matters which have for centuries been a source of contention and bloodshed with children of a larger growth. Reverse the picture, let the school be a mixed one still, as is the case in a majority of districts in this Island, but suppose we find the schoolmaster to be a Catholic, and a majority of the Trustees Catholics, of course *they* would have the Douay Bible for their Scriptural class book, and there would be just about as much benefit resulting from its use as in the case of the Protestant Bible. \* \* I have great respect for the school



teachers of this country. As a class I do not think they are inferior to those of any other colony in America for general intelligence, and for efficiency and zeal in the discharge of the important duties allotted to them; but I am compelled to say that there are very many of them who, from their youth, inexperience and want of proper intellectual training, are wholly unfit for the office of religious instructor. I wish to be understood as not disparaging the acquirements of a majority of the schoolmasters of this Island as *schoolmasters*, but I consider it is not only improper and worse than useless to connect religious with secular training, but that it is beyond the power of schoolmasters generally to attend to both. To expound the Bible well and faithfully is held to be one of the most difficult intellectual pursuits; the ablest, most learned and most sagacious minds that ever shed their light upon the world have, in all ages, been devoted to the elucidation of its sacred mysteries; and many of them, after a lifetime spent in that pursuit, might compare their labors with those of the great philosopher, who contrasted his toils in the world of science to the efforts of a child picking pebbles on the sea shore. Shall we then, I say, entrust to the raw youth of eighteen or twenty years of age the performance of a task which has puzzled the wisest intellects? Even the honorable member for Princetown, with the resolution before him which I have this evening submitted, will be slow to believe that there are many parents in this Island disposed to commit the religious training of their children to a large proportion of our country schoolmasters.

## LANDLORDS' PETITIONS.

THE resolutions which I now hold in my hand I intended to have laid on the table, as soon as the honorable Col. Secretary (Mr. Coles) had concluded his speech, so that honorable members would have something tangible to speak to ; but I was prevented from doing this by Mr. Yeo's extreme anxiety to rush into debate, in defence of his friend Mr. Robert Bruce Stewart, whom he eulogized as being an honest though a mean man. Now, Mr. Stewart has not been unjustly assailed by the honorable Col. Secretary. It is true that some personal peculiarities have been noticed, which might as well have been left in obscurity ; but considering that Mr. Stewart has calumniated the country and the Legislature to a very great extent, he ought to be prepared to receive even harder knocks than those administered to him by the Colonial Secretary. The honorable member for Belfast (Mr. Douse) was also very impetuous in the expression of his opinions before time was allowed for submitting these resolutions. That gentleman seems to labor under the erroneous impression, as he very often does, that the House is about to make some very furious attack upon the rights of property, and his eloquence and his indignation are employed to avert the calamity. I am sure there can be no objection on the part of any honorable gentleman to listen to the most eloquent displays on behalf of the rights of property. What I would be inclined to complain of is, that public character as well as property is not likely to have its advocates on the opposite side of the House. The honorable member has amused us with

some little witticism about the Worrell Estate, which, he says, in allusion to a remark often made in this House, is only "self sustaining" to those parties who are entrusted with its management. The honorable gentleman, no doubt, spoke from experience, and with a vivid recollection of his own proceedings in reference to the Selkirk property. If the Commissioner of Public Lands, who is the principal person engaged in the management of the Worrell property, benefitted his own person to nearly the same extent as the honorable member did while agent for the Selkirk Estate, there might be some reason to throw out hints and inuendoes, and to suspect that he was not a model officer, so far as the public interests could be affected. While alluding to the honorable member for Belfast (Mr. Douse), I cannot help noticing a manifold inconsistency committed by that gentleman in his private capacity. As one of the petitioners, he states that the Government seek to purchase the Township lands of this Colony at one-third of their value. Now, it is notorious that the honorable gentleman himself went to England a short time since, and purchased from a proprietor there a very valuable estate in this Island, at a less price than the Government would be disposed to give for it. The Government are prohibited from giving more than 7s. 6d. per acre for township lands. The honorable member for Belfast says this is only one-third of their value; yet if any person will take the trouble to go into the Registry Office, it will be seen that the honorable gentleman himself has purchased Township lands at even less than what he says is one-third of their value. With respect to the petitions and other documents now under the consideration of the Committee, it is quite unnecessary that I should trouble you with any lengthy observations, after the elaborate review which has been given by the honorable Col. Secretary. I am glad, indeed, to think that those petitions are about to be disposed of, for it appears to be a long time since they were first brought to the notice

of the House. Honorable members are, however, aware of the fact that the consideration of these petitions has been delayed solely on account of the absence, for some weeks past, of several members from both sides of the House. It has been often falsely alleged against the majority of this House and the party in power, that they have been and are legislating in the interest of the proprietors. The calumny has been often refuted, but as the calumniators always pretend to have a great fondness for documentary evidence, it is to be hoped that they will be fully satisfied on that head, if they will only examine the array of petitions against the acts and proceedings of the majority. If the Government and majority of this House had any desire to promote the exclusive interest of the proprietors, it is by no means likely that the latter would not only oppose the measures of the former, but would couple their opposition with the foulest abuse ; and in noticing the opposition of the proprietors to the measures which they have been successful in defeating, I think it will be seen that the majority here have no very affectionate consideration for their good friends the proprietors. That the proprietors exercised a proper and constitutional right in petitioning against measures which affected their private interests, I do not for a moment dispute. That is the peculiar and, perhaps, one of the best privileges of every British subject. The proprietor, it is said, should not, therefore, be censured for using this time honored privilege. I censure them merely for abusing it, not for using it ; they could have stated their case to the Colonial Office without bringing falsehood and misrepresentation to their aid, without resorting to gross libels upon the inhabitants of the country, and without traducing the character of the local Legislature, both individually and collectively. They allege, in justification of their conduct, that our measures have been of an arbitrary character ; but they have said the same thing of every measure adopted by the Legis-

lature of this Colony, affecting in the smallest degree the interests of proprietors—aye, even some measures which did not affect proprietary interests have been denounced by them as arbitrary and oppressive, such as the Elective Franchise and Sheriff's Bills. They petitioned the Crown against these, as well as the small debt, the education and one-ninth bills; but, happily for the Colony, the British Government did not consider their representations worthy of a favorable consideration. As an excuse for opposing the Tenant Compensation Bill, it is stated in one of the Petitions, that ejectments seldom occur, that there have been only six cases of ejectment in a period of four years; and that that is a triumphant proof of the lenity and indulgence of proprietors. Now, Sir, if that statement be true, it is an argument against the petitioners; for if there be no ejectments, as a general thing, there can be no compensation, and hence there should be no antipathy to the Bill. But supposing that there was only one case of ejectment, even within a period of ten years, and that ejectment was not followed by compensation to the tenant for any improvements he might have effected, I consider that an act of injustice was accomplished, and sufficient reason shown for the introduction of the Bill so strongly opposed by the petitioners. I am, however, disposed to give considerable latitude to the statement of the proprietors, that there have been only six cases of ejectment in four years. There may be only six such cases on the records of the Supreme Court; but who can tell how many a case of hardship and oppression has occurred, approximating to ejectment, of which the public could have no knowledge? How many a poor tenant has been driven to the verge of despair and ruin by the cruel exactions of his landlord, before the extreme measure of ejectment was accomplished. It is only when more than usual obstinacy is manifested by the tenant that ejectment is resorted to. If the unfortunate wretch will only

quietly submit to be stripped, his ejection may be, if not entirely abandoned, for a long time postponed. With these observations, I will now read the resolutions I intend to propose. They cannot be agreed to this evening, as they contemplate an address to the Queen; honorable members will, therefore, have sufficient time to give them full consideration:—

*Whereas*, by a despatch from the Right Hon. Sir George Grey to the Lieutenant Governor of this Colony, dated 17th November, 1855, an extract of which is now before this Committee, His Excellency is informed that Her Majesty's Government could not advise the Queen to give Her sanction to two measures passed by the Legislature of this Colony, namely, an Act to impose a rate or duty on the Rent Rolls of Proprietors of Township lands, and an Act to secure compensation to tenants in cases of ejection, on account of certain objections urged in memorials to Her Majesty the Queen, and to the Colonial Minister, by Proprietors and Agents for the management of Lands in this Island; and whereas those objections, as can be clearly shown, are, for the most part, based on misrepresentation, and have their origin in selfish motives and interested views on the part of the said proprietors and agents of land; and whereas the Right Hon. Sir George Grey himself, in commenting on the Tenant's Compensation Act, has clearly misapprehended the object of that measure, when he states "that its plain and direct tendency is to transfer property in land from the owner to the tenant," the real object of the Act, on the contrary, being, to use the language of Sir George Grey himself, "to secure to the tenant the enjoyment and profit of his improvements, and to protect him against harsh and oppressive conduct at the hands of his landlord:"

*Resolved*, Therefore, that the Committee deeply regret the disallowance of the Rent Roll and Tenant's Compensation Acts; that the objections urged against their passage in the memorials and petitions of the land pro-

proprietors, referred to by Sir George Grey, are untenable, frivolous, and in part highly offensive to the Legislature and people of this Island, and this committee regards the successful interference of the proprietors of land against the Acts referred to, as derogatory to the honor and independence of the Legislature of this Colony, in so far as its efforts are directed to promote the peace and prosperity of the people committed to its care.

*Resolved*, That while this committee fully recognize the inalienable right of petition, and would not deny its proper exercise to any class of Her Majesty's subjects, yet they cannot hesitate to enter their solemn protest against a most flagitious abuse of that ancient right, as is the case with respect to the petitions and memorials of the land proprietors and their agents, against Acts of the Legislature of this Colony ; and that while it is perfectly constitutional and proper to memorialize the Sovereign against the final enactment of any law, it is a grave offence to misrepresent the conduct of the legislative bodies in passing such law, and to libel the people with whose interests they are entrusted.

Whereas, amongst other passages of a similar character, in a letter signed "Robert Bruce Stewart," dated at Charlottetown, Prince Edward Island, May 19, 1855, and addressed to the Right Hon. Lord John Russell, the following extraordinary language is used in reference to the Tenant's Compensation Act, viz. : "The Act would have, and is intended to have, in connection with other Acts, the effect of depriving the landlord of every remedy other than the expensive one of an action at law in the Supreme Court of Judicature, the rent being no more than one shilling per acre per annum, the defendant being generally destitute alike of property and of principle, the jury being unavoidably composed of tenants, or persons interested for tenants, or hoping themselves to become freeholders, without purchasing their land, and the sanctity of an oath being but little regarded, when a proprietor is to be injured by its infraction. Under all these adverse influences or circumstances, the landlord has little chance of benefitting by success, if he should gain his suit ; direct intimidation and threats are then brought to bear against any person daring to take, or treat with the landlord for taking, the vacant farm,—intimidation and threats of injury both to person and property :"

*Resolved*, "That the foregoing statements are untrue, both in inference and in fact ; that the Compensation Act was not intended to have any such effect as that predicted of it ; that the landlords' rights, under its operation, would be fully as well, if not better, protected than those of the tenants ; that the annual rent is in very many cases more than one shilling per acre ; that the allusions to the character of defendants in cases of landlord and tenant, and to the composition of juries in the trial of such cases, are false scandalous, malicious and premeditated libels on the whole community, deserving as such the strongest reprobation ; and that the statement with respect to threats and intimidation against person and property, being used by any portion of the community, is wholly unfounded, threats and intimidation being unknown, unless, perhaps, in one or two cases where the title of the claimant to the land was deemed to be unquestionably fraudulent and spurious."

And, whereas, in the before mentioned letter of the said Robert Bruce Stewart, the following passage also occurs : " I may also state that an Act was passed by the House of Assembly, during its recent session, requiring proprietors to put their titles on record, before recovering rents from their tenants under lease, agreement or otherwise. \* \* \* The Legislative Council have not passed this Act, but it was brought forward as a Government measure, as such it was passed by the House of Assembly, and it has been published as having been passed by the Legislative Council, so as to lead the country constituencies to believe it to be the law of the land, and thus to be strengthened in their obstinate resistance to the landlord." And the following passage occurs in the concluding part of the said letter, viz. : " The two opposing parties who divide our little State, abusing each other under the name of Tory and Liberal, or, in Colonial phrase, ' snarler ' and ' snatcher, ' differ solely upon the division of the spoil, and are, as it were, constantly bidding against each other for popularity, by promising their constituents, and, so far as they are able, performing their promise, to keep up an incessant and sweeping attack upon the rights of property and the laws of justice : "



*Resolved*, "That the statements with regard to the Registry Bill as being a Government measure, and published as having passed the Legislative Council, are utterly untrue; and the imputation so flagrantly thrown out against political parties in the Colony generally, as being actuated by a desire to attack "the rights of property and the laws of justice," is an unwarrantable and malicious libel."

And whereas, in a petition and remonstrance of certain Proprietors and Agents of land in Prince Edward Island, to Her Majesty the Queen, dated 4th June, 1855, it is stated amongst other things, that under the Land Purchase Bill lands are sought to be obtained for the Government at one-third of their value; and in another petition and remonstrance from the land proprietors (many of them being the same parties who signed the previous petition) dated 19th June, 1855, addressed to Her Majesty the Queen, the following statement occurs, in reference to the Tenant's Compensation Act, viz.: It is a specimen of class legislation, of the most odious kind, and can serve no other end than to reduce the value of real estate, already at a very low rate, as may be seen by the price paid by the Government for the Estate of Charles Worrell, Esquire; and in a further petition of owners of land, dated 27th August, 1855, addressed to the late Right Hon. Sir William Molesworth, then Secretary of State for the Colonies, it is stated, in substance, that the Land Purchase Act was passed "to enable the local authorities to resell and dispose of the public lands to their numerous friends and adherents: "

*Resolved*, "That the statements thus put forth by the proprietors and agents of land are, in every respect, unfounded; that the Government has not sought to obtain land at one-third of its value; that only one estate has been purchased by the Government under the operation of the Land Purchase Act, and that was purchased at a price considerably higher than that for which the same land was obtained by a private individual a short time previous to the Government purchase; that one of the petitioners who complains of the action of the local authorities in this respect has recently purchased a large and valuable tract of land in this Island, at a rate very considerably less than the maximum

price in the Land Purchase Act; and that the purchase on his part was effected while the Tenant's Compensation and Rent Roll Bills were under the consideration of Her Majesty's Government, thus shewing the inconsistency of the petitioner alluded to, when he affixed his name to one of the petitions, wherein it is untruly stated that one of the disallowed Bills, if passed into law, would have a tendency to drive all monied men from the Island, as no one will be inclined, or can be expected, to invest capital in the purchase of land; and with respect to the assertion that the local authorities either sold or attempted or sought to sell the public lands to their "numerous friends and adherents," it is wholly without foundation, all persons in the Island, without distinction, being at liberty to purchase from the Government lands on the estate alluded to."

*Resolved*,—"That nothing has contributed so much to retard the prosperity of this Colony, to foster discontent and agitation, and, at times, seriously to imperil its peace, as the continuance of the leasehold tenure, and too often the absence of a conciliatory spirit towards the tenantry on the part of the owners of the landed property; and while the Legislature of the Colony, actuated by a sincere desire to promote public harmony and prosperity, has directed their efforts towards the removal of the evils complained of, by passing such salutary measures as would tend to elevate the character and improve the condition of the great majority of the inhabitants of the Island, without injuring the rights of property, or pressing unduly on any class, their exertions have been counteracted by an absentee proprietary body, wholly irresponsible to any authority, aided by resident land proprietors and agents who invariably embrace the views of the absentees—that while such a state of things is allowed to prevail, and while absentee landlords and others are allowed successfully to thwart the intentions of the Legislature, and thus despotically to wield the destinies of the Colony—it will be vain to hope that the People of Prince Edward Island can attain to that measure of prosperity and contentment to which their intelligence, their industry, and their fidelity to the British Crown entitle them, in common with other of Her Majesty's subjects in the surrounding Provinces."

*Resolved*,—"That an humble Address be presented to Her Majesty, the Queen, embracing the facts and views set forth in the preceding resolutions, and praying that the Royal interference and clemency may be exercised, with the view of relieving the Colony from the anomalous position in which it is placed, from being practically under the sway of a power so foreign to the constitution as that of a body of land proprietors, chiefly non-resident—and that the Legislative Council be requested to join in the said Address."

*Resolved*,—"Also, that an address be presented to Her Majesty, the Queen, praying that the Imperial Government will aid the local administration in carrying out the recommendation of Her Majesty's present Colonial Minister, with respect to the further purchase of Township lands in this Island, and that the Legislative Council be requested to join in the said Address."

These resolutions appear lengthy, but they cannot well be otherwise, as it is necessary to recite in the preambles the false statements of the petitioners, which it is our duty to expose and contradict. There can be no doubt that the petitioners have manifested much zeal (though they have been wanting in discretion and decency) in making out a case for themselves at the Colonial office. They would fain make the world believe that they are a very much injured class of Her Majesty's subjects—that all the taxation of the Colony is either forced upon them, or attempted to be forced in that direction, and that nearly every Bill which passes this House contemplates a direct onslaught on the interests of the much aggrieved proprietors. Now, Sir, it is quite needless for me to remind you, that the owners of the land in this Colony are those who are the least taxed for the maintenance of its institutions. The only tax they have at present to pay is a small one for the support of education, levied on their unoccupied lands. It has been often affirmed, and justly so, that no description of property should be held so liable to taxation as real estate. In this country the principle must apply with peculiar force, because nearly the whole of the land of the Colony was granted away in a few days, to a few individuals, who, though they may have made some slight show of services to the Crown, conferred no benefits on the Colony; and it should be remembered that when a separate Government was established in this Island, at the request of the proprietors, they readily engaged to bear the expense of its civil establishment. That engagement, like their previous ones, they very easily managed to evade. It may, indeed, be said that all, or nearly all, the present owners

of Township lands are not quite justly chargeable with the payment of our civil list, as they are not the parties who entered into the agreement, and had given valuable considerations for their estates. This argument has, no doubt, considerable force, and it has often impressed itself upon my mind as conclusive against the measure of Escheat, so long and fruitlessly agitated in this Island. But the changing of the landed property of the country from hand to hand cannot for a moment be held to give an exemption from taxation. It is not the proprietor but the land which is taxed; and if it were just and equitable to levy a rate upon it fifty years ago, it is equally so at the present time. Now, Sir, I contend that the rent roll would have been a just and equitable rate; and the defeat of that measure, as well as of the Tenant Compensation Bill, leaves the proprietors open to severe animadversion. These resolutions are, no doubt, strong, but the character of the petitions, the gross and malicious libels on the Colony they contain, and the systematic falsehood and misrepresentations by which the proprietors are enabled to mislead the Colonial office, in a matter of great importance, call for a very strong expression of opinion on the part of the House.

## THE LAND QUESTION.

**A**T the commencement of the discussion, a charge of encouraging agitation in the public mind, in reference to the Land Commission, was made against certain members of the minority who, it was said, were occupied in preparing resolutions in Charlottetown, to be passed at public meetings in the country. The charge is altogether unfounded. The public meetings were, for the most part, confined to Prince County, and were convened at the request of Mr. Warburton, without previous consultation with his friends in town. Neither Mr. Coles nor myself attended those meetings, although we were invited to them. Such was not the case, however, with members and officers of the Government, who, with or without an invitation, manifested much eagerness to influence public opinion at those meetings. If we were desirous of creating or keeping alive excitement, we had another opportunity for doing so at the New London meeting, to which Mr. Coles and myself were invited by a numerously signed requisition; but it was the settled opinion of my hon. friend and myself that we should keep aloof from all those meetings, as we were well aware that the charge of arousing public discontent would be made against us. Our absence from the meetings has not, however, prevented the charge from being made. The Montague meeting, to which Mr. Coles and myself were specially invited, deserves something more than a passing notice. If ever unreasoning and insensate frenzy disgraced any occasion—if ever the freedom of speech was grossly and infamously outraged, it was at that meeting; and the individuals who committed the outrage, and earned for themselves the disgrace, were not Liberals, but the adherents of the party in

power—a wild and ignorant rabble drummed out of Queen's county, to overawe peaceable and well disposed people in another county. I understand that those rowdies were determined to offer personal outrage to Mr. Coles and myself, as it was supposed we would attend the meeting; but they were sadly disappointed when they found themselves baulked in their humane intentions by our absence. I make no objection to the circumstance of persons going from one county to attend public meetings in another, if they do so without any improper designs on individual or general liberty, and conduct themselves as rational men and good members of society; but I cannot too strongly condemn—and I am sure every right thinking man will join with me in the condemnation—the conduct of those who would send an ignorant multitude who have no knowledge of public affairs, no honorable motive to inspire them, governed solely by their own criminal and brutal passions, to prevent free discussion in a part of the country where they have no landed or local interest. Sir, I will now notice a few remarks which fell from the honorable and learned member from Queen's county (Mr. J. Longworth), to whom I have always listened with much attention, and often with pleasure. He accused me of attempting to make political capital out of the Land Commissioners' award. But I think I have fully met this accusation by what I have already said, respecting the public meetings held in various parts of the country. If any party are open to the charge of attempting to make "political capital" out of the Commission, they are certainly those who constitute and support the Government. It is a theme of which they are never weary. Every member on that side asseverates, in the most solemn manner, that vast benefits will be conferred on the tenantry by the award—yet that charmed instrument is not here; and its admirers, affecting to discredit Mr. Howe's explanation of it, profess the most profound ignorance of the principles embodied in the original document. Now, then,

in the absence of the award, will the Government inform us what has been done during their three years possession of office to advance the interests of the tenantry, for whom they profess so much sympathy? The Commission itself, if it should ever come to any good, is not so much the result of their exercise of power as of the agitation which was kept up by their predecessors against the evil working of the leasehold tenure. The appointment of a Royal Commission was merely a concession to the long agitated claims of the tenantry—claims which have been strenuously and uniformly resisted by the party in power; it was an acknowledgment by the Crown that the tenantry had grievances to redress, and those grievances would never have been pressed upon the notice of the Sovereign, if it were not for the exertions of the Liberal party. I may be told that the present Government have purchased the Selkirk Estate, and have thereby done much to promote the welfare of a large body of tenantry, but the merit of that measure is not due to them, but to their predecessors who passed the Bill under which the purchase was affected, and if they could, they would have prevented the Purchase Bill from holding a place on the Statute Book. Hon. members on the Government side have charged us with inconsistency, in regard to the expression of our views on the Escheat question, and have attempted to show that the opinions we held in 1855 differed very materially from those advanced by us in 1859. I challenge our opponents to prove that there is any irreconcilable discrepancy in our views at the periods mentioned. In 1855 we had a well defined policy to pursue. We believed at that time,—and we believe so still,—that the most speedy and effectual method of settling the Land Question was to purchase the claims of the proprietors on moderate terms. The experiment had been tried with the Worrell Estate, and afforded reasonable hopes of success. The Government at that time were anxious to conduct their operations on a larger scale, and

passed the Loan Bill as a supplementary measure to the Purchase Bill. While the Liberal government had these measures in contemplation, they knew it would be worse than useless to agitate the old question of Escheat. Would they not have made themselves eternally ridiculous by going to the Imperial authorities with the Loan Bill in one hand, asking for money to buy out the claims of the landlords,—holding forth in the other hand the original grants, and contending that the proprietors had no just claims to sell. But in 1855, neither myself nor my political friends wholly repudiated the doctrine of Escheat. We merely regarded it as a measure that should be left in abeyance until the purchase scheme was fairly tested. In 1859 when our hopes, with regard to the Loan Bill, were entirely frustrated through the machinations of the proprietary clique and the party now in power, we saw no alternative but to go back to first principles. We advocated then the right of the Colony to the establishment of the Court of Escheat,—we had never denied that right. The Land Commissioners and the Counsel for the tenantry declared, in open Court, in Charlottetown, that such a right was inherent in the Colony; and we considered that by strenuously urging it, if we did not get Escheat itself, we might wring some concessions from the British government and the proprietors. But is it graceful or prudent for members opposite to charge our party with inconsistency in reference to this matter? They themselves supported the establishment of a Court of Escheat or “Enquiry,” as they called it, in 1855. If they were sincere in their advocacy of it then, surely they should have taken some steps towards establishing it when they came into power in 1859. \* \* \* \* I come now, Sir, to the case of the spy, and my reference to him shall be brief. The honorable member (Mr. Longworth) denied all complicity with him, and asserted that he knew nothing about him until after he had left the Colony. The members of the Government say the same thing. I believe a communication was received by the Lieutenant Governor,



from the Commissioners, introducing Mr. Wightman, and requesting that he be paid from the public funds of the Island. We are told that the members of the government had no knowledge of his appointment, with the exception of Hon. Mr. Palmer. Now, when it is admitted that the other members of the Government were kept in ignorance of it, I say it is a most humiliating position for any of them to be placed in; his mission was known to the Lieutenant Governor and one member of his Council. It was known that he had an office in the building, with an official letter from the Colonial Secretary or his assistant. (Here followed some cross-firing between Messrs. Gray, Haviland, Pope, Longworth, and the speaker, who continued) Those interruptions only show the soreness of the Government on the subject. Had he come here openly and fairly, and asked for the information the commissioners required, stated the difficulty they had experienced when in the Island, from the impossibility of going personally through all the districts, there could be no objection,—I would be the last to offer any opposition to his employment or his payment by the Government. I willingly stated my opinions to the Commissioners, and to the best of my ability assisted in facilitating their investigation. But this Mr. Wightman came like a thief in the night, to worm out information in an odious and contemptible manner, and the Government by paying him have sanctioned his proceedings. It is their consciousness of the dishonor, odium, and contempt which attaches to the character of a spy which renders the Government so sensitive. I care not which one of the Commissioners or whether the whole of them appointed him. The Government adopted him, and therefore they should take their share of the responsibility. The day is not far distant when the opinion of the people will be given on the subject of sending to the Island a spy, to go into the people's dwelling houses, asking what their farms would be worth, if fisheries and railroads and large sheep farms were established in the respective neighborhood. It is disreputable for any

party to give the public funds for such service, and the people think so too. The employment of this individual has been justified in the organ of the Government, the *Islander*, on the ground that the evidence of the people given before the Commissioners was of so scandalous a nature, that it was not to be credited, and that the evidence given to a stranger under misrepresentations is to be taken in preference; and then, forsooth, we are told we must wait patiently for the Award, because there has not been time to print documents emanating from so polluted a source.

## DISALLOWANCE OF THE LOAN BILL, 1858.


The proprietary class and their friends, having declared the Land Purchase Bill a failure, now pretend to desire the establishment of a Court of Enquiry. This, from the first, they have done, and still continue to do, most deceptively, for no other purpose than to create political capital. Little success, if any, however, has attended their hypocritical endeavors in that direction. The people well know that, were they in earnest, to advocate the establishment of such a Court,—a Court which, if duly constituted, might in the exercise of a sound judgment and unswerving integrity, pronounce the forfeiture of many of their estates,—would give the lie to all their former practices and professions. Therefore, erroneous as their practices and false as their professions have been, the people cannot believe that, from having become either more enlightened or more conscientious, they will ever honestly seek to establish such a Court, and almost with one consent refuse to be cajoled or inveigled by them. In fact, if the party who now pretend to desire the establishment of a Court of Enquiry, as they facetiously style it, should ever have the majority in this Assembly, they will be the foremost and most determined in opposition to the establishment of such a Court. They know that the Home Government is opposed to the establishment of any Court, either of Enquiry or of Escheat, therefore they would seemingly, on that account alone, be well prepared, were they in power, to evade the passing of a measure which they have never for a moment entertained a purpose to carry. I have freely stated my opinions upon this subject, at different times, at public meetings of my constituents, and told them that should such

a measure ever be brought forward in the Assembly, whilst I would have a seat in it, it should have my hearty support. The hon member for Georgetown has thought proper to tax me with having spoken with undue warmth and excitement. I am quite willing to plead guilty, in some measure, to the charge. I have certainly spoken earnestly and warmly, perhaps even with some degree of excitement, in support of the original paragraph, and as one of the Committee who prepared the Draft it was quite natural I should do so. The honorable member has said it is strange that the people should remain silent upon the subject, if they desired to see the Loan Bill become law, and, in support of his assertions, he has alluded to public meetings which the people have held, in different sections of the Island, to give expression to their sentiments concerning the Municipal Corporations and the Board of Works Bills. But no analogy between the consideration of the Loan Bill and the consideration of the other two measures can be established ; the Municipal Corporations and Board of Works Bills were not law. Those two bills had been introduced and carried through the House, in due legislative form, in order that they might be submitted to the judgment of the people. The people having held public meetings, to consider and ascertain what might appear to them to be the merits or demerits of those bills, and pass judgment upon them accordingly, was nothing more than the majority of the House had desired and expected them to do. The Loan Bill, on the contrary, was not referred to public opinion ; the framers, the promoters of it, the majority of the House, knew that such reference was needless, being well assured that it was in accordance with the views and wishes of a vast majority of the country. And that such assurance was well founded is made quite evident by the silence of the people concerning it. "Silence gives consent," is an old adage, perhaps not always justly applied, but most assuredly so with respect to the silence of the people concerning that Bill ; for

it is certainly tantamount to an expression of satisfaction not only with the Bill, but with the Government. The honorable member for Charlottetown (Hon. E. Palmer) has said that if the country were polled for the purpose of ascertaining the opinion of the people concerning it, there would be seventy out of every hundred against it. If such are the sentiments of the people generally, petitions from every quarter of the Island would have been sent up to the Legislature against it ; but it is notorious that there is not one. It is not surprising that the expression of "regret," at its disallowance in His Excellency's Speech, should be objected to by those who opposed the Bill, and who generally oppose every measure which has for its object the enfranchisement and elevation of the people. Neither, on the contrary, is it surprising that those who have supported the Bill—have uniformly advocated the adoption of every measure for enlarging the sphere of popular freedom and happiness—those who desire the purchase of the proprietary lands by the Government, with a view to the abolishment of the feudal system and the bondage, worse than Russian serfdom, in which the tenantry are held—those who know that the real prosperity and happiness of a country does not consist in the advantages enjoyed by the few, but in the universality of those enjoyments, and the contentedness which should ever be the reward of honest perseverance and industry, should feel sincere "regret," and desire to express their regret at the postponement of a measure which they believe would, if carried into operation, bring about such a state of things in the country. How reasonable it is to entertain such an expectation is clearly proved by the present condition of some of my own constituents upon the Worrell Estate, now that, under the operations of the Land Purchase Bill, they have become freeholders, as compared with their former condition. When tenants—no, not even tenants—they had scarcely a local habitation or a name ; but now they have independent homesteads, and the improvements which

they have made around them give satisfactory evidence that they are rapidly advancing on the way to prosperity. And such, before this time, would have been the condition of many more, who are still in the galling yoke of tenant vassals, had free scope been wisely given to the measures designed for their relief. In consequence of these measures, however, lands still in proprietary possession, for which 40s. were formerly asked, are now being offered for 30s. and 25s. an acre. The reduction is considerable ; but the price is very much above that which the Government have been able to fix upon the lands which they have purchased, namely, 7s. 6d. to 12s. 6d. an acre ; at which price Sir Hunt Walsh's and the Worrell estates have been sold to the settlers, who have, by that means, been converted from discontented tenants into prosperous and contented freeholders.

ROYAL LAND COMMISSION.

N the 5th May, 1859, Hon. Col. Gray moved a resolution providing for the appointment of a Royal Commission to negotiate a settlement of the Land Question. It afterwards consisted of Hon. J. H. Gray, of New Brunswick, Hon. Joseph Howe, and Mr. Ritchie, of Nova Scotia.

Hon. Mr. Whelan said he had read the preamble and resolution, and had been at first sight inclined to go with the spirit of them, yet more mature consideration had led him to the conclusion that it was his duty to oppose them *in toto*. As to the preamble, it contained not only unmerited reflection up on his side of the House, but statements positively untrue. It referred to delusive hopes and measures inducing discontent and disunion, etc. True it was that difference of opinion had been caused by the agitation of Escheat, the reserves, and the other measures that had been introduced by the Liberal party, but what important question had not produced the same effect? The Committee had heard great stress laid upon the despatch, which told Sir A. Bannerman that his Government should not interfere with the rights of proprietors. But how often had the walls of Temperance Hall re-echoed to the eloquent champions of the political alliance, as they declared that no respect was to be paid to despatches which did not meet with the views of the people. But now, when they have got a despatch in accordance with their own wishes, the country was to be told that they must not think of moving in any manner indicative of a difference of opinion from that contained in a despatch. He then characterised, as emphati-

cally and positively untrue, the statement that the subject of Escheat and quit rents had always led the tenantry into trouble. Cases of individual suffering might have occurred years ago, when parties had been led to believe that they would hold their lands free of rent, but he denied, and challenged the traducers of the people to the proof, that the invariable consequences of the agitation had led to the result alleged. As to the resolutions, with reference to the first, he thought it simply absurd. The House might ask Her Majesty to appoint a Commissioner. This Commissioner might be a disinterested person. But what could he do? He might read the records of our Legislature on the subject. He would probably fall in with the members of the Government, of whom there were no fewer than seven in the House, and what advice would they be likely to give him? What the bias they would seek to give his mind? Would any one imagine that a Commissioner, obtaining his information from the members of the Government here, could possibly give an impartial report on his return to England? The present Colonial Minister is favorable to the proprietors. There was every reason to believe that he was surrounded by them, and that the despatches on the Reserves and Loan Bills had been suggested by them. Independently of the influence which the members of the Island Government might exercise over his mind, and however disinterested he might be supposed to be, up to the time of his appointment, there was little doubt that he would be found nothing more nor less than a proprietary agent. It was unreasonable to suppose that any one person could be found competent to the proper discharge of the duties to be devolved upon him. Suppose a very improbable case, that a party came out unbiased on either side of the question, that interested parties did not imbue his mind with their partial views, in what time could the most competent person get through the task before him? Not in one, two, three, four or five years. The scheme was a mockery and a delusion, it was in effect



telling the tenants that the Government had no desire to settle the question, that they but intended

“To keep the word of promise to the ear,  
And break it to the hope.”

It appeared that, unless the tenant agreed to the report of this Unitarian Commissioner, he could not be entitled to a remission of arrears, and as to the rate at which he was to be allowed to buy out the freehold interest, it was left as undefined as the amount of remission of arrears. Where everything was so vague and uncertain he could see nothing to encourage the tenant to hope that the adoption of the resolutions would materially improve his condition. He was to have the option of purchasing,—would it be said by any honorable member that he has not that option at present? They had frequently heard an Honorable Member (Mr. Douse) say that he was in the habit of giving leases to tenants with the right of purchasing at fixed prices. Most of the leases in the Island had covenants of that nature. As to characterising the measures of the late Government (Liberal) as deceptive and delusive, the supporters of these resolutions had better appropriate such terms to the present scheme. As to the great boon afforded by allowing the tenants to pay by instalments, the clause recommending that was of a piece with all the rest. The landlords, under the present system, would doubtless be glad to receive the purchase moneys of their lands in that way; and Mr. Douse would be glad to see Lord Selkirk's or his own tenants adopt that course, as affording a gratifying evidence of thrift. As to the abatement of the interest on the amount of the instalments from the rent, surely any man was entitled to interest on money which he had advanced; and any one having money lying by him could readily invest it at a rate of interest far exceeding that to be allowed him by his landlord. Besides this, the tenant was to be allowed the *privilege* of obtaining the deed when he had paid the full amount of the purchase money, and not before! A great boon, truly! These model

resolutions embody such an exhibition of paternal love, that the tenantry might be expected to throw up their caps in honor of their benevolent patrons, who had consented to give them their deeds when they had paid for their lands to the uttermost farthing ! As to the anticipated result of the gradual conversion of the tenants into freeholders, he thought the change would be gradual enough. It would probably occupy the time for which most leases were now given, viz., 999 years. (Laughter.) He would now offer a resolution in amendment, based upon common sense, and having no connection with the Circumlocution Office, in which the Honorable mover (Col. Gray) of the resolution was qualified to hold a high situation. He had heard the Hon. Mr. Longworth express his astonishment that the Quit Rent question had been dragged into the discussion, but the resolutions refer to that among other matters ; when it was sought to cast reflections on the inhabitants of the Colony, it was but fair and reasonable that a counter statement should be submitted :

Whereas certain despatches from former Secretaries of State for the Colonies, and printed in the journals of the House of Assembly of this Island, clearly show that the Crown never relinquished in favor of the assumed proprietors of township lands in Prince Edward Island, its claim to the arrears of Quit Rents, or to the control of the Fishery Reserves, and, by the Civil List Bill passed in 1851, ceded to this Colony its interest in those Quit Rents and Reserves.

*Resolved*, " *Therefore*, that measures should be adopted, to recover from the proprietors of Township and the amount of Quit Rents of which they have been long in arrears, so soon as the present Act authorising an assessment upon such shall expire—the money being requisite for the encouragement of education and for the general improvement of the Colony ; and that other measures should be resorted to to put in force the right which this Province has legally acquired, to lease or otherwise dispose of the Fishery Reserves, for the benefit of the people of this Island."

Mr. Whelan continued—As to the right of the House to deal with Fishery Reserves and the Quit Rents, as the property

of the people, it was clear that they had been transferred to them by the Civil List Bill ; and although he had frequently had the benefit of the advice of the three legal gentlemen opposite, to the effect that the preamble to that bill had nothing to do with the enacting portion, and presumptuous as it might appear in him to differ from such high authorities, he had not been convinced, but had consequently studied a little law himself, and found from no less an authority than Dwaris on Statutes, that it was a guide and instruction by which to ascertain the meaning of the Act. Having read one resolution in amendment of that part of the preamble which stigmatised the course pursued by the minority on the questions of Escheat, the Quit Rents and Fishery Reserves, he would now propose another on the subject of the Land Tenures :—

Whereas the Government and Legislature of this Island have, for several years past, shewn a disposition to settle, by amicable means, the long agitated question with respect to the tenures of land in this Island ; and as an earnest of that disposition a bill was passed in 1853, which received the sanction of the Imperial Government, to purchase the estates of the land claimants at certain fixed rates, under the operation of which two valuable estates were purchased, and sold in small tracts to the settlers thereon, by means of which their material prosperity has been much advanced, and the Legislature of this Colony subsequently passed a Bill to raise a Loan by Imperial Guarantee, so that greater effect might be given to the principles of the Purchase Bill, and which measure was strongly recommended by the Right Hon. Henry Labouchere and the Right Hon. Lord Stanley, lately Secretaries of State for the Colonies. But the Loan Bill having been disallowed, by means of private intrigue and gross misrepresentation,—as the Committee believe—and it being inexpedient to effect any further purchase of Township lands, in the absence of such a measure, this House regret that they perceive no other method of effecting a settlement of the question of Land Tenures, that

will prove satisfactory to the people of this Island, than by resorting to their undoubted constitutional right of demanding an investigation into the original titles of the assumed Land Proprietors.

*Resolved*, " *Therefore*, that an address be presented to Her Majesty, praying that she may be graciously pleased to authorize the establishment of a Court of Equity to investigate the claims of individuals holding Township Lands in this Island, in virtue of Crown Grants, the conditions on which they were made not having been complied with."

This amendment contained nothing but a plain statement of fact, that the scheme of purchase by the local Government had been carried as far as practicable in the circumstances of the Island, and notwithstanding the assertions to the contrary, it would be found that no loss would ultimately accrue from the action of the late Government in that direction.

## ELECTIVE LEGISLATIVE COUNCIL—1859.

About eight years ago, a bill similar to the present in principle had been introduced, and he thought then, as now, that it was not the right of one branch of the Legislature to interfere with another equally independent. Some had changed their opinions with regard to the constitution of the Upper Chamber, his remained unaltered, and, therefore, he was at issue with his friend on his left, Hon. Mr. Thornton, who claimed some paternal connection with the principle of the Bill, either as its father or grandfather. He should not stop to enquire into all the arguments which had been advanced in favor of the Bill. It is now the fashion to denounce the upper branch of the Legislature, a body over whom this House had no control—yet such had not been always the case. The change of sentiments, as regards that body, was only very recent. There was a time when it was thought highly derogatory to say a word against the Legislative Council, but that time had passed, and now they were called slaves, and not entitled to any respect from the gentlemen who rule the the present destinies of the country. He had never entertained any disrespect towards that body, was never favorable to a change in its constitution, and had never asked it, when the majority of its members were in opposition to his own political opinions. He had always thought that that body had a perfect right to exercise their legislative functions as an independent body, without any control, and that time would effect a remedy for any evils which might exist; but the plan proposed by this bill was not remedial, it was destructive and annihilative, and this, too, without consulting the feelings or sentiments of that body, without even submitting the bill to their consideration—

for the Honorable Mr. Palmer had stated that it was not intended to send up the bill to that chamber after its passage through this House; and the Honorable Mr. Haviland the introducer of the measure had also coincided with that opinion. This is, to say the least of it, quite unparliamentary—opposed to precedent, and not in accordance with the principle of the constitution under which we live. Was this the way to treat a body of men invested with legislative functions by the constitution? Would the people themselves, in moments of cool reflection, justify the proceeding? or tamely submit to such an insult being offered to one branch of their Legislature by the other? He knew that the majority had gone with a declaration to some parts of the country that the Legislative Council, in its nominative construction, was doomed to annihilation; but the manifestation and promulgation of that doctrine was not general, and had been only partially received, notwithstanding the boasting to the contrary.

Honorable Mr. Haviland.—There were 14 members returned to this House, in the short session, pledged to the principle; they went again, with the same sentiment, to the country, and they were returned with an accession to their ranks.

Honorable Mr. Whelan.—Yes, they had, by some hocus pocus in Charlottetown, in the purlieus of the Political Alliance, managed to deceive the country, and return a majority to this House. Was not this a fact? What did they see the other day?—a government placed in power through a system of fraud and chicanery.

Honorable Colonel Gray.—The language used by the honorable member is unparliamentary. This is not the language to which I have been accustomed, and I think it is highly derogatory and insulting to the Legislative Assembly.

Honorable Mr. Whelan.—Let the galled jade wince.

Honorable Mr. Palmer said he had taken down the words "fraud and chicanery," and asked the honorable gentleman did he not withdraw them.

Honorable Mr. Whelan would withdraw the words "fraud and chicanery," but would express the same meaning in other terms; that it was by unfair and dishonest means the present majority had been returned. He would ask the honorable member for Georgetown, if the Legislative Council had not as much right as this House to express their opinions in the most emphatic manner, and had not the minority here the same right upon every public question? The majority there, and the minority here, were not surely to sanction the measures of the gentlemen on the other side, because they happen to be in a majority. The Honorable Mr. Haviland had quoted, at great length, the opinions of many eminent British statesmen, and, among the rest, the present premier of England who, to use his own words, was the very essence of Toryism, in support of the elective principle. It may suit him to do so now, but he was not always so imitative of, and obedient to, the opinions and the authority of British statesmen. They had heard him in this House declare he would never yield to the opinion of any British statesmen, however exalted; and when Lord John Russell's opinions were quoted, he ridiculed his authority, and called his opinions humbug and moonshine. So much for the learned gentleman's appreciation of authority. The Bill was most objectionable on the grounds of unequal distribution of members. It gave six to Queen's, and six to the other two Counties, and the argument was that Queen's County was so entitled from her population and wealth. Look at the Constitution of this House; each County had an equal number of representatives. If right in this House, it would be wrong to depart from it in the other chamber, each being a branch of the Legislature representing the interests of the country, and both forming the Legislature of the Colony. The qualification was also too high; it might do very well for a rich country, like Canada or New Brunswick, but was not adapted to P. E. Island. The intention, it was said, was to make it apply to freeholders, but he thought it would be

too aristocratic and exclusive. The Hon. Mr. Haviland had sneered at the idea that the Crown should not have the power to dissolve the chamber. That gentleman's ideas of the constitution differed materially from his, and while he acknowledged the right of the Crown to the exercise of its prerogative, when a great public emergency arose, its exercise should never be permitted to serve the purposes of party, and he believed this view was in accordance with the spirit of the Royal instructions. It was very amusing to hear the humorous incidents in connection with this bill from its first agitation till the present period. Its grandfather, Hon. Mr. McAulay, had watched its progress from infancy, with great paternal care—had seen it trampled on but not dead, for its spirit lived, and now walked abroad in all its majesty. The honorable gentleman was a believer in the transmigration of souls, for he had recognized the spirit of the bill about 100 years ago in Massachusetts, beneath the mild and Christian sway of the Puritans, who had themselves recognised many rights, since considered wrongs. They recognized the right of electing their Governor by a vote of the Legislature; they impeached and hanged the good; condemned the innocent to death for the crime of witchcraft; impeached the blue books, and denied the authority of the parent state. Did the honorable gentleman recognize their right to believe in witchcraft? If not, the analogy ends. The assembly of Massachusetts, 100 years ago, bore no analogy to this, any more than this bears to the House of Commons or the House of Lords in England, and so the analogy ceases. The hon. gentleman had also referred to William Rufus and King John, and had conversed with Charles the X in Scotland—and, therefore, they should pass the bill. Precedents might be quoted in favor of the nominative system—patronized by Kings and Emperors—in the Swiss Cantons, France, Sparta, Athens, Rome, in every country; but what had that to do with the present



question? The upper branch was an independent body, exercising their legislative functions by the prerogative of the Crown—free to act, and could this House suppose them base enough to commit an act of legislative suicide? He had always opposed any interference with the upper branch, and would do so on the present occasion, as he believed the measure quite uncalled for and only calculated to create unnecessary agitation.

## SHERIFF'S BILL.

ON the 1st March, 1860, a bill providing for the appointment of Sheriffs, as at present, by the Judges of the Supreme Court, was read a second time. Previously such power was vested in the Executive Council :

HON. MR. WHELAN :—Much has been said against the existing law. I believe I had the honor to introduce the measure, and thought then, and still think, it safe to vest the appointment of Sheriffs in the eight or nine gentlemen who are entrusted with the Government of the Colony. The honorable member for Georgetown (Mr. Haviland) states that the Sheriff should be above suspicion. Will he tell us that if the appointment be taken out of the hands of the Government and placed in the power of the Chief Justice, he will then be above suspicion? I am ashamed to hear a sentiment of this kind, as it hints that the whole Government may be suspected, and that the Judges are the only persons in the land who are above suspicion. I will not say that the Chief Justice has no right to be interested in politics ; judges have always had their predilections, and always will to the end of time. The majority know very well, when they propose this measure, that the appointments will be in accordance with their own wishes. It has been asserted that the Sheriff is an officer over whom the Government have no control. I do not say that they tell him to do this thing and that, but certainly he is in some measure under their authority. But to go back to the argument of the honorable member, Mr. Longworth, that they have no right to appoint an officer over whom they have no control, I would like to ask, who appoints

the judges? If a vacancy were to occur in the judgeship of the Colony, who would appoint a successor but the Government? If, then, they can be entrusted with the appointment of Judges, why not also with that of Sheriffs? We are reminded that the Sheriff is sworn to the faithful performance of his duties. The members of the Executive Council are also under oath, still we are told if the Sheriff is appointed by them, he is liable to suspicion. The honorable member for the second District of Queen's remarked that he saw no argument in favor of the existing law. I believe the chief reason for passing the Act was that it changed the appointment from one irresponsible to nine responsible individuals. The honorable member for Georgetown spoke as if he would not entrust his life to a Sheriff appointed by a party to whom he was opposed. I entertain no similar fears, but can assure the honorable member that, while he and his party remain in power, I shall consider my life perfectly safe from any such danger. But his favorite argument is that the existing method is unconstitutional, is not in accordance with the time-honored institutions of Britain. When it suits his purpose, however, he can set aside British principle. Will he tell us that the present system of Government in this Colony is an imitation of the departmental Government of Britain? The honorable member may say as much as he pleases in reference to the necessity for this Bill, but I defy him to show that the people have given veritable evidence of their opposition to the Act at present in operation. There are, at least, no petitions before the House on the subject; the party who passed it were returned with an overwhelming majority at the next general election.

## H. R. H. PRINCE OF WALES' VISIT.

**I** must coincide with honorable members on this (opposition) side of the House, who have spoken respecting the inadequacy of the amount voted for the road service for the current year. In the years '56, '57, and '58, when the revenue was not so large as at present, and when the resources of the country were not so fully developed, we find from the journals that much larger sums were voted for this particular service. Within the last four or five years, too, the number of important public works has been augmented, which require a larger annual expenditure. Our population, too, is increasing, and the extension of commerce demands a larger outlay to afford greater facilities for travelling. The sum which was sufficient ten years ago is not now adequate for this particular service. It will not do to offer the excuse that there are no means,—that it is impossible to give more. If the public debt is too large, the majority, not the minority, are responsible for its increase. They may tell us they have practised economy, but the records furnish a damning refutation of that statement. Some observations fell from my friend from Tignish, in reference to this subject, and some remarks came from the other side of the House about his being out of order in bringing in matters considered irrelevant. I not only coincide with his observations, in reference to the branch of the subject which he characterized as lavish in the extreme, but I will go farther and say it was excessively so, and leaves not the slightest ground for justification. \* \* \* Neither wharfs nor bridges can be built, because we spent so much on the occasion of the visit of the Prince of Wales. Our resources were so diminished in regaling a few hundred individuals, chiefly from Queen's County, who hap-

pened to flock to this small city, on the occasion of the visit of His Royal Highness, that not one pound more can be voted for the service of Roads and Bridges. Allow me to say that I fully endorse the remarks made by the honorable member from Tignish, and repeat his words,—the expenditure was most lavish. The details will prove the justice of his observation. Much of the £3,000 expended on the occasion of the visit of the Prince was unnecessary, as I trust I shall prove satisfactorily. The honorable member from Georgetown referred to Prince County as being the only one to raise objections to this expenditure. I look upon that as an indication of the manly spirit and daring of the people, who, through one of their representatives, stand up here and censure the Government, and say the outlay was lavish. Let the details be submitted to the other Counties, and they will lift their voices as strongly against the extravagance as did the honorable member from Tignish. I may be told by the honorable member from Georgetown, that this is a poor indication of being animated by a loyal spirit. No doubt I am open to such an imputation, for he hinted in his reply to the honorable member for Tignish that his loyalty was of a doubtful character, because he did not justify the expenditure occasioned by the visit of the Prince of Wales. But such imputations, cast upon me, would not alter the convictions of my mind. Loyalty, with me, is not a blind sentiment. I regard it as a duty, due by the subject to his Sovereign, for services done by that Sovereign. Nor would any man of ordinary intelligence, who possessed this sentiment, bow down in the dust to any earthly potentate. The sentiment which springs from a mutual return of advantages is the loyalty which should animate the breast of every man, and is that which we owe to that sovereign who rules over us and other people in Her vast dominions with so much acceptance. And on this occasion I will pay a slight tribute to the loyalty of the people of this Island. I believe there is no other portion of Her Majesty's Dominions where

the spirit of more genuine loyalty animates the breasts of Her subjects. We have many proofs of this in the spirit of contentment manifested by the people in times past, and exhibited through Her Majesty's Representative in this Colony, in the ready obedience always given to the dictates of the Sovereign whom he represented, in the ready submission to the decrees propounded from time to time by that sovereign, and in the sympathy evinced in the important struggle which agitated the public mind throughout the world a few years ago, when our fellow-countrymen of the British Isles, and our fellow colonists, too, went to the bleak shore of the Crimea, in defence of universal liberty, of which England is supposed to be the guiding spirit. We remember that momentous struggle, the result of which brought so much honor to the British name, when many of our fellow-countrymen died in the contest, and left their bones on the battlefields of the Crimea. We remember, too, the conduct of the Legislature, when a suffering soldiery appealed to our sympathizing hearts for relief; that relief was granted to our fellow-countrymen and fellow-countrywomen who survived that momentous struggle. The people of this Island responded, and spontaneously contributed of their means for the relief of those who survived the conflict; the House of Assembly did not disown the appeal, for out of their limited resources no less a sum than £2000 was voted for the same praiseworthy object, on which occasion I had the honor of recording my vote in its favor. I said on that occasion there was an opportunity afforded for evoking the spirit of loyalty, if it really existed in any man's breast. But it is a far different thing to be called upon to waste the public money in entertaining, not the Sovereign herself, but her son! I say, Sir, P. E. Island has generally exhibited much more loyalty than, under the circumstances of the case, she was, perhaps, justified in showing. I do not mean now to disparage or diminish the respect which is due to our illustrious Queen,—far from it; but in showing that respect, I am

not to be called upon to bow down my head in submission to His Royal Highness the Prince of Wales. I think the people of this country have showed feelings much more loyal than all the circumstances of the case called upon them to exhibit. I will not join issue with the gallant Colonel (Gray) on this point, but will ask him and his honorable colleague from Georgetown, who were eulogizing so highly the Bill of Rights and the British Constitution, if the people of P. E. Island enjoy all the privileges which that Bill of Rights confers, or all the privileges of the British Constitution? I say we do not. We are little better, I say, than the veriest serfs under the greatest despot that ever existed.

Hon. Mr. Haviland.—About equal to the Italians!

Hon. Mr. Whelan.—Far, far worse! (Hear, hear). No man who ever saw the soil of Italy can go to Downing Street and frustrate the Acts of the Legislature like the absentee proprietors of this Island. Talk about the glorious privileges of the British Constitution! We live under a Constitution of Despatches dictated according to the caprice of absentee Land Proprietors. Ask the people of Nova Scotia or New Brunswick if they are governed by a junto around the Colonial Office, who poison the mind of the Colonial Minister, who writes Despatches for the Government of this Colony. Ask the people of Canada, who enjoy the privileges of the Bill of Rights, if they would submit to be governed by a few paltry individuals, in such a manner as this Island is governed by a few such persons, who never saw it, and care not if they never see it, so long as they secure the money claimed for their rented lands! Ask any of the people of those Colonies if they would submit to the tyranny practised upon us. At the same time, we are told we live under the shadow of the Bill of Rights and the privileges of the British Constitution. It is a mockery, a sham, and a delusion to which I shall never submit.

Hon. Mr. Haviland—Did the Duke of York do any injury to Nova Scotia?

Hon. Mr. Whelan—If he did, that is no reason why the Duke of Newcastle should inflict an injury upon us. The only instance of tyranny being practised against that Province was in monopolizing its mines and minerals.

Hon. Mr. Haviland—But you say such instances did not occur in that Province.

Hon. Mr. Whelan.—Not since the introduction of Responsible Government. It is well known that such injustice was never done to the other Provinces as was done to this Colony,—when the public lands were granted away in one day; yet we are bound to submit because our influence is small. Look at the condition of the tenantry of this Colony. Who will say they enjoy the privileges which belong to British subjects? True, it may be said they have the right to petition, but what does that mean? If their petitions affect the rights of proprietors, they go for so much waste paper. The leases of the tenantry range from 19 to 999 years; but, if they happen to fall into arrears of rent, and are unable to pay, they must leave the results of years of labor for the benefit of their task-masters. It may be said they have the right of trial by jury, but the opinion is prevalent that a tenant at Court, in opposition to a proprietor, has a small chance of receiving justice. And what other privileges have we, but to be the victims of the land proprietors—to submit to what they please to suggest to the Colonial Minister, and to the laws made by this Legislature, and these too often inspired by proprietary influence. I do not wish to derogate from the respect which is due to the Prince of Wales, but I must distinguish between the Queen herself and her son. I think honorable gentlemen on both sides will join with me in giving expression to the hope that many years may elapse before the Prince of Wales ascends the British throne, for we are not yet weary of his illustrious mother. If forty years hence he should be crowned King of Great Britain, it is not likely he will retain very



vivid recollections of his hasty visit to this Colony; and, if he should, of what avail would they be to the inhabitants of this Province, or how could they conduce to the interests of our children? Like the predecessors of his illustrious mother, he will be under the control of a ministry altogether unknown to us. The fact that he is the Prince of Wales is not a sufficient reason why the interests of the people, in doing him honor, should have been sacrificed. \*\*\*We know some of the sovereigns of Great Britain were the greatest fools and despots that ever disgraced a Throne; and the Prince of Wales has no patent right, no claim superior to any other British subject, and he is as likely to become as great a fool or despot as any of his predecessors,—the Princes of Wales,—that ever existed. I do not now speak thus of the young gentleman who visited us last summer; but because he happens to be the Prince of Wales, that is no reason why we should be taunted with a want of loyalty, because we did not concur with what my honorable friend from Tignish characterized as a lavish expenditure.\*\*\* My idea of loyalty does not depend on a display of flags, fireworks, or any fanfaronade of that description. These may do in times of peace; but if an army from France or the United States appeared to take possession of this Island, we would not see, very likely, so much display or enthusiasm. The loyalty of many gentlemen, who exhibited themselves to the gaze of the admiring multitude on that occasion, was, I doubt not, much like the champagne, which makes a very fine appearance on the supper table, fizzing and bubbling—like the enthusiasm of the hour, but after standing a moment becomes quite tame.

## LIBEL CASE.

ON the third October, 1862, Mr. Whelan appeared before the Supreme Court to show cause why a criminal information should not be filed against him, on the application of the late Hon. W. H. Pope, for libel. The late Sir Robert Hodgson (Chief Justice) and Mr. Justice Peters presided. The Hon. Joseph Hensley (now Judge) appeared as counsel for Mr. Whelan, but the latter addressed the Court in his own behalf in a speech that extended over an hour.

MAY IT PLEASE YOUR LORDSHIPS,

It is with very great reluctance I again appear before this honorable Court, in a case similar to that which brought me into your Lordships' presence a few months ago. I was then required to show cause why a criminal information for libel should not be filed against me at the suit of William Henry Pope, Esq., because his name figured in the *Examiner* in a way not pleasing to himself. The same individual brings me here to-day, with the view of placing me in the position of a criminal, because two other publications in the same paper are alleged to reflect upon him injuriously. I am very far, my Lords, from desiring the notoriety which such appearances are apt to confer upon an individual. Law has no attractions for me, in any form, even if I were sure of being a successful suitor. I have no apprehensions for my success in this case, but I sincerely regret that your Lordships' time, as well as mine, should be occupied in examining a complaint preferred by Mr. Pope, which, I think, I shall be able to show the Court is a frivolous, vexatious and unjustifiable one. It may seem egotistical in me, my Lords, to speak thus confidently; but I do so, not because I feel conscious of my own ability to conduct this case, or any other, with efficiency, but because my opponent has no ground to stand

upon, and I can easily show that of all others in the community, he should be the last to make application for a criminal information against me, or any one else, in reference to matters of libel. If, indeed, the case were a complicated one, involving difficult and abstruse points of law, and surrounded by legal technicalities, I should leave the matter in the hands of learned Counsel, for should I place myself in the position of an advocate under such circumstances, I would warrant the application to myself of the old adage which says that, "a man who goes to law, and acts as his own lawyer, generally has a fool for his client." One of Mr. Pope's objects, I feel assured, is to put me to all the expense he can, as well as to punish me as a criminal. Now, I think I can defeat that object, in a great measure, by taking this case to the Court myself, trusting to the justice and impartiality which regulates your Lordships' decisions, as well as to the groundlessness of Mr. Pope's application.

The matter alleged to be libellous is, in the first place, a communication, published in the *Examiner*, of the 29th September, over the signature of "Interrogator," in which several *questions* are put to Mr. Pope as to whether he knows an official of the present Government who received £700 from the Treasury under false pretences, and whether the official who thus improperly received it was not compelled to refund it to the rightful owner. This is the first part of the so-called libel. The second part is a small paragraph in the *Examiner* of the 6th October—about half a dozen lines—in which I was provoked to say that the official referred to was William Henry Pope. I say provoked, my Lords, because in the *Islander* of the previous Friday, the 3rd of October, there was a communication signed "Responsio," which I have no doubt was written by Mr. Pope himself, which, at all events, would not have appeared without his knowledge and concurrence, as he is the editor of the *Islander*, wherein it is broadly answered that no official of the present Government received money from the Treasury under

false pretences; and this very letter of "Responsio" contains a foul and malignant libel upon me, every word of which I can prove to be false. I have already proved more than once the falsehood of the statement, but it is repeated by "Responsio" in such a way as to lead the public to believe that Mr. Palmer positively guarantees the truth of it, for his name is mentioned as the person who first gave currency to the statement that I obtained the sum of £86,13s.9d., under a false certificate, from the Treasury; and he has not yet repudiated the use of his name in connection with it. Now, my Lords, there was sufficient provocation in that libel upon me to induce me to point out William H. Pope as the official referred to in the letter of "Interrogator." But take the letter by itself, and Mr. Pope must acknowledge himself guilty before he can say it applies to him.

Now, my Lords, let me review the affidavits upon which Mr. Pope bases his application for a criminal information. They are three in number—that is, if I am to regard the first as one which couples a statement from John Arbuckle with that of W. H. Pope,—a very admirable association of names, for two more worthy companions could nowhere be found together—and the other two affidavits are from the Leader of the Government and the Colonial Treasurer. Strip these affidavits of their verbiage, and they positively amount to nothing. Only one very small part of the depositions is, in the least degree, worthy of notice. That small part is that Mr. Pope did not receive money from the Treasury under false pretences. This denial is made in Mr. Pope's own affidavit, it is qualified in the affidavits generously given by Mr. Palmer and Mr. Wright. Those gentlemen swear that they did not believe, or that they did not know, that money was received from the Treasury under false pretences. I should think they would not allow money to be abstracted from the Treasury in such a way. Before entering upon a particular review of their affidavits, allow me, my Lords, to return to Mr. Pope's. He positively

swears that he took no money from the Treasury under false pretences. I leave your Lordships to consider how much that denial is worth. We all know that he made a similar denial with regard to his famous banking transactions. He was very indignant at me for having presumed to inform the public of the fact, and I need not remind your Lordships that he attempted to prosecute me as a criminal, as he is now seeking to do, for declaring that the bank money found its way into his pocket in a manner not creditable to an honest man. Nor need, I remind your Lordships, that he failed in getting a criminal information on that occasion; nor shall I comment on his failure when he tried to get the Grand Jury to indict me for the same alleged offence. Had he been above all suspicion he might have prosecuted me by civil action, as an honest, fearless, innocent man would do. But he preferred the wily, intricate course of having me placed before a Jury gagged,—so far as evidence goes,—all my witnesses gagged, excluded from Court. By that means he would save costs to himself, as the Crown pays all costs in criminal prosecutions. He would compel me to incur expenses in defending a troublesome prosecution, he might have me fined and imprisoned, if the case went against me, and, what was of more importance than all to him, he would have the good fortune of keeping the whole truth from going before the public. Mr. Pope's denial of the imputation alleged against him does not surprise me. *I do not say that Mr. Pope is guilty of the offence imputed.* He no doubt thinks himself innocent, and perhaps finds consolation in the thought. Your Lordships remember the case of Roupell which was tried a short time ago, in England. He was guilty on his own confession of altering the will of his deceased father, by which the ruin of his family was effected. He attempted to justify the forgery by saying that he believed he was merely carrying out the pious intentions of his deceased parent, and expected the applause of the world for doing so, when his act was confessed. I do not mean to insinuate that

any parallel should be drawn between the case of Roupell and that of Mr. Pope. I only refer to the former, for the purpose of showing that there are men in the world who will regard as a virtue, or at least as a meritorious act, that which the world esteems a crime, and which is punished as such.

Before laying aside the affidavit to which Mr. Pope's name is affixed, I beg to offer a few remarks concerning Mr. Arbuckle's co-partnership in the business. This gentleman stands confessed as pimp and spy to the Colonial Secretary. That officer could not have a more apt servant, and the servant a master more to his taste. But the pimp does not, I believe, confine his attentions to the Colonial Secretary; he makes himself useful, I understand, to the whole government, as messenger, gossipier tattler, spy, and general worker at small jobs that would be spurned by honorable men. He takes up a great deal of space in this affidavit to show that I am the publisher and proprietor of the *Examiner*. I have never once denied my responsibility in connection with that paper. I here openly and frankly avow it, and if Mr. Arbuckle had any manly principle about him, instead of putting to the printers in my office, whom he designates servants, silly questions as to whether they sold a paper worth 4d. for and on my behalf, he might put the question direct to myself as to whether I acknowledged myself the publisher of the particular Number, he wanted to buy; and profoundly as I hold that individual in contempt, he should have certainly received an answer in the affirmative. But Mr. Arbuckle knew the man for whom he was executing his disreputable mission, the man knew him, and both judged that their purposes would be served best by adopting a mean and contemptible proceeding.

With regard to Mr. Wright's affidavit, it requires but few remarks. That gentleman swears that Mr. Pope did not, with his (Mr. Wright's) knowledge, receive money under false pretences. I am quite willing to admit that Mr. Wright has made a conscientious oath. I cannot see how he would

have sworn otherwise. It is not possible to suppose that he could connive at the abstraction of money from the Treasury under false pretences. His oath of office would forbid it—his position in society, his regard for the honor of the country as a native of it, his respect for the Government under which he holds so high an office, the security of his own official income, independently of all moral considerations, would render it extremely improbable that Mr. Wright should connive at the abstraction of money from the Treasury under false pretences. But Mr. Wright does not deny that Mr. Pope received £700 or £750, with which Mr. George E. Morton's name was in some way connected; and Mr. Wright may have given the money, or allowed it to be given by his deputy, without being conversant with all the facts which bear upon the transaction. Many of these remarks will apply to Mr. Palmer's affidavit, which is the last to be noticed. He makes his deposition in the same general terms as Mr. Wright does. He declares that he has no knowledge of Mr. Pope having obtained money from the Treasury under false pretences at any time. I believe him. His exalted position as leader of the Government, without regard to his own just views of what is right or wrong, would be a strong guarantee against his allowing any nefarious act to be practised upon the Government. Mr. Palmer would not, I believe, jeopardize his high station for any individual. He is a clever man, but he is not the first clever man that has been imposed upon by a clever sharper. There was one instance of his delusion—perhaps it was merely a professional delusion—when he espoused Mr. Pope's quarrel, and wanted to punish me as a criminal, as he is now trying to do, for my remarks about Mr. Pope's notorious bank abstractions. If a criminal information had been granted against me, when I was last before this honorable Court, Mr. Palmer would have used all his eloquence and influence to show that Mr. Pope's proceedings in connection with the Bank were of the most honorable and

upright character ; he might have worked himself into the belief that they were really entitled to that character, but I am confident he could not have converted a jury to the same belief, and up to this hour, the public refuse to believe that everything was right in reference to that matter. Now, if Mr. Pope had nothing to fear from a full enquiry into the merits of the present case, he would not have asked this honorable Court for a criminal information ; or if innocent of any wrong-doing, or any irregularity, he would not have produced such vague and general affidavits as those on which he has founded his application. Any one who reads them may easily assume that there may be, in the back-ground, a mass of information bearing on the subject ; and I am very desirous that this information should be brought to light. In Mr. Pope's eagerness to get affidavits to prove the uprightness of his conduct, it is very surprising that he did not apply to others besides Mr. Palmer and Mr. Wright. Mr. Morton could surely tell something about this matter. He is the person to whom, it is said, the money belonged. There has been time enough to get his affidavit since the 6th October, and if his money had not been taken and used by any person, it was easy enough for him to say so. Mr. S. P. Fairbanks is another gentleman who might throw a great deal of light on this subject. He was Mr. Morton's attorney, appointed to collect his monies in this Island, and it is said that some difficulty occurred between him and Mr. Pope as to the collection of the amount referred to by " Interrogator," and his testimony would have been of much importance in clearing up the whole affair. If he and Mr. Morton had made affidavits that there was no wrong-doing on Mr. Pope's part, the latter might stand in a fair way of having me put upon my trial. And there is another person, nearer home, who, I am told, possesses some information on this subject. I allude to the Deputy Treasurer ; that officer knows, I understand, a good deal about the whole affair, and I should



like to have him, together with Messrs. Morton and Fairbanks, examined before a jury. But if Mr. Pope is allowed to make a Crown prosecution of this, their mouths must remain shut. Mr. Pope will escape the damaging revelation of unpalatable truths, and I shall be placed at a serious disadvantage.

Mr. Pope's repeated attempts to prosecute me for libel betrays extraordinary sensitiveness on his part. It is well that I and others are not affected in a similar manner, for if we were, much of the time of this honorable Court might be taken up in discussing applications for criminal informations against him. It would be very easy to quote from the volumes of the *Islander*—since that paper came under his editorial management—many instances of gross and malignant libels upon myself and others in public affairs. But it is not only those who engage in political strife, and who have the hardihood to dissent from him, who are made the objects of his libellous attacks. Those who mix not in party conflicts—whose characters stand high in the estimation of all men—who are distinguished by the practice of every christian virtue, and are revered for their piety and learning, have been most rudely assailed by this meek, modest, inoffensive man, who comes to ask your Lordships for an oppressive proceeding against me, because I have ventured to hint that, being a public officer, he has brought disgrace upon the country, whose servant he pretends to be. What I most particularly allude to—and which may have come under your Lordships' notice—is a letter that appeared in some of the newspapers lately, over the signature of W. H. Pope. In that letter the innocent man who complains of being libelled by me has had the hardihood to declare that the Catholic clergy of this Island are so abandoned to the spirit of evil, that they cannot be believed upon their oaths, and are ready to commit perjury whenever they can gain a professional object by so doing. In previous letters by the same writer, and since

publicly acknowledged to have been written by him, he went so far as to assert that all priests led immoral, scandalous and abandoned lives. But not satisfied with these rude, vile and infamous assaults, not content with outraging common sense and common decency in thus coarsely invading the sanctity which is presumed to surround the clerical character, this unscrupulous libeller has consummated his iniquity by assailing female innocence in a manner that should bring the blush of shame to the most profligate libertine that ever breathed. It is humiliating, my Lords, to have to state that the Colonial Secretary of this Island has declared to the public, in letters which he has openly avowed, that every Catholic woman in the land, every wife, and daughter, and sister of a Catholic becomes a prostitute when she conforms to the rules of her church. There is not the shadow of a doubt that this foul, wicked and atrocious libel was deliberately published by the Colonial Secretary. I need not say it was never answered—no sane man would think of replying to anything so infamous. But is it not incredible that one who will thus revel in the foulest and basest calumnies—who spares no grade of society—who ruthlessly violates the sanctity of domestic life, who pollutes by the slime of his pen the sacred temples dedicated to the worship of God, who has no compassion for woman in her innocence and weakness, but in whose eyes woman when she is most virtuous is most vile; is it not incredible, my Lords, that a man who has thus made himself notorious, as an unscrupulous libeller, should think of preferring a complaint for libel against another?

I do not shrink from my responsibility connected with the matter alleged to be libellous. All I want is to be placed upon an equal footing with my opponent,—to prove the truth so far as I can prove it; and I cannot suppose that your Lordships will deny me that privilege should Mr. Pope feel inclined to proceed in the usual and constitutional way. I shall not presume to cite any authorities in reference to the

practice of the Court in granting criminal informations. I humbly submitted to your Lordships a few precedents from Chitty's Criminal Law on the occasion of my last appearance here. Those will apply to the present case, and it would be presumptuous in me to urge them upon the attention of your Lordships. I may, however, be pardoned for saying, that under no circumstances has an application such as Mr. Pope has made been entertained by the Supreme Court of this Colony. Some years ago, Mr. Coles, who was leader of the Government of this Island at the time, applied, with the advice of the late George R. Young, Esq., for an indictment against the proprietor of the *Islander*, because that paper had libelled Mr. Coles in the foulest manner with regard to the returns of spirits distilled at his manufactory. Mr. Coles had no alternative but to pursue the course he did. His returns were made on oath. There could be no evidence to corroborate or rebuke the sworn statement; but I very well remember the outcry which was made by the very individuals who are trying to promote this prosecution against myself, as to the unfairness of the proceeding which Mr. Coles sought to institute, because it would not allow the defendant to prove his allegations in open Court. On that occasion Mr. Coles submitted his case to the whole representatives of the County,—the Grand Jury—but in this instance Mr. Pope will not trust himself to the Grand Jury. He asks your Lordships to do that for him which he seems to think the Grand Jury would not do. He and his party considered it very wrong for Mr. Coles to attempt to indict the proprietor of the *Islander* when he (Mr. Coles) considered himself foully libelled; but now he will not be satisfied with the decision of a Grand Jury. He asks your Lordships to prejudge a case against me for libel, after having proved himself to be the most unmitigated libeller that ever degraded the Press of this Colony. I am fully conscious of my own deficiencies and of the imperfect manner in which I have presented this case to the Court. Learned and

experienced counsel would have taken a legal view of the whole matter. But I trust more to the integrity and impartiality which characterise your Lordships' decisions than to any transient effect that might be produced by the most powerful eloquence, confident that, in forming your judgment, you will not deviate, to the right or to the left, but, pursuing the even tenor of your way, administer strict and impartial justice to all alike, which is all I want.



LAND COMMISSIONERS' AWARD.

ON March 24th, 1862, a copy of the Land Commissioners' Award was submitted to the Legislature, as directed by the Secretary of State for the Colonies ; and it was resolved, on motion of Hon. Col. Gray, to introduce a Bill to give effect to its provisions. On the following day Mr. Whelan spoke as follows :

In rising to address the Committee, I must express my gratitude to the honorable member for the City (Mr. Beer) for having moved the adjournment last evening. If progress had not been reported, I should not have had the opportunity of preparing the amendment which I now move. With reference to the preamble to the resolution introduced by the honorable leader of the Government in this House, I have no objection to any one of its several paragraphs, but to them I wish to put my amendment, which, like the postscript to a lady's letter, will, I think, be found to contain the pith of the subject. I move to strike out all after the preamble, and to substitute the following :

“ But it does not appear to be the intention of the Secretary of State for the Colonies that the said Copy of the Award should be made the basis of any legislation, for the present, inasmuch as His Grace has not submitted the original copy, nor intimated any desire to have the printed copy confirmed by local legislation.

“ *And whereas* the Secretary of State has declared, in His despatch of the 7th February, 1862, that one of the principal provisions in the Award, namely, that in reference to local arbitrations, is open to “insuperable objections,” which he proposes to obviate by some “fresh suggestions,” at a future

opportunity, thus manifesting his desire that legislation on the whole subject of the Award should be postponed.

“ *And whereas* the recommendation for a loan of £100,000, so earnestly urged by the Royal Commissioners, in order to buy out the claims of the proprietors, is not favorably entertained by the Colonial Minister ; and the other principles of the Award being such as are only calculated to confirm proprietary claims without conferring any benefits on the tenantry.

“ *Therefore, resolved*, that, in the opinion of this Committee, no advantage would accrue from passing a Bill to confirm the award of the Royal Commission, until, at least, such time as the Colonial Minister shall have fully declared the views of the Imperial Government on the several questions submitted to them in the said Award, and when His Grace, the Duke of Newcastle shall have furnished the “ fresh suggestions ” promised by him.”

I think no honorable member will dispute the truth of the facts I have alleged. It is certainly true that the printed paper before us cannot be considered as an official copy of Award ; and it is equally true that His Grace the Duke of Newcastle has not intimated any desire that we should legislate upon it. It is equally indisputable that His despatch of the 7th February last expresses “ insuperable objections ” to the arbitration proposed by the Commissioners, and intimates his intention to offer “ fresh suggestions ” at some future time. It is also a fact that he repudiates the idea of a loan. Such being facts, patent to all, it is but right that we should meet the question fairly and openly. I am prepared to prove that my position is supported by the Commissioners themselves, but I will briefly review the whole of the circumstances connected with the Award. There are, I believe, some forty individuals who may be called proprietors. How many of these consented to the Commission ? But six names are recorded in favor of it, and of these one, Mr. E. Cunard, is to be considered identical with that of Sir Samuel Cunard, while

another, Lord Selkirk, has since sold his estate to the Government of this Island, so that we are stultifying ourselves by proclaiming that the bulk of the tenantry will receive great benefits from this award, which only affects the properties of five individuals. It has been said that others have assented, or will do so, but we have no proof that such has been or will be the case, and mere rumour should not form the basis on which we are to proceed. The right of purchase at the rate of 20 years rent, by instalments of £10, which the proprietor need not accept until all arrears are paid, is so *important a boon* that it has called forth any amount of eulogy from the members of the majority. Such are its prospective advantages, so great is the prosperity in store for the people, that we are gravely told that nothing can exceed their anxiety for the speedy confirmation of the Award by this House. In the great majority of cases the lands are not worth (20) twenty years' purchase; and the Colonial Minister has "insuperable objections" to the arbitration scheme proposed to meet their peculiar circumstances. Are honorable members so stupid as to suppose, that if we passed a Bill confirming the Award that it would be ratified by the Minister who has the "insuperable objections" to the principal provision it contains, and who promises "fresh suggestions" on that particular part of it? And where, I ask, is the boon to the tenant under the clause reserving 1,500 acres to the proprietor? It gives him the right of reserving such particular land as he shall see fit, and we may be sure he will exercise that right. The tenant may be willing to buy at 20 years purchase—nay he may offer any amount, but the landlord may refuse to sell at all; and the only result will be that the best class of the tenantry will be kept in bondage. The blush of shame should mantle the cheeks of those who would assert, among the most ignorant, that this is to operate beneficially. Again, we are told that the numerous tenants holding under leases of less than 40 years are to be grateful to their representatives for

sanctioning a measure which devotes them to slavery ! If there is one class of our population more entitled to protection than another it is the tenants who have been induced to take such leases, and thus, in many cases, spend youth and manhood in making property, not for themselves and their children, but for their landlords. Am I expected to vote for such a clause ? If I stand alone, I shall give it my unflinching opposition. With reference to the Loan, I did consider that some good might result from the Commission, by obtaining it ; but when I am told that the most important matter is to be eliminated from the Bill which it is proposed to introduce, I feel that the last plank in the tenants' platform has been knocked from under their feet. Looking at this Award in all its features, I ask where are the advantages to the tenants ? I may be told that the remission of the arrears is a great boon. Let us consider what benefits the people will derive from that. The Award says that all arrears of rent up to May 1st, 1858, shall be remitted. When the Commissioners were about to leave the Island, they recommended that the tenants should pay the current year's rent, pending the making of the Award. Hundreds complied with that recommendation ; but will the people forget the degree of activity manifested by proprietors to secure by any and every means the last shilling of arrears ? Never had the lawyers and bailiffs so bountiful a harvest,—writs and warrants of distraint were sent in all directions ; and the visits of the ministers of the law were not “like angels' visits, few and far between.” When money could not be had bonds, notes of hand and other obligations were taken. Having thus secured all the arrears up to 1858, the tenants have had to pay those since accruing, and as it will probably be a year before the Bill becomes the Law of the Land,—if it ever becomes the law of the land, which I very much doubt,—we shall be able to form a tolerably correct idea of the extent to which this remission has benefited the people. The greatness of the



boon is shown by the benefactors themselves, for they tell us that the remission would occasion little or no loss to the landlords. When before the commissioners, one proprietor stated his willingness to sell his land at 15s. per acre, being 25 per cent. less than the maximum price fixed by the Award. It is but a few days since one of my constituents arranged with the proprietor of Lot 56 for the purchase of 50 acres for £40, with reasonable time to pay for it. There is scarcely a landlord in the Island who would not give better terms of purchase than those contained in the Award, of which the only portions which can be considered as intended to benefit the tenants are those relating to the purchase of the lands and the remission of the arrears, and I have shown that they have been rendered practically worthless. The rest is for the benefit of the proprietors. Their titles are confirmed, the Quit Rents and Fishery Reserves are given up to them. Are these "boons" to the tenantry? The proprietary party may lay the flattering unction to their souls that, by passing the proposed Bill, these matters will be forever laid at rest, but our laws are not like those of the Medes and Persians. It will be quite competent for a subsequent Legislature to modify or repeal, *in toto*, any Bill we may pass on this or any other subject.

I will now make a passing allusion to a personal matter. A charge has been frequently made against me, both in this House and elsewhere, that I am anxious to obstruct the settlement of the Land Question, that I have a personal interest in feeding a chronic disease in the public mind. I meet the imputation by asking what advantage would accrue to me from such a course? All my prospects are centered in this Island. My happiness and prosperity depend upon the prosperity of this, my adopted home, and nothing is farther from my disposition than to do anything calculated to obstruct the development of its resources and the spread of kindly feelings among the different classes of its inhabitants.

I have resided here nearly nineteen years, during eight of which I held a public office, and the remaining eleven were spent in the opposition. Before I took office and after I left it, I was as happy and contented as during the period I spent in it. I have earned my bread by the discharge of my duty as a member of Society. The charge is based on the assumption that I am desirous of obtaining a public office. I may have such desire, and I see no reason why I may not seek, by legitimate means, to gratify it. I am not aware that my political opponents have a patent right to monopolize the public offices of honor or emolument. If the time shall arrive when the party to whom I belong shall come into power, I trust they will never be in a position which would render them liable to the charge of trickery, prevarication, treachery and inconsistency ; that we will never give our opponents a chance of saying that we were playing into the hands of the proprietors, while we professed to be acting for the benefits of the tenants. God knows their condition is hard enough without their being made the victims of deceit and trickery. The tenants as a class require the fostering care of a paternal Government, and deeply do I regret that they have not received from their present rulers that consideration which their situation requires.

## CONFEDERATION OF THE COLONIES.

SPEECH DELIVERED AT THE MONTREAL PUBLIC BANQUET TO  
THE DELEGATES OF THE QUEBEC CONFERENCE, OCT. 29,  
1864.

**H**ON. E. WHELAN was grateful to the gallant Colonel (Hon. J. H. Gray) for the call with which he had been honored, and also for the handsome, but wholly undeserved, terms in which his name had been announced. While any man, no matter how great his ability, might be justly proud of the position in which he was then placed, he could not subdue a feeling of embarrassment at the consciousness that he stood in the presence of some of the first men of British America, and before others who had rendered eminent service to the Crown in the four quarters of the Globe. He felt assured, however, that his embarrassment would receive the generous consideration of the many kind friends around him, who would readily forget and forgive in a stranger the errors he might commit, whether like angels' visits, they should be "few and far between," or "thick as leaves of Vallambrosa." He would, however, bear in mind that the best quality of an after-dinner speech is brevity. Speeches, on such an occasion as the present, should be, if possible, like the champagne before them—bright and sparkling, and as soon disposed of. (Cheers.) Now, his first duty was to thank that distinguished audience, in the name of the people of Prince Edward Island, for the honor conferred upon their representatives, in connection with the other delegates, not only for the splendid entertainment before them, but for the cordial and overpowering welcome they had received on their visit to this fair city—the great commercial emporium

of Canada, the grandeur of whose busy marts and palatial residences bear testimony to the enterprise, public spirit and refined tastes of her sons. (Applause.) He was well aware that the compliment was not so much to the gentlemen composing the delegation as to the Colony which they had the honor to represent. He accepted it in that spirit, and thanked their generous entertainers for it. Politicians are generally cunning fellows, and those in the several Maritime Governments showed this quality to great advantage when they appointed members of the Opposition, to which, in Prince Edward Island, he had the honor to belong, but from the cares of which he hoped to be soon relieved—(Laughter)—to aid them in perfecting the great scheme of Confederation, because if the people of the several Provinces should be so unwise as to complain that their liberties and cherished institutions have been taken from them, the Opposition would have to bear the censure as well as those in the Administration. Members of the Government might say, in reply to any complaint, that the gentlemen opposite have been quite as bad as themselves. The sequel, he hoped, however, would prove that Confederation would be the means of enlarging our liberties instead of restricting them, and that our noble institutions would be strengthened and consolidated, instead of imperilled, by the proposed Alliance. The present was his first visit to Canada. He was so deeply impressed with the greatness of the country in every respect, which so far exceeded his expectations, that he ardently hoped it would not be his last. It was great, he said, in its industrial, commercial and natural resources, in the countless treasures of its vast forests, its inexhaustible mines, its gigantic public works, whose value is estimated by many millions of dollars; in the vast lakes which were small inland seas, and the mighty river which flows past us, being the natural highway to and from the Lower Provinces, inviting an interchange of our commercial relations, and an

expansion of the resources of them all. It was great, too, for the history it has bequeathed to all time, and which may now be referred to without disturbing the sensitiveness of the gallant people who, only a little more than one hundred years ago, acknowledged the sovereignty of Great Britain. He had read that history, and, while in Quebec, did not fail to visit some of the places which were made famous by the marvelous enterprise of Wolfe. Montmorency, at which the first dash was made for the conquest of Quebec, was a place of stirring interest which no visitor could pass by. The Falls were not, perhaps, very wonderful in themselves (in being directed to the upper portion of which he was indebted to a most agreeable and intelligent French Canadian girl), but the historic associations which they recall give them an enduring claim to attention. He visited the cove, and walked up the narrow Pass which led Wolfe and a few followers to the Plains of Abraham, where a soldier's death closed his conquest of Canada. He was delighted to visit in the Governor's Garden the monument to the memory of Wolfe and Montcalm. It was a generous and noble impulse in the Earl of Dalhousie thus to commemorate the names of both heroes,—both foemen worthy of the great struggle in which they were engaged, both illustrious in their lives, and honored and lamented in their death; one the idol of the English nation, the other the embodiment of all that is virtuous and chivalrous in the French character. (Cheers.) The names of the two great generals, thus united and thus commemorated, beautifully symbolized the close union now subsisting between the French and British races in Canada. (Cheers.) But of all the attributes of the greatness of Canada, there was one other which he could not overlook. It was to be seen in the personal character of the people of Canada, in the large and generous heart which seemed to throb alike from one end of the Province to the other, unaffected by distinctions of race, nationality, or creed, it

appeared to feel and give visible manifestations of the feeling that it was capacious enough to enfold within its tendrils every section of British America. The only fear was that the caressing, as in the case of the delegates, might not be too warmly given, and that they might suffer a most agreeable death from the operation. This was not intended to apply to the fair ladies of Canada (laughter), for the delegates, being all married men, were, of course, like Cæsar's wife, above suspicion, as regards a breach of the marital engagement; for, if not so circumstanced, they would have been as dead as Julius Cæsar long ago. (Laughter.) He would now, with the permission of the Chair, offer one or two observations touching the important business which had brought the several delegates to Canada, and in doing so he would so express himself as not to violate the confidence which the Convention seemed to consider so essential to the success of their deliberations. Politicians sometimes take extraordinary liberties with the patience of the public, and perhaps they did this when they resolved upon holding a secret conference; but it may be that they had so many dark sins to confess to each other that they imagined it would not be safe to let the public listen to the confession. He would, however, bear testimony to the fact that the confession was a most satisfactory one. Each one felt he was entitled to political absolution for many sins done by his province, and now behold (said he, touching the champagne glass) how earnestly we are all doing penance. (Laughter.) The Confederation of the Provinces may not follow immediately in the step of the Conference, but that it will come, or that our condition will be very much worse than it is at present, seems morally certain. Nothing can be worse than to become the prey of a military despotism, not far distant, wherein every vestige of liberty is daily offered up to the Moloch of Ambition, and wherein the ties that were supposed to bind two people of common origin and

common language are now brittle as glass, and an opportunity is desired to cry "havoc and let slip the dogs of war," upon unoffending colonists. If we want to avoid such a misfortune, the people of British America must become more united than they are at present. The Convention, whose labors have just closed, took the first step in that direction. In the Colonies we have been strangers to each other too long,—as much so as if we lived under separate sovereignties. We have been jealous and apprehensive of each other; mutually restricting our trade and placing obstacles in the way of our prosperity, not knowing and not respecting each other as we should. In our separate and disjointed condition, we have not been, and never can be, treated with due respect by our powerful foreign neighbors. Even England is concerned for our feeble and defenceless state, and gently chides us for our apparent supineness and indifference. The Confederation, if perfected, will remove that stain, and give all the colonies a national and indivisible character. It will be seen that we are willing to struggle and make sacrifices for our own protection, and then should an evil day and evil counsels bring a conflict upon us, we may rest assured that the red right arm of Britain will be bared to aid us in repelling aggression. (Loud cheers.) He had only seen, a day or two ago, an able article in the London *Telegraph*—a paper of great influence and ability—in which this view was clearly set forth, that England would be always willing to help us if we first helped ourselves. Alluding to the proposed Confederation, the writer said:—"Firmly believing that the project will be immensely beneficial to the Colonies, we are convinced that it will be equally acceptable to the Home Government. As the matter already stands, England is committed to the protection of every acre of her soil, be it on the Indus, the Murray, the St. Lawrence, or the Thames. Doubtless the responsibility is great, doubtless the work is arduous; but the duty exists. The best way, indeed, is to call upon our colonies

themselves to take measures for their own defence, assuring them that whenever the odds are too heavily against them, whenever the danger becomes serious, we pledge the British Empire to their aid." (Loud cheers.) Mr. Whelan continued: Commercial and pecuniary motives, if no other of a sterner nature prevailed, should certainly teach us to unite. There should be no hostile or restricted tariffs between the several Provinces, no dissimilar postal regulations, no dissimilarity in our currency and exchange. Our commerce which now flows into other channels, where we get little thanks for it, would diffuse its enriching streams amongst ourselves, and nothing could possibly prevent us from becoming a great and powerful Confederacy. The union proposed by the Conference, in which there were mutual concessions of small sectional claims, and a unanimous desire for conciliation, will not, when its deliberations are more fully known, alarm any man. Large sectional rights and interests are proposed to be preserved. The connection with the British Crown will not only be not impaired, but will be strengthened, and for the preservation of those free institutions which we all value so much, and which we hope to transmit to future generations, he thought there was but one remedy, and that remedy was union. (Cheers.) But let no man imagine that this much desired object can be effected at Quebec or Montreal. The great work is but commenced. The halls of the several local legislatures, the constituencies of each province in public meetings assembled, and at the hustings, are the places in which the great question must be settled. It will be the duty of the public men in each and every province, whose representatives are now in Canada, to educate the public mind up to the adoption of their views. The task may be a tedious, difficult and protracted one; but no great measure was ever yet accomplished or worth much, unless surrounded with difficulties. Deferring reverently to the public opinion of his own Province, he would cheerfully go amongst his own people, and explaining it as well as he



could, he would ask them to support a measure which he believed would enhance their prosperity. Few and comparatively poor as the population of the Island of Prince Edward may be now, its fertile fields and valleys are capable of supporting a population at least three times greater than it is at present. It was once designated the garden of the St. Lawrence, and it was a valuable station for Canada during the occupation of the French under Montcalm. It still possesses all the qualities of a garden, and its rivers and bays still abound with fish. He desired that those great resources should become as well known now and in the future as they were in by-gone days; and regarding the advantages which modern improvements and institutions afforded as auxiliaries to the natural resources of the Colony, he was satisfied that she could not fail to become very prosperous and happy under the proposed Confederation. (Loud cheers.)



## THE TENANT LEAGUE.

THE following amendment, to a paragraph in the address in reply to the Governor's speech, was proposed on April 11th, 1866, by the Hon. George Coles, then Leader of the Opposition :—

“ The House of Assembly regret that civil disturbances took place in this Colony during the past year ; but the House of Assembly respectfully submit that the alleged open and systematic defiance of the law might have been averted by a more prompt and energetic use of the civil authority when the disturbances first made their appearance, and thus recourse to extraordinary measures, as referred to in your Excellency's speech, might have been avoided.”

HON. MR. WHELAN.—I rise though the hour is late, not only for the purpose of simply voting in favor of the amendment, but also with the intention of publicly declaring the reasons by which I am influenced in giving my support to that amendment. These reasons, I hope it will be seen, are such as ought not, by any means, to subject me to the charge of having taken a mere party view of the question. I am decidedly of opinion that, had due diligence been exercised, in the beginning, by the Government, for the suppression of the Tenant League movement, it would never have been carried to the extreme height of illegality and danger to which it attained ; nor would it have become necessary to have recourse to military aid to sustain the officers of the law in the due performance of their duty, and to bring about the re-establishment of peace and good order in those quarters of the Island in which they had been so unfortunately broken or disturbed.

I do not deny that, by the serious disturbance which had arisen through the Tenant League movement, and the attitude of determined defiance of the law and constitutional authorities of the land, the Government were perfectly justified in sending for a detachment of Her Majesty's troops at the time they did so,—six or seven months ago. But I maintain they should have done so at the time they boldly published, in their organ, *Ross's Weekly*, that dishonest and seditious pledge, by which they bound themselves “individually and collectively” to withhold payment of their rents, and to resist every legal measure which might be had recourse to, for the purpose of compelling them to pay them. In 1864 the League formed their constitution, taking for its basis that seditious pledge, which I will now read :

*Resolved*,—“That we, the Tenantry of———individually and collectively, virtually and solemnly pledge our honor and fidelity to each other to withhold the further liquidation of rent and arrears of rent ; and thus voluntarily enroll our respective names, as a tenant organization, to resist the distraint, coercion, ejection, seizure and sale for rent and arrears of rent, until a compromise be effected in conformity with resolutions proposed and carried by the meetings of Lots 48, 49 and 50 ; and further understood that each signature hereto annexed bear a proportionate share of expenses in connection with this organization.”

Soon after this pledge was made public, I published in the *Examiner* my opinion of it, as well as my sentiments touching the propriety of the organization of the country into Societies or Leagues, based upon lawful and constitutional principles, with a view to the acquisition of that power which they would derive from unity of action in their struggles against the leasehold system. The hon member then read as follows from the *Examiner* :

“The organization of the Tenantry into societies or leagues is very proper, and would, if managed with care and judgment, be eminently useful to the tenantry in their constitutional struggles against the leasehold system. Heretofore they have been only remarkable for their distrust of each other—for their national and religious antipathies—and for their disunion where

union was most required, at election contests. The Irishman and the Isle-of-Skye man—taking these as types of the population of the country—have felt the yoke of landlordism more keenly than others in a like condition; yet the son of the Emerald Isle and the son of the Heather seldom meet without scowling at each other, and without indulging in mutual taunts about religious and national characteristics. These taunts prompt them to pursue different courses when they go to the hustings; and we behold there the singular spectacle of two classes of men, both burning to break the shackles of the proprietary system, in fierce antagonism—one class voting dead against the supporters of that system, and the other upholding it, as far as they possibly can do, by voting for the creatures and nominees of the proprietary system. \* \* \* Give us, then, a Tenant League, sub-divided into as many branches as possible, that will serve to remove national and religious prejudices, that will work harmoniously for the attainment of a common object, and we shall most heartily encourage it to the utmost of our power. Such an institution would be a standing protest against the leasehold system as long as it lasts, it would keep landlord tyranny and oppression in check, it would rebuke the petty insolence and oppression of agents and bailiffs, and it would or should come to the relief of unfortunate tenants when cruelly distressed by unfeeling landlords. In these respects a Tenant League or Union would be of great benefit to the rent-paying portion of our population. \* \* \* We agree that it is very desirable to have the tenantry united in giving a moral opposition to landlord oppression—we will labor with them to have the leasehold tenure abolished, and the speediest and most honest way, by Government purchase—we will join heart and soul with them to have their views fairly and fully represented in Parliament—we will help them, as far as we can, to destroy the Fifteen Years Purchase Bill—we will encourage, to the extent of our ability, the good work of charity in sheltering the houseless and the helpless that may be singled out as the victims of landlord tyranny, but we shall never advise any man to repudiate his obligations, or to do what is still more foolish—to rebel against the Constitution and the laws of the land in which he lives.”

Such were my sentiments concerning Tenant League Associations, at the time I wrote what I have just read, and such they continue to be. Upon the Constitution which they framed according to the illegal and seditious pledge which I have just read, the League continued to act, as was well known to the Government, and, indeed, to the whole

country, from August, 1864, to August, 1865, or thereabouts, when they made a slight alteration in the basis of their union, to the effect that it was permitted to all such members of the League as felt disposed to do so to pay their rents. How magnanimous! Now, Sir, I beg leave to ask why did the Government, as respects the League, remain inactive all that time? Why were no efforts made by them to put it down? Was it because it had its origin in two Districts—one of which is represented in this House by a member of the Government, and the other by another honorable member of this branch of the Legislature, a quondam supporter of the Government—I know not, indeed, whether or not he is so now; but if not so at present, it is not impossible he may be one again? Was it, I ask, because of the existence of the Tenant League in these two Districts, that the Government so long forebore to have recourse to proper and efficient means for its extinction? I fear it was; nay, indeed, I really believe it was, the sole reason by which they were so long restrained from the adoption of stringent and energetic measures for the suppression of the Tenant League movement. When the improper pledge, by which the members of the Tenant League had bound themselves together, first appeared in their organ, *Ross's Weekly*, I did not hesitate to condemn it in the columns of the *Examiner*, and published my condemnation without previously consulting either my honorable friend the Leader of the Opposition, or any other member of the Liberal party. I took the whole responsibility of doing so upon myself, and there I am satisfied it shall remain. I have, indeed, been indirectly censured by my honorable friend on my left (Hon. Mr. Coles), for what he considers the rather undue aspersions of the language in which I conveyed my detestation of the principles which the League had laid down as their rule of action; but considering the adoption of those principles—principles in every point of view dangerous and disloyal—directly calculated to loosen

the bonds of society—in the fervour of the abhorrence which their adoption by the League excited in my mind, I believe I was not over nice in the choice of epithets by which to characterise the guilty leaders and instigators of the contumacious and seditious movement; and, even now, I do not regret the language which I used in condemnation of the Tenant League Leaders, and of the principles which they instilled into the minds of the misguided and ill-informed people, whom they urged on to the commission of breaches of the peace, and to such a course of resistance to the demands of their landlords as have brought upon them incalculable distress and misery. Nevertheless, I am very far from denying that the tenantry had many causes of complaint, both against proprietors and the Government, or from saying that they had very good and sufficient reasons for organizing themselves into Leagues or Societies, with a view to their struggling more successfully, by means of such organizations, than they can do singly to free themselves from the burthens which weigh them down under the leasehold tenure. On the contrary, I believe the non-fulfilment of the promises made to them by the party now in power, on their assuming the reins of Government in 1859, to have been the primary cause of all the disaffection which has lately been manifested by large bodies of the tenantry to the Government; and also of all the civil disturbances which lately took place in the Colony. At that time the party now in power, denounced, even through the mouth of His Excellency, the previous acts of their predecessors in power as illusory, assured the tenantry that by means of their superior wisdom, and through the efficacy of a measure which they were about to introduce and carry through the Legislature, complete redress of their grievances might be afforded in less than eight months; and even His Excellency the Lieutenant Governor himself was not one whit behind the members of the Government and their supporters in his denunciations of the measures of the party

which had just gone out of power, and in the exuberance of his promises of speedy and effectual relief to the tenantry; and in directly addressing them, he bade them confidently rely upon *him*, and designated the very best, the most equitable, the most practicable measure which had ever been devised for their relief—the Land Purchase Bill—*visionary and delusive*. (In reply to Hon. Col. Gray, Mr. Whelan stated that said expression could be found in a reply of His Excellency to an address presented to him by the Belfast tenantry, and published in the *Royal Gazette*.) He continued:—I wish only to show that the expectations which were excited in the minds of the tenantry, by the large and confident promises made to them by the Government and their Parliamentary supporters, and the great and grievous disappointment which, in consequence of the non-fulfilment of those promises, has, for a length of time past, preyed upon the minds of the tenantry, have together caused combination,—the unlawful proceedings which, too long disregarded and unrepressed by the Government, have brought about the necessity of sending for troops. At the time the Tenant League constitution made its appearance in print, after having been signed by the poor uninformed men who had been duped into a recognition of its principles by the crafty organizers and prompters of the League, I wrote the editorial article which I have just read.

If, as is stated in the letter of the Sheriff, Mr. Dodd, which was read a short time since, the aid of 20 or 30 constables would have been sufficient to enable the Sheriff—whether it may have been Sheriff Morris or Sheriff Dodd—to discharge his official duties among the tenantry, are not the Government very culpable in not having afforded that assistance, and thereby warded off the necessity of sending for troops? As for their having sanctioned the calling out of a *posse committus* by the Sheriff, in doing so they exposed themselves,—the Sheriff and the whole *posse* itself—to ridicule and contempt; the greater share of which was, however, due to the Government; and well may

they be derisively asked: "How could they expect that the man to be apprehended by the *posse* would, after having had three or four days notice of their design, stupidly remain at home to be arrested at his own fireside or possibly in his bed?" If, however, the Sheriff, Mr. Morris, himself, accompanied by one or two respectable men, acting as constables under his directions, had, in due time, gone quietly about their business, there is little doubt that it could easily have been effected. But instead of recommending the Sheriff to adopt so prudent and easy a course, they intimated to him his power to call out a *posse committatus*; and, worst of all, allowed him to put the whole under the guidance and direction of the most obnoxious character in the whole country. The honorable the Solicitor General has defended the Sheriff for having recourse to the ridiculous measure of calling out the *posse committatus*, as a proceeding fully authorized and sanctioned by law in every country in which the British Constitution prevails. But I would ask him is he not, as a lawyer, very well aware that there are still extant upon the Statute Book of Great Britain many absurd and antiquated laws, which, though unrepealed, have been rendered completely obsolete, merely in consequence of their gross absurdity? And will he pretend seriously to maintain that this Statute, which empowers the Sheriff to call out the *posse committatus*, is not one which ought to come under the same category as many others, which have been silently allowed to become dead letters in law, simply on account of their absurdity. \* \* \* I support the resolution in amendment, because it is nothing but a simple proposition affirming what I believe to be a fact, viz., that the alleged open and systematic defiance of the Law might have been averted by a more prompt and energetic use of the civil authority when the danger of disturbance first became manifest, and thereby the necessity of sending for the troops might have been avoided. That necessity was, however, allowed to arise; and I, for one, freely acknowledge



that such was the dangerous and inflammable state of the country, that the troops were not sent for a moment too soon. Their presence has had the desired effect, that of reducing the disaffected and contumacious to obedience to the law ; and peace and order now happily again reign within our borders. The presence of the military has the effect of imparting to the community, socially and individually, that sense of security, as respects the possession and retention of whatever we highly prize or hold dear, without which we can know no real pleasure or happiness. Their presence imparts to the minds of the well disposed a feeling of satisfaction, arising from the conviction that, deterred by it, the most evil disposed amongst us will make no attempt at riot or commotion, that the laws will not be set aside, nor the administration of power be contemned, insulted, or defied. In another point of view also, I regard the presence of the troops as highly beneficial. Their officers are, almost invariably, found to be men of talent, education and knowledge, men actuated by a most scrupulous sense of honor, and possessed of all the accomplishments and graces of mind and body, which are so acceptable and so highly prized in good society ; and I feel certain that, in the social intercourse accorded to them, and which is always extended to their class in this community, they will, in every circle in which they move, be found the means of adding much to its refined and intellectual enjoyments, and the calling forth into more expanded form and into greater activity all its social amenities.



## THE "NO TERMS" DEBATE.

ON the 7th May, 1866, the Hon. James C. Pope, Leader of the Government, submitted the celebrated "No Terms" resolutions, in reference to the scheme of Confederation propounded by the Quebec Conference.

Hon. Mr. Whelan then moved that all after the word "Resolved," in Mr. Pope's Resolutions, be struck out, and the following substituted :

"As the opinion of this House, that the Confederation of Her Majesty's American colonial possessions would be—while in conformity with Her Majesty's frequently expressed desire—conducive to their welfare, separately and collectively. And this House believes that a plan of confederation might be so framed as not to involve the sacrifice of any of the material interests on the part of any Province ; but inasmuch as the people of Prince Edward do not appear to be prepared to regard with any favor the project of Confederation, it is unwise to press it upon public attention, as its discussion is only calculated to produce excitement and apprehension without reasonable cause. *And further Resolved*, as the opinion of this House, that there should be no vote passed by the Legislature of this country in favor of Confederation of the Provinces, until the people shall first be afforded an opportunity of pronouncing their judgment on the question at a general election."

The hon. gentleman then proceeded to say that he thought the question should not be pressed upon the people before they were educated up to it, and their judgment matured respecting it. As he had said to his own constituents, he

did not think it was the duty or province of the assembly either to pronounce in favor of Confederation or to reject it, until the decision of the people should be fairly given, either for or against it at the polls. With all due deference to the House he begged leave to say, however, that he did not believe any decision, either for or against Confederation, on the part of Prince Edward Island, would materially affect the action or determination of the other Provinces concerning it; and that if they were favorable to it, Prince Edward Island would be placing herself in a very absurd and ridiculous position by refusing to accede to it. But whilst the question appeared to be settled in Nova Scotia and Newfoundland, and to be in a transition state in New Brunswick, he thought our wisest course would be to leave it as it now stood, for the calm and deliberate consideration of the people, until time and events should throw new light upon it, and, perhaps, bring new influences to bear upon their minds concerning it. He could not, however, for one moment suppose that, provided the other Provinces were confederated, Great Britain would allow Prince Edward Island to remain out of the Union, to be a source of weakness and annoyance to the Federation, which, if she stood alone and aloof from it, she would most undoubtedly be. He would, then, merely ask the Chairman to submit the Resolution which he had proposed as an amendment to the resolutions submitted by the Hon. the Leader of the Government, although it had been his intention to speak to some other points of the question. That intention he would then, however, forego; as another opportunity might, perhaps, be afforded him of carrying it into effect, and of repelling, at the same time, the unjust, the unmanly, the cowardly insinuations of bribery, corruption and treachery, which had, by certain parties in the community, been thrown out, not only against him, but against other gentlemen, members of the assembly, who had in common with himself, and in pursu-

ance of their honest convictions concerning the question, been the open and candid advocates of such a Confederation of the North American Provinces as would include Prince Edward Island. Will any of those who stigmatize us produce proof of their assertions? I challenge them before the country to show proof. "Bribed traitors," forsooth! Are Her Majesty's Ministers "bribed traitors?" Surely it cannot be thought that the Colonial Minister and Her Majesty's Government, who have given a decided opinion in favor of Confederation, are "bribed traitors." And let me ask these calumniators this question: are the Catholic Hierarchy of Nova Scotia, the Archbishop of Halifax and the Bishop of Arichat, who have pronounced in favor of Confederation—are they "bribed traitors?" Are they influenced by improper and corrupt motives in bringing this question favorably before their fellow colonists? I bring this question before you, and ask if it is your firm conviction that I, and others in a much higher position than myself, should be designated as traitors. It is false and dishonest in the highest degree to bring such an accusation against us in the face of the country. I do not ask you, Sir, I will not ask you to believe that I am perfectly sincere in this matter, but I will ask you to allow me to use my own opinion. And because I advocate this measure in accordance with my honest convictions—because I think this House should not place itself in a position hostile to the British Government, or antagonistic to the course pursued by the other colonies—am I to be singled out for contumely? I never, in the course of my Parliamentary career of 20 years, was made the subject of so much calumny, so many false accusations, as in reference to this question. I do not, as the resolution which I have submitted shows, force my opinion on the country. I have not done so since I returned from the Quebec Conference. I may say that, at that Conference, we did not get as much as I, as one of the delegates, think we should have got, but

we got what I think should be accepted as a compromise ; and I say now, in the presence of this House and of the country, that ALL the Delegates did agree to the terms there proposed, notwithstanding their disagreement afterwards as to matters of details. When I returned from Quebec I was assailed because I stated this palpable truth, and many times since, in such language as it is impossible for me to characterize. But I will allow that to pass, I do not seek to press the question upon the people. I do not wish that, without the most mature reflection, they should accede to Confederation ; but I do wish that, before they decide either for or against it, they may be fully enlightened concerning it ; and I will ask this House not to pledge itself to any course until the people shall have pronounced concerning it at the polls. It is my right—a right which God has given me—to form my own opinion on all public questions, and I will endeavor to exercise that right. But surely I and they who hold the same opinions as myself on the subject of Confederation ought not, on account of those opinions, to be subjected to insult and persecution, most vile and most unjust, on the part of any who hold different opinions on that subject. I ask you, Mr. Chairman, most respectfully—I ask this hon. Committee—whether this system of persecution shall continue to be practised? I appeal to the good sense and love of fair play which characterizes the members of this community, whether a man shall be allowed to have an opinion of his own or not? I do not object to this House expressing its disapproval of Confederation, without reference to the Quebec Scheme, because that is thrown aside ; but in regard to the general plan of Confederation, my opinion is that these colonies would assume great importance—they would obtain stability and security against foreign aggression, and they would also obtain more efficient protection from Britain, were they confederated, than she could extend to them should they remain in their present isolated condition.

I do not wish to trespass upon the attention of the House, but I rose to submit the Resolution which is now before you, and it is of that mild character that I do not think hon. members should vote against it. However, I shall be enabled to place my opinion upon record, which is that I am favorable to Confederation, provided it be based upon a plan just to the several provinces, without sacrificing the interests of any, and also providing that the people be perfectly prepared to accept it. Anything more fair, I do not think, could be presented to the House. If you pass the other Resolutions, which are very strong, it will not affect the question one way or the other. Let me tell you that the decision of a colony of only 80,000 inhabitants will have very little effect in deciding the fate of  $3\frac{1}{2}$  millions of people—however much some gentlemen may be under the impression that the other Provinces may be confederated and Prince Edward Island remain “out in the cold.” The confederacy of the United States took place under very peculiar circumstances, and Rhode Island, an isolated Province, as small nearly as we are, although at first refusing to enter, it was before long very glad to seek admission into it. So, if a Confederation of the British North American Provinces takes place, and Prince Edward Island remains out, she will, in like manner, sue to be admitted into it. Would any one tell me—and I put the question plainly,—would the United States, if no Confederacy had taken place, be so powerful a nation as they are to-day? We are not seeking separation from Great Britain, but to combine our strength by which we may be able to resist aggression, whether from Fenianism or from any other quarter. Last year, we were told that the advocacy of this question was premature, because there was not the slightest probability of an interruption of the friendly relations existing between Great Britain and the United States on account of the Fenian organization; but now we know that the Fenian organization, contemptible as it is, has


been such as to render it necessary, on the part of Her Majesty's Government, to take extraordinary precautions against its aggressions. In England a law has been passed suspending the *Habeas Corpus* Act in Ireland, because the Fenian organization was supposed to have taken effect there. In the Colonies, extraordinary preparations have been made for resistance to any possible attacks on the part of that lawless association. The resources of the several colonies have been pledged for their individual defence. We were told, last year, that there was no necessity to prepare for defence; but what do we see here this year? A unanimous vote placing all the resources of the Colony at the disposal of the Government, for the purpose of putting the Island in a position of defence. What does that indicate? Is it not that our liberties are threatened? Does it not indicate a feeling of insecurity—a feeling that Prince Edward Island is not safe while those marauders threaten the invasion of the other provinces? A gentleman in the other branch of the Legislature said, on a former occasion, that in the event of Confederation, if Canada were threatened by hostile invasion, the young men of Prince Edward Island would have to go and fight for that Province. Does any man suppose that the young men of this Island would have to be sent to the borders of Canada? No, Sir; it was nonsense sought to be imposed upon the people. The fact is that, for twelve months past, Canada has been exercising its great influence—spending its enormous resources—to ward off the foe, has been a protection, not only to Prince Edward Island but to the whole of the Lower Provinces. There have been no raids in these Provinces; and if they were to be invaded, Canada surely would be; and that Province once lost to the British Crown, these Maritime Colonies would fall an easy prey, either to Fenianism or to some other foe. But I think, Mr. Chairman, that, in view of the hostile spirit manifested by the Government of the United States towards these colonies, in a

variety of ways, it is but right that we should take counsel and act in accordance with the views of the British Government. It is scarcely necessary to observe that the United States have no love for Great Britain—no desire to see these colonies remain a part of the British Dominions. And they would rather that they should remain separate and isolated, than be consolidated by Confederation, so that, one by one, they might fall an easy pray whenever they should choose to set about their absorption. Isolated, they could, united they could not, be absorbed. United, Great Britain would employ her whole power to defend them ; isolated she would not. All I wish to say is that, the subject having been so well debated last year, I am not disposed to trespass on your patience, Sir, and that of the House at present ; but I ask that forbearance which is due to any person holding an opinion of his own on a great public question ; and I may express the hope and belief that, while hon. members have their own opinions, they will not use offensive expressions, or insinuate that any member is influenced by improper motives in advocating his own views of the great question now under consideration. I am influenced by no such motives ; and if I be assailed on any such grounds I shall take the earliest opportunity to retaliate. I do not bring any charge against those whose opinions are adverse to my own, nor offer any offence to their sensibilities. They have a perfect right to believe that Confederation will not be conducive to the interests of the Colony ; I believe it will ; but I beg that we may agree to differ.





## LAST SPEECH IN PARLIAMENT.

N the 8th May, 1866, the discussion on the Confederation Question was resumed in the House of Assembly, after which a division was taken on Mr. Whelan's amendment. The vote stood: For the amendment: Hon. E. Whelan, T. H. Haviland, Col. Gray, D. Davies, Dr. Kaye, Messrs. Green and McLennan, 7; against it: Hons. J. C. Pope, J. Warburton, J. Hensley, E. McEachren, E. Thornton, F. Kelly, J. Longworth, A. Laird, G. Coles, Messrs. Conroy, Howlan, Sinclair, Sutherland, Duncan Howatt, J. Yeo, D. Ramsay, F. Breeken, D. Montgomery, W. Haslam, and R. Walker, 21. Before the motion was put, Mr. Whelan again spoke as follows:—

You know, Mr. Chairman, that I have not trespassed on the patience of the Committee; and you, Sir, have exercised a degree of forbearance highly commendable during this debate. I will not trespass upon your time, but I have a right to ask the indulgence of the honorable committee for a few minutes, to refute some observations made yesterday evening and to-day in opposition to my views. Yesterday evening, in particular, I was assailed by my honorable friend from Cascumpec (Mr. Howlan), on the ground of my inconsistency in making a speech in this House, in 1864, on the question of Confederation. But it was not on the broad question of Confederation I then spoke, and the honorable member knows he did not fairly represent me. It was in reference to a *Legislative Union* of the Colonies, and he knows that I have always been opposed to a *Legislative Union*.

Mr. Howlan.—I did not state anything in disparagement of the honorable member ; but I showed that the views held by him now are not the same as those held by him then. I quote this passage :

“ I care not for the nature of the Union, whether it be Federal or Legislative, either will be absurd while we remain tied to the apron strings of our venerable mother,—Great Britain. The time will come when, as foreshadowed by the statesmen and politicians of Britain, the Colonies will be cut off ; and when that time shall arrive, they may, with far more propriety than at present, discuss the principle and details of a Union either Federal or Legislative.”

Hon. Mr. Whelan.—I ask you, Mr. Chairman, to protect me in my position on this floor. I do not wish to hinder independent members from speaking, especially young members ; and I am always willing to give to my friend, the junior member for Prince County, a latitude which I would not be disposed to give to others. The extract from the speech he has read ought to be thoroughly impressed upon my mind, inasmuch as it has been quoted so frequently. It does not establish any proof of inconsistency. I protest against it ; that speech will show that I was not favorably disposed towards a *Legislative* Union. A *Federal* Union is another question. In what light did I view it, or how was it viewed by other members of this House ?—*That we would still be subservient to the Colonial Office*, as we are now. It is not the experience I have gained,—not the intelligence communicated to me from other quarters—not that I am inspired by undue motives that causes an apparent change of sentiment on my part, but that I have a perfect right to exercise my judgment in reference to this and other matters. But even if I admit that there was a slight shade of inconsistency on my part, why should this be brought up as an argument against Confederation ? We know that a great change of opinion has taken place in all the others Colonies ;

has it not been the case in Canada? and in New Brunswick where the Government came in with a large taken majority, a little more than twelve months ago, has not a change taken place there? In all the other Colonies public opinion has been undergoing a change in reference to this question. It has changed in the Nova Scotia Legislature, inasmuch as last winter Dr. Tupper could not venture to ask the House to pass a resolution in favor of Confederation, and this year it has been carried by a majority of 31 to 19. Does not this show that there is a change in public sentiment? that it is progressing with the progress of intelligence all over the continent? Does it not show that public men have a right to exercise the privilege, at times, of correcting their ideas? I scorn the man—I say it without disrespect to any gentleman in this House or community,—I scorn the man who says he is incapable of changing his mind on important public questions. I change mine from time to time, if it is in conformity with the progress of the age in which I live. And I do not think I bring discredit upon myself by doing so. This has been the character by which public men have been distinguished in Great Britain and all over the world. I would allude to one who has changed his opinion on this question, I mean the Hon. Mr. Howe, of Nova Scotia. He was at one time decidedly in favor of a Confederation of all the British North American Colonies. Now he is not. The reason why, I shall not explain to you at present; but I believe if he had been at the Quebec Conference he would have acted a very different part from what he has done. Now, the honorable member from Cascumpec has referred to the speech of Mr. Gladstone, wherein he says:

“We are told that Canada and New Brunswick are threatened with fire and slaughter from the revenge of the Fenians, for the wrongs inflicted by England upon Ireland; and this I must say, that if the men of Canada and New Brunswick, who are wholly guiltless of these wrongs,—be

they what they may—who are not entangled in the controversy, who have no more to do with it than the people of the Sandwich Islands,—if the Fenians, as they call themselves in America, are capable of the abominable wickedness of passing their frontier and of making their impotent, miserable attempts,—which they will be,—(cheers) to carry desolation over these peaceful districts and among these harmless colonists, then, I say, that so far from your treating the conduct of these men—let them be Americans or whom they like—with allowance or indulgence, no more execrable manifestations of folly or guilt have ever been made in the annals of the human race from the time that it commenced its existence upon the earth. (Cheers.) Men who are capable of such proceedings would, at once, by their insanity and their guilt place themselves entirely beyond the sympathy of the whole civilized world.” (Loud Cheers.)

“ I feel the fullest confidence that these men who inhabit the provinces of British North America, who have proceeded from our loins, and who are governed by principles in the main our own, know well how to defend their homes, their wives and children ; and if, unhappily, the need arose, there is no resource possessed by this country that she would not fairly spend to assist them in their holy work. (Cheers.)

What does that indicate? A feeling on the part of the British Government that the people of these Colonies will have to defend their own homes, and in the event of their failing to do so then Great Britain will not withhold her support. I will not address myself at present to the question as to whether we should be influenced by the opinion of statesmen in England or not. The honorable member from Cascumpec gave the opinion of the British minister ; but he did not give his words. I have given the words of Mr. Gladstone’s speech to show the connection in which they were used, and they plainly indicate that when the Colonies use their proper amount of influence to protect themselves, then

the power of Great Britain will be used in their behalf. That was the opinion I set forth last year. It was borne out by the opinion of Mr. Gladstone, and also by Her Majesty's Colonial Minister. I will read an extract from the Minister's despatch, not only for the information of the honorable member from Cascumpec, but other members who may have forgotten it:—

“ Nor can it be doubtful that the Provinces of British North America are incapable, when separate and divided from each other, of making those just and efficient preparations for national defence, which would be easily undertaken by a Province uniting in itself all the population and the resources of the whole.”

Now, what lesson are we to take from these words? Is it not that the Colonies must accept the Imperial policy? Is it not that one Colony will not be allowed to stand in the way of the Imperial policy which shall be found acceptable to the majority? Is it not clear that the whole question of confederation, no matter what view we may take, depends on the action of the Continental Provinces? I am sure that I am quite willing to stand up for our rights and privileges; but is it to be supposed that we will be allowed by the British Government to be obstructive to the Continental Provinces, if they choose to adopt a scheme of Confederation? I think not. Others may think differently, and we may agree to differ. My opinion is that if Nova Scotia, New Brunswick, Canada and Newfoundland unite, Prince Edward Island may hold out for a short time, and seek for better terms, but it cannot hold out long. The Quebec scheme is not before the Committee, and it is unfair to argue upon that scheme. If it were before us, then I might express my opinion upon it.

Hon. J. C. Pope.—There is no other Scheme proposed.

Hon. Mr. Whelan.—No; there is no plan at all; and the bare question is, whether it is desirable that the Colonies should be confederated or not. I do not press it upon the

people's attention now, and when I was at Quebec I thought some of the details were such as the people would be dissatisfied with.

Hon. Mr. Thornton.—What is your scheme ?

Hon. Mr. Whelan.—I propounded none. It was not my place to do so. I was there as a delegate, and though I objected to some of the details, yet I felt myself in that position that I could not refuse to accept it as a compromise. The delegates from all the Provinces had complaints to make about it ; and who, pray, in his senses would suppose that a written Constitution could be framed that would be acceptable to all the people concerned in it? Could it be possible that a Constitution, affecting the rights of nearly four millions of people, could be framed so that no fault could be found with it? When it came up that the Constitution was to be framed on the principle of representation by population, I had to yield to the majority. I believe it will be considered by a succeeding House that Confederation will be for the benefit of all the Colonies, and that it would be possible to frame a Constitution that would not involve the sacrifice of any material interests on the part of any Province. The honorable leader of the Government, in the course of his speech, made some reference to this paragraph, and said those who believed that Confederation would be a benefit to this Colony should use their influence in every way to press it upon the people. I do not think so. I think it would be unwise to *force* public attention to anything in which the minds of the people have not been properly schooled. I think it would be better to leave it to take its course, and let the hand of time use its ameliorating influence in reference to this as well as to every other question. I bow to the public opinion of this country in reference to all public questions. When I returned from Canada, in 1864, I called meetings, and told my constituents the opinion I entertained, and which I will probably entertain as long as I live ; but I told them that I


would not seek to force it upon them. This is the proper course for a representative of the people to take. I conceive that a spirited man like the leader of the Government (Hon. J. C. Pope) may sometimes seek to control public opinion ; but let him take this advice ; the better way is to follow public opinion while he seeks to control it. The honorable member for Murray Harbor (Mr. Duncan) alludes to the great sacrifice of having our rights and privileges destroyed ; and it sounds strange from gentlemen who, up to 1851, were opposed to what they now term a "priceless Constitution,"—it sounds strange, I say, that gentlemen should now value that Constitution so highly, who, up to that time, had no faith in it.

Hon. J. C. Pope.—That was before the commencement of my political career.

Hon. Mr. Whelan.—I am speaking in reference to the party, and particularly in reference to the honorable member for Murray Harbor ; for I remember that no gentleman was more opposed to the introduction of Responsible Government. Does it not, therefore, sound strange that a gentleman should have worked himself up to the consciousness of the "priceless blessing of our Constitution," just at this particular hour, when a few years ago he was fighting against it most indignantly ? In reference to the original resolutions, if we put them upon record, we place ourselves in the most extraordinary position that ever a Colony occupied. They say that Prince Edward Island will not have anything to do with Confederation—that we will not accept it on any terms—no matter how advantageous they might be to the people. The words of the Resolutions cannot bear any other interpretation. I am not wedded to any particular scheme, but to the principle.

ADDRESSES TO THE ELECTORS OF THE SECOND  
DISTRICT OF KING'S COUNTY.

I.—JAN. 12, 1850.

ENTLEMEN.—The Lieutenant Governor having thought “fit” to bring the House of Assembly prematurely to a close, the trust with which I was honored in 1846 has therefore returned to your hands. During the three sessions which have since elapsed, I have endeavoured, in co-operation with my political friends, to further the advancement of those liberal and enlightened principles of Government I announced to you at the hustings, and to which I believe I was indebted for my election. If we have failed to carry these principles into practice, the failure must be attributed to the numerical weakness of our party in the Assembly, and not to any want of zeal in ourselves. Believing these principles now to be better understood by the country than they were at any former period, I have good reason to hope that the minority of the late House will be changed into a majority in the new one; and if my conduct, as one of that minority, has been acceptable to you, I will cheerfully resume my old position, and become again a devoted laborer in that cause which must ultimately secure to us all the rights, the privileges and political importance which belong to British subjects, and which are alone withheld from us by an arbitrary faction in Charlottetown. It is unnecessary for me here to enter into a review of my career as one of your Representatives. The Journal of the Assembly—the most convincing of all advocates—will show my name recorded in favor of every Liberal measure that has been brought under the notice of the House. I have voted against increased taxation, against high salaries, against official speculation. I have voted to promote agriculture and the fisheries, and to substitute



a good and efficient system of administration, modelled on the principles of the British constitution, for a corrupt and tyrannous one. If votes such as these entitle me to a renewal of the confidence with which I was honoured when a stranger to many of you, I will feel more proudly the distinction of again serving you, now that casual acquaintance has ripened into intimacy with most of you, because your electing me will prove that you have not doubted my sincerity, nor depreciated my services, humble as they may have been.

2.--MAY 5, 1851.

Now that the difficult and perplexing contest, between the friends of constitutional liberty and the enemies of every Reform, has happily been brought to a close, duty and inclination prompt me to offer some observations in reference to the sacrifices by which victory has been achieved, and to the common advantages which it confers.

After eight years of almost incessant toil and anxiety—born amidst calumnies of every imaginable description, it is not unreasonable to indulge with exultant spirits in mutual congratulations on the successful issue of that toil. Nearly five of those eight years have been devoted to your service, and were it not for the support and confidence which I have received at your hands during that period of time, and which other members of the majority have obtained from “true men like you men,” at the several stages of their political career, the victory would yet be unwon, and the exultation deferred. Hence our congratulations *should* be mutual.

During the winter which has just passed, I explained to you at a series of public meetings the position in which the Assembly stood with the late Lieut. Governor, upon the question then at issue.

It will not be necessary to advert to the general topics arising out of the question then discussed. I referred to the demand

made by His late Excellency for retiring allowances on behalf of three officers of his Government—and the refusal of the Lieut. Governor, should that demand be complied with, to make any, save a very partial, inadequate and unsatisfactory, change in his administration. I informed you of the determination of the Assembly to withhold the allowance under the circumstances proposed. I stated my own opinion in regard to those allowances, namely, that the advantage of possessing three seats in the Executive Council by three members of the majority was by no means commensurate with the sacrifice which the concession would involve. I did not state that Responsible Government *was not* worth the amount demanded for the officers, on whose behalf Her Majesty's Government thought proper to interpose, but I showed that the House of Assembly could not consistently proceed with the performance of the public business, and vote the disposal of the people's money to an Executive Council not enjoying the confidence of the people, for the paltry consideration of their seats in the Cabinet.

“The evil that men do lives after them; the good is oft interred with their bones.” The good deeds, if any there were, which characterized the administration of Sir Donald, have been cast into oblivion by the evil ones that survive him, the most prominent of which is misrepresentation of the objects and intentions of the Assembly.

Since the Assembly have not obtained copies of the late Governor's correspondence, it is impossible to estimate the amount of injury sought to be inflicted upon its character by the *ex parte* statements of Sir Donald. The unnecessary interference of the Home authorities with our postal regulations is one of the results of these statements. The alarm of the Colonial Minister, for the preservation of the public tranquility in this Island, and his suggestion in regard to an increase of the Military force, is another consequence of the mischievous use to which Sir Donald's pen was applied in his correspondence with Downing Street, and shows that he had dared to

describe one of the most loyal and peaceable of her Majesty's possessions as in a state of rebellion.

When we consider the hostile feelings of Sir Donald combining with the formidable influences of the late official party and money jobbers in Charlottetown, and with the proprietary junto in England to frustrate the object of the constitutional party, the victory achieved by the latter is one of no ordinary importance. Nor has the cost of victory been such as to lessen the exultation of the victors.

The land yet echoes the outcry of the obstructives that the Responsible Government party had abandoned their promises, and increased the burthens of their constituents, in order to obtain office and emolument for themselves.

In both instances the outcry is false. No promise has been violated—no burden imposed. It is well the majority of the Assembly repudiated, and still do repudiate, the abstract principle of pensions as being incompatible with the means, habits, feelings, and opinions of the people. It is true, the same majority failed to discover the claims of the gentlemen to retiring allowances, on whose behalf such allowances were demanded; and did not hesitate to communicate to the Lieut. Governor their opinions on the subject. But when His Excellency replied that it was not the intention of Her Majesty's Government to impose a Pension List on this Colony—that it was merely compensation which was required for two officers who had long served the public—that this compensation was an absolute and imperative condition to the concession of Responsible Government—that he had no discretion from the Colonial Minister to waive that condition,—surely, then, it became the duty of the Assembly to yield their opinion in reference to the claims of the retiring officers—relieve His Excellency from great embarrassment and responsibility,—remove obstacles to the transaction of the public business,—save the colony from the further bad effects of a long continued agitation—allay public discontent and anxiety—and, finally, procure for the people the privileges

and rights of British subjects by at once voting the allowances, which amount to only four hundred pounds (£400). The obstructives say we did wrong in doing so (and be it remembered that amongst our complainants were Executive Councilors, whose duty it was not to embarrass the Lieutenant Governor by opposition to his instructions); but I wonder did they ever say we did right in doing anything? The best passport to public confidence and approval, as I always conceived, is the hostility of that party. I rejoice to know that we have earned it in this instance. If the House of Assembly had persisted in refusing the allowances asked for the late Attorney General and Colonial Secretary, they must either have voted the necessary supplies for the public service, and performed the other business of the Session in connection with a Government which they had previously condemned; or they must have declined all business with that Government, and have returned to their homes leaving their adversaries in a position to intrigue, perhaps, successfully, with the Colonial Office, and with a Governor whose feelings could not have been of the most conciliatory character towards the Assembly at being embarrassed in the very outset of his administration. To adopt the first alternative would be proof of the most culpable fickleness and inconsistency, because the Assembly were pledged not to do business with the late Executive. Recourse to the second would be productive of great inconvenience and loss to the inhabitants of the colony, who had already suffered (but with cheerfulness that did credit to their firmness and patriotism) from the withholding the necessary supplies for the service of Roads and Bridges; and possibly a repetition of that proceeding would eventuate in the refusal of Her Majesty's Government to grant the new system upon any terms. Besides, if the public business were again suspended and the supplies again withheld by a vote of the House, there was no guarantee that the public money would not be expended in defiance of the people's representatives, for upwards of ten thousand pounds

were last year supplied by Sir Donald's Executive Council to the payment of official salaries, whilst not a shilling was given to the most important departments of the Public Service, under the absurd pretext that the money was drawn from the produce of the Permanent Acts, which was alleged to be exclusively under the control of the Executive, when it is notorious that the Revenue derived from that source did not amount last year to more than £1,200. These are some of the considerations which led the Assembly to terminate the contention by voting the retiring allowances. The obstructives opposed the vote, as a matter of course, and villified those who gave it on the ground of inconsistency. But the real ground of opposition was the desire of that party to continue their friends in office; for if the compensation had not been given the old party would yet be in power, and the introduction of responsible government be deferred for an indefinite period if not thoroughly abandoned. Even admitting the conduct of the majority of the Assembly to be inconsistent in this respect, which I do not admit, are there no examples of similar deviation in the history of every party struggling for the establishment of a great principle, to plead in extenuation? What battle has ever yet been fought and won without some loss to the victors? How many eminent men in the British Parliament have assumed a position at one period of their career, in reference to public questions, from which they were obliged to recede at another? Was Catholic Emancipation, or Slave Emancipation, or Free Trade carried without sacrifice of principle on the part of some of the great statesmen who figured in the warfare enkindled by these great questions? I have no respect for the statesman or the party who will shelter themselves under the assumed infallibility of their principles and opinions, and defy all change,—who will proclaim to the world we are sure we are right in thinking and acting as we do, and we shall yield to no conviction, to no emergency. Philosophy would be kicked out in the grotesque

habiliments with which it strutted its little hour two thousand years ago ; and Science would yet groan beneath its load of errors and absurdities, if the fallacy of immutability darkened the intellects of men, thus making them the slaves of ignorance and folly, when the light of experience and the laws of necessity might have set them free. I am sure that you, my friends, and the rest of my fellow-Colonists will gladly appreciate the sympathy pretended to be felt for you by the obstructionists in and out of the Assembly, on the score of an increase to the public burthens.

Those sympathetic, tender-hearted, patriotic people are dreadfully alarmed for your welfare, and are ready to swoon at the consideration of giving four hundred pounds of the people's money in the shape of compensations to two retiring officers. It is to be regretted that their ideas of economy were not brought to bear upon the expenditure of the public money when the Treasury chest was in their keeping, and when the appropriation of £500 to create a judgeship, and procure a silk gown for a member of the Assembly, was deemed not only a justifiable but a laudable proceeding ; and when a further appropriation of £500 to the late Governor, to secure those services to themselves, of which the Island has since reaped the better fruit, was attempted to be justified on the ground of public necessity. I must, however, reserve for another letter the further consideration of these subjects, when I shall compare the expense entailed upon the Colony by the introduction of the new system with the merely pecuniary advantages which it affords, and then easily shew that a balance to a large amount has been carried to the credit of the public.

3.—MAY 19, 1851.

The object of my present letter will be to demonstrate the fallacy and absurdity of the arguments or assertions which were employed with a view to obstruct the introduction of

Responsible Government, and to make the advocates of that measure appear odious in the eyes of the people ; the assertions were—

FIRST.—That the new system would increase, rather than lessen, the public expenditure.

SECOND.—That its promoters were actuated solely by a desire to possess themselves of office and emolument.

THIRD.—That the possession of office by members of Assembly, under the new form of Government, would lead to the practice of fraud and corruption.

FOURTH.—That the owners of land have exerted their influence at the Colonial office, to procure the introduction into this Island of the system of Responsible Government—and that they have done so on the conditions that the local Legislature and Government should thenceforth avoid any interference with questions which might involve the interests of the proprietors.

Many other absurdities have been propagated from time to time by the enemies of popular liberty, in the vain hope of effecting a reaction in the public mind in reference to the question of a change of Government—but the ones above stated are those which have been the more prominently and pertinaciously urged.

Although our party had many obstacles to encounter, and powerful influences to combat in carrying out their views,—they had at least common sense and argument upon their side ; and just in proportion to our strength in this respect was the weakness of our adversaries. If anything served more than another to create distrust of their proceedings—disgust at their little chicanery—and disbelief in all their assertions—it was the employment of arguments at all times absurd and indefensible, and the recourse to modes of attack and defence, which the merest tyros in the science of political war with the worst possible cause would have scorned to adopt. *Assertion No. I* is disproved by the fact that the public expenditure is now £395 less than it was under the old

system. The amount then chargeable upon the Revenues, in the shape of salaries and fees, was £2705 :

Now it does not exceed £2310.

Here are the details :—

OLD CIVIL LIST.

Colonial Secretary.....	£400	0	0
Fees for issuing Licences.....	90	0	0
Registrar and Clerk of Executive Council....	150		
Clerk of Legislative Council.....	150		

(These offices and emoluments were all centred in one individual—an instance of monopoly that no other colony can parallel, and the abolition of which is one of the good points of Responsible Government).

Treasurer.....	£400	0	0
Attorney General.....	200	0	0
Collector of Excise.....	260	0	0
Surveyor General.....	100	0	0
Prothonotary.....	90	0	0
Road Correspondent.....	40	0	0
Inspector of Militia.....	75	0	0
Fees to Lt. Governor.....	60	0	0
Collector Customs.....	180	0	0
Salaries and Commission to Road Commissioners.....	410	0	0
	<hr/>		
	£2705	0	0
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NEW CIVIL LIST.

Colonial Sec. and Road Correspondent.....	£400	0	0
Treasurer.....	400	0	0
Clerk of Legislative and Executive Council..	120	0	0
Collector of Excise.....	200	0	0
Registrar and Keeper of Plans.....	200	0	0
Attorney General.....	150	0	0
Rd. Com. Salaries.....	300	0	0
Retiring allowance to late Col. Sec. and Attorney General.....	400	0	0
Comptrollers of Navigation Laws.....	75	0	0
Prothonotary.....	40	0	0
Inspector Militia.....	25	0	0
	<hr/>		
	£2310	0	0
Old Civil List.....	£2705	0	0
Saving to the Colony.....	395	0	0
	<hr/>		



In addition to this saving we have acquired by the introduction of Responsible Government control over the Permanent Revenue and Crown Lands, which are worth at least £1300 a year besides the disposal of the Fishery Reserves, which may be turned to great pecuniary account; so that notwithstanding our having to pay compensations to the late Colonial Secretary and Attorney General, we have a present gain of nearly *seventeen hundred pounds* by the change from the old to the new system of Government.

In reply to assertion No. 2, it may be observed that if the promoters of Responsible Government were actuated solely by a desire for office, they could have gratified that desire in part at least before Responsible Government was introduced, when the late Lieut-Governor offered our party three seats in the Executive Council, and when two others refused the Shrievalty for Queen's and Prince counties. I admit that it *was* the desire of our party to obtain office, but I deny that such was their *sole* desire. It was their desire to obtain office, because such was the wish of their constituents whose confidence they enjoy; because in the possession of office they would be responsible for the faithful discharge of their duties to Parliament, which the late incumbents were not; and because they could not legislate in connection with a Government which had on every question opposed the wishes of the people—mis-represented the objects and principles of the people's representatives, and mis-applied the people's money. It could not surely be supposed that the Liberal Party would consent to leave the old officials in power, after having routed them in every contest, beaten them at the Hustings and in the Legislature—and after having their principles recognized and allowed to be put in practice by Her Majesty's Government. Is it supposed that having obtained Imperial recognition of their principles the Liberal Party would turn round and say to their adversaries: "Now, we have gained all we sought for—you may remain in office

—we confide in your integrity, and appreciate your ability to serve the public, although we lately declared you to be unworthy of any confidence and incapable of effecting any improvement in the social and political conditions of the country ; but you must be accountable to Parliament for your conduct, and be ready to surrender your situations whenever public expediency may require the surrender”—which, in their opinion, would be—*never*.

It is impossible to believe that any other than a set of madmen or good-natured fools would adopt the policy which this language indicates ; and yet this is the very policy which the obstructionists complain of our not pursuing. They say it is positively wrong to take office, and brand us with every nickname their ingenuity can suggest,—“Snatchers,” “Demagogues,” and “Corruptionists,”—if we are supposed to entertain the idea of displacing them. But it is quite proper and praiseworthy, and to the public advantage, for themselves to retain, and snatch at, every office in the gift of the Crown.

Our object has been, and will be, to give encouragement to the talent of the country, and to stimulate honorable ambition by throwing open to the free competition of all, the avenues that lead to honors and emoluments ; *their* object has been and would be to the end of time, if undisturbed in their career, to repress every ennobling sentiment which elevates the breast of the poor man as well as that of the rich, by arrogating to themselves superior intelligence and respectability, and by exacting homage and obedience from all who dared to come between the wind and their nobility, and were not privileged to enter the charmed circle where they reigned supreme.

Having gone beyond the limits of the space assigned to myself, I must leave for the subject of another letter a consideration of the third and fourth objections stated above.

4.—MAY 26, 1851.

The next argument used against the introduction into this Island of the new system of Government is that which I placed third on the list at the commencement of my last letter. This argument asserts that members of the Assembly become corrupt so soon as they take office under Government and that therefore they should be declared ineligible to hold seats in the Assembly. It is impossible to conceive anything more egregiously absurd than this. It is impossible to assert anything more strikingly illustrative of the imbecility of those who use the argument. If true, the old party must have been incorrigibly corrupt—for several of the present minority held situations under the Government while members of the Legislature. Mr. Palmer was Solicitor General, Mr. Longworth, Commissioner of Small Debts Court, Mr. Haviland, Provost Marshal, Mr. Thornton, Clerk of the Crown, Commissioner of Small Debts Court and High Sheriff; and it would be easy to extend the list so as to include the names of gentlemen who held seats in former Parliaments, voting with those of the present minority, and holding offices under Government. If they were honest, as they claim to be, in the discharge of their official duties, how can it be predicated that other members of the Assembly would be dishonest, unless it can be proved that the only pure and upright men are to be found in the ranks of the Obstructives. But if office-holders are of necessity corrupt and dishonest, as the argument would shew them to be, then there would not have been one honest man connected with the late Government. Whether in or out of the Legislature, and subject to no control, they had every facility for practising fraud. In the Legislature, they must have been dishonest because they were in the Legislature;—this is the unhappy position in which this most absurd argument would place the

imbeciles who employ it. It is really a monstrous outrage upon common sense to suppose that the mere circumstance of excluding an official from the Legislature would keep him honest, if he were disposed to be otherwise. Now, the great merit of Responsible Government is, that it will prevent the possibility of corruption. Members of Assembly, on taking office, are compelled to return to their constituents; if not re-elected, in most cases they lose their offices as well as their seats in the Assembly; if re-elected, they, under the control of the majority in Parliament, who it cannot be presumed would band themselves together to connive at fraud and corruption on the part of one, two or three individuals,—they are further under the control of the Lieutenant Governor, whose positive duty it is to keep a vigilant watch on the faithful discharge of every branch of public service; they are further accountable to their constituents; if they demean themselves properly in office, they may reasonably hope to be continued so long as their party possess a majority in the House of Assembly; if otherwise they will be rejected by their constituents at a general election, and must retire from office whether their party have a majority or not. The only other topic to which I shall now beg to direct your attention is that reference to what is generally styled *The Land Question*. Our party are accused of having procured the intercession of the absentee Proprietors with the Majesty's ministers, to obtain for this colony Responsible Government; and the condition, it is asserted, upon which this mighty intercession was vouchsafed, is that our Government and Legislature should avoid any interference between the Proprietors and their Tenants on this Island; or, in brief, that we should shelve the *Land Question*. The first part of the accusation, if accusation it can be called, rests exclusively upon the authority of a London newspaper paragraph, published many months ago. No proof whatever is given for the second part. Now, if it were true that the absentee Proprietors did

exert their influence at the Colonial office, with the view of having extended to us the privileges of self government, the circumstance would have been eminently creditable to them, and would have contrasted most beautifully with the former proceedings of that body whose tendency was to keep the people of this Island in the most degrading servitude to an Oligarchic Faction. Besides it must be remembered that our party have been always heretofore regarded by our opponents as the sworn foes of the Proprietary party; whilst those opponents were their most steadfast friends—that we have been censured for having incurred the enmity of the Proprietors,—and that we have been admonished, time after time, to make place with them, and elicit their friendly interference on our behalf. Now, if it be true that we have buried the hatchet, and smoked the pipe of peace together, why are we held up to reprobation, and marked out for derision and contumely? What do our opponents want? They abuse us for making war with the Proprietors, and they fly into a towering passion at the faintest indications of peace! There is not, however, a particle of truth in the assertion as to the owners of land interesting themselves at the Colonial Office to procure for this Island Responsible Government. They are entitled to no credit for the concession, even though there were fifty London newspapers to promulgate the contrary. That proprietary influence was brought to bear upon the subject is an undeniable fact; but that influence was exerted with a view to withhold, not to extend, the concession. I state this fact upon the best authority, and if need be, I shall be prepared to prove it. When it was known in England that his Excellency Sir Alex Bannerman was appointed to administer the Government of this Island, some of the principal proprietors of land made a descent upon the Colonial office, to urge their objections and remonstrances against the introduction of the Responsible system. One old lady—who is the owner of certain lands in this colony

and not unknown to our little aristocratic coterie and fair gossiping dames in Charlottetown—went so far, I believe, as to invade the private apartment of the First Minister of the Crown, to besiege his Lordship with her peculiar notions of the impolicy of, and of the mischief which would result from, a gentleman who was deemed to be an exception to nearly all our preceding Governors, and would not therefore obstruct the legitimate action of the people's representatives. But is not the conduct of their agents in the House of Assembly the most convincing proof that the land proprietors have been and are hostile to the new system of Government? Would Mr. Douse and Mr. Yeo oppose that system if their principals in Britain were well disposed towards it. The first of these gentlemen is indebted chiefly, if not altogether, for his legislative position to the Rent Roll of the Selkirk Estate, he is in constant communication with the owner of that estate; would he have dared to have opposed that master, in whose "shoes" he delights to tread, if it were his wish that the people of this Island should have Responsible Government? As for Yeo, he knows Sir G. Seymour's opinions better than I can tell him, and he knows and must admit that Sir G. Seymour was no friend to Responsible Government. Then there is Mr. Thornton, another agent, and Mr. Palmer, a proprietor to some extent, would these gentlemen likewise have opposed the measure if, as is stated, the absentee landlords had entered into a solemn league and covenant to coerce Her Majesty's Government, to consent to its adoption, and thereby secure the important advantage to themselves of having "the Land Question" for ever afterward dead and buried. The gentlemen of the Legislature, whose names I have taken the liberty to introduce have been at all times the unwavering advocates of Landlord claims, and the exponents of Landlord opinions; and I must say that I think it would require more than an ordinary stretch of credulity to believe that all at once those

gentlemen would desert their chiefs, and run counter to their opinions, especially on a question whose successful issue was to be fraught with such immense advantage to themselves—if the assertion of their allies in the press be founded in fact,—as would be the non-interference policy between the proprietors and their tenants. It may be said that we have two land agents on our side of the House, and that they advocated Responsible Government under the direction of their employers. There is not an atom of ground upon which such an assumption could be raised. The gentlemen referred to are the Hon. Mr. Warburton and the Hon. Mr. Pope. The proprietors whom these agents represent never interested themselves in the politics of the Island. They are comparatively small holders, whose lands are well settled with a thriving and contented tenantry; one resides in Ireland, the other in the United States of America—both far removed from the Colonial office, both supremely indifferent to our petty political squabbles, both confident in the honesty and ability of their agents to manage their estates, both indulgent and generous to their tenants, whose attachment they have secured, and which attachment is the best guarantee for the security of their property,—the one having constant reason for perceiving, if his mind be at all open for enquiry, the injustice of denying to the people a proper and constitutional control over the administration of their own affairs; the other nursed within the bosom of a “fierce democracy,” his sympathy and predilections entwined with it, accustomed to regard the populace as the most essential element for all Governments, and desirous of seeing meted out to every people the fullest measure of liberty. To notice all that has been said in reference to “the Land Question,” and to the dispatch from Her Majesty’s Colonial Minister, dated Feb. 12th, 1851, interdicting a recurrence to the agitation of escheat, is neither my purpose nor inclination. The obstructives are at this moment in search of political capital,

and in pursuit of accusations against Government and the majority of the Assembly ; but if their future efforts in this laudable course be attended with no higher success than what has marked their past one, Government will have little reason to apprehend a hasty withdrawal of public confidence, and the majority of the Assembly will be troubled with few compunctuous visitings of conscience. When we are told that the Legislature and Government are instructed or commanded to abandon the " Land Question," we are naturally led to enquire, what do these terms imply? If Escheat, then our party cannot be said to have abandoned a question they never entertained, although one or two individual members of the party may have been favorable to it when it was the great question of the day. But if those who now constitute the majority of the Assembly had been at any time pledged to Escheat and abandon the measure for the sake of office, then they would not stand worse with the people than many of their opponents, who were at first the most rabid escheators in the Island,—changed, if not their views, at least their conduct, and ever after abused and persecuted every one who advocated escheat, and happened to be less pliant than they were themselves. Now, if the use of the terms " Land Question " imply any measure which may be adopted by the Legislature, having a tendency to improve the condition of the tenantry, then the allegation of its abandonment instantly falls to the ground, for the One-Ninth Bill and the Bill relating to the Costs of Distress shew that the majority of the Assembly are disposed to subserve the interests of the Tenant. Both these measures, and particularly the first, met with no favour from the Proprietors. Indeed, it is very well known that agents and proprietors on the Island are now getting up a memorial to the Queen, praying Her Majesty to withhold her assent from the One-Ninth Bill. But the best answer we can give to the croaking of the common enemy in reference to the Land Question is simply this :



That if they are so mightily concerned, as they pretend to be, for the welfare of the tenants, they should forthwith propound some scheme to ameliorate the condition of that class. Our opponents were for many years in possession of the Government; throughout the whole period of their career they not only did nothing to improve the condition of tenantry, but they virulently opposed every measure having that object in view.

Where can we find a parallel for the impudence and presumption of people who will charge their successors in office with not doing that which they had no inclination to do themselves?

5.—JULY 4, 1851.

His Excellency the Lieutenant Governor in Council having been this day pleased to appoint me to the office of Queen's Printer, the trust with which I have been long honoured to be, therefore, returned to your hands.

In justice to myself I may state that the appointment was procured by no entreaty or solicitation upon my part. It has been bestowed, I presume, as an acknowledgment of my humble exertions in conjunction with those of my fellow laborers, in the Legislature, to obtain for the inhabitants of this Colony that enlarged measure of Political liberty, and that truly British control over the administration of their public affairs, which are the boast and birthright of Englishmen, and the concession of which to the other British American Colonies has been attended with the happiest results.

Before many weeks you will again be called upon to exercise your elective franchise in conformity with the law; and in doing so you will have a suitable opportunity for recording your opinions, either in favor of or against the principles upon which your Government is now conducted. As I purpose to present myself for re-election you will likewise have an oppor-

tunity of deciding upon the merits or demerits of my past conduct, and your votes will enable me to determine whether I have pursued the course of an honest, faithful and independent representative or otherwise. I have, indeed, the presumption to think that I have served you to the full extent of my ability—that I have endeavored to meet your just wishes in regard to the local wants of the District; and taking my town long-established and well known political principles for my guidance in the discussion and settlement of public questions, I have been induced to believe that those principles happily met with your entire approbation.

Grateful as I am to His Excellency the Lieutenant Governor for my appointment to the office of Queen's Printer, and to the Party with which I have the honor to associate, for my elevation to a seat in the Executive Council, yet the position in which you placed me, on two occasions, as one of your representatives in Parliament, has been to me far more estimable than any honor or emolument which our Queen or her Representative could confer; and I must confess that it is with no little anxiety I look forward to that approaching period, when I trust to be restored to that position—when our mutual confidence and good-will shall be re-established—and my debt of gratitude to you be materially augmented.

6—Dec. 5, 1853.

“Snatchers,” “office hunters,” were some of the terms of reproach used by the Tories toward the Liberals, while the former, during the days of Sir Donald Campbell's Government, struggled to rise above the current of public opinion, even after the Legislature had more than once declared its want of confidence in their management of public affairs. But if the Liberals sought to obtain office, they did so because the Government was mal-administered under their predecessors, and the readiest if not the only way of reforming it was to

wedge out the enemies of reform ; yet in order to effect this, the popular party stooped to no meanness—practised no deception—not a constituency in the Colony had their feelings outraged nor their principles treacherously betrayed by any member pursuing a line of policy after the election different from what he promised to pursue while soliciting, cap in hand, the suffrages of the electors.

The majority of the last House pursued a straightforward, firm and constitutional course ; they demanded that change to be made in the constitution of the country which they were especially directed by their constituents to advocate, and which Her Majesty's Ministers were willing to concede. Sir Donald Campbell refused his compliance, and they straightway refused him the supplies. But the Tories—too impatient to wait for the arrival of that season of the year when the Legislature is usually called together, without having fairly listed the country, or learned the views of Her Majesty's Ministers on the subject, and after having coaxed, wheedled or humbugged two or three of the new members to violate the promises solemnly made to their constituents—demand, on the plea of protecting the public interests and securing the independence of the Assembly, such a change in the constitution as would not only, if acceded to, compel the retirement of the present Executive Council, but necessitate the repeal of the Civil List Bill, the operation of which was conditional on the establishment of Responsible Government. I have long been thoroughly convinced that the leaders of the Tory party have no intention of putting their new principle in practice.

The cry of securing the independence of the Assembly, which is a perfect delusion, because the Assembly is more independent under the present system than it can be under any other, originated with nobody but Duncan MacLean, who wanted some point whence to attack the party from which he apostatized, and is seriously entertained by none but a few noodles, whose little judgment he has trepanned, and who are

wholly incapable of forming any correct views of state policy. Even these differ among themselves about the mode of securing what they designate the independence of the Assembly. It is sufficient, says one of these brilliant statesmen, to exclude such officers as may be engaged in collecting or expending the revenue—the Secretary and the two Crown Law officers may be continued in the Assembly without detriment to the public service—(I will not pretend to say that a very deep interest in the welfare of Messrs. Palmer, Haviland and Longworth may possibly dictate this modification)—while another of the new constitution tinkers, with more seeming candour, exclaims “there must be none of the public servants in the House—if you exclude one, exclude them all.” Mr. Palmer having once held the office of Solicitor General while a member of the House must, for consistency sake, incline to the former view of the case ; and inasmuch as Messrs. Montgomery, Haviland Longworth, Yeo, Douse, etc., found no fault with his then retaining the two positions—(some of these gentlemen being petty office-holders themselves for a time, one of them having held the sinecure of Provost Marshall, by which he pocketted £150 a year)—I presume that some regard for consistency on their part, too, will induce them to be satisfied with the exclusion from the Assembly of the Collector of Excise and the Treasurer, more especially as the gentlemen to be appointed to these offices have no present prospect of getting constituencies. The excluding public officers from the Assembly, because they may become minions of the Crown, and neglect the duty which they owe to their constituents, is so transparent a humbug that it seems a waste of time to expose its fallacy. What motive can the Crown have in seeking to corrupt the representatives of the people ? Are the interests of the Sovereign so essentially opposed to those of Her subjects, that the former can only thrive at the expense of the latter. But even could we bring our minds to believe such a palpable untruth, it is not possible for the representative to practise with impunity

the smallest amount of corruption or lessen his independence, et him take what public office he may. We know that under our present law no member of the Assembly can take an official employment of any note without vacating his seat. Being out, according to the doctrine of our new constitution tinkers, he must be perfectly independent, but he returns to the hustings and asks his constituents to re-elect him—thus placing in their hands not only the decision as to his fitness or unfitness for office, but the disposal of its honors and emoluments. If the electors think he has ceased to be an honest man, and can no longer be a faithful and independent representative while he remains a servant of the Crown, they will, of course, reject him, and choose some more reliable person in his place; but if they see no reason to withdraw their confidence, and they again send him to the Assembly, is there any likelihood that he will become less faithful to his parliamentary trust than he had previously been. The desire implanted in the breast of every upright public man, to secure the confidence of his constituency, and, above all, the certainty that his seat cannot be held for a longer period than four years, without submitting to the ordeal of a public scrutiny into his parliamentary conduct, will ever be the best safeguard against the vice of infidelity. But are there no other checks—no other barriers to the evil so prematurely dreaded by the blind as well as the selfish and mercenary followers of Duncan MacLean? The office-holder in the Assembly, we may presume, is an adherent of the Government for the time being? Where is the minority? Is it not their duty to expose his conduct whenever it happens to be fraught with prejudice to the public interest? And are the other officers of the Government and the advisers of the Administrator to peril their positions by wilfully concealing evidences of bad faith, or instances of peculation on the part of any one of their brother members? But if the officer in question be one of those entrusted with the collection or payment of the general revenue, the treasurer for example, in addition to all the other

checks, he is required to give security to a very large amount for the due management of the funds entrusted to his care. And he is compelled at periodical seasons to submit the cash and accounts in his office to the examination of auditors, whose political prejudices and opinions, being at variance with his own, afford the best guarantee for the diligence and impartiality of their investigation. The objection most generally urged against members of the House of Assembly taking office is founded on the trite remark that "no man can serve two masters." The use of such an objection implies that the official duties of the Representative must clash with the obligations which he owes to his constituents. I cannot believe such unfathomable stupidity finds favor in any disingenuous mind, that is at all capable of reflecting on the subject, and enlightened by information and experience. Under our constitution, government is the offspring of the popular will, and, as such, it is impossible that any of the high officials—the heads of departments, as they are usually styled—can be in a state of war with the source whence they derive their authority; an efficient, responsible functionary and a faithless representative is an anomaly which cannot meet in the same person under the British constitution, and of which our colonial one is an imitation. It is in vain, however, to quote for the edification of the blockheads who fling this absurdity in your face, the example of British statesmen. It is in vain to ask how a minister of the Crown can retain in the House of Commons, not only the confidence, but the devotion of his constituents—enjoy, at the same time, peculiar marks of the Sovereign's favor, and, while he holds in his own person one of the highest offices, be the dispenser of some of the most lucrative employments and choicest honors of the state. It is in vain to refer even to provincial history, and ask any of those drivellers to point out the public man, who, since the advent of the departmental system, has sacrificed the hopes, the wishes, or the interests of his constituents at

the shrine of power. An intriguing family compact, driven from office by the progress of reform principles, aided by scribblers who would readily forge falsehoods for any faction which would give them pay or promises of plunder, may declaim in frenzied tones and spout half drunken ejaculations about the malversations of officials, and the discontent of the people ; but in no instance have they established a case of fraud against a public officer belonging to the progressive party, nor succeeded for any considerable length of time in their despicable efforts to poison the minds of the people. The obstructives in this Island are frantic with the thought that *their* deception has prevailed. That remains to be seen ; but if any of the Districts have been grossly deceived, as sure as justice, sooner or later, overtakes the crimes of the iniquitous, the deceived constituencies will find a fitting opportunity to chastise the temerity of their betrayers. There is no such thing as serving two masters under responsible Government. The member of Parliament, who may be honored with an official employment, gives to his constituents, on taking office, an additional guarantee that he will labor to retain their confidence and promote their interests ; for when he loses the former and neglects the latter, the prospect of retaining his place becomes small by degrees, and every day beautifully less. When Mr. MacGowan consented to take the office of treasurer he was fresh from his constituents,—he knew they gave him no advice *not* to take that office or any other that might be offered—(and I do remember that he said he would be glad to take the Road Correspondent's place if it could be had, because he could transact its business in connection with the shop)—he knew what the duties of the Treasury were, namely, to keep the cash and the accounts correctly—to pay warrants, small orders, receive the duties, the fines, fees and penalties, and collect the bonds ; he surely could not suppose that the performance of these duties would interfere with his independence, integrity, and fidelity to his

constituents. As I have already observed in reference to that office, he should every three months submit his accounts to the most searching audit, when not an error, involving the loss of a penny, could escape detection. How, then, was it possible for him to wrong his constituents by attending faithfully to his official duties which concern the public welfare; or to wrong the government, of which he would be a part, while he and his sureties would be bound for the honest discharge of his duties? I have already said that I do not believe the Tories would, if they had the chance, put their new principles in practice to any extent; but suppose they pass a Bill to allow no government officer a seat within the bar of the House, how would it work? An honorable member cannot take the Treasury or Excise himself, but he has a cousin, or a brother, or a brother-in-law, who has no more chance of getting a constituency than a bishopric, and who may be in needy circumstances. The "Honourable and learned member" is solicited to use his influence with the ministers in his behalf; will there then be no consideration in the matter? In the shape of a bonus out of the salary, or an extended credit on a treasury bond, by a convenient remissness in collecting it; or a consideration in any other way which the cupidity of the parties interested might suggest? Would the members of the assembly, thus shut out from office and honour themselves, with very honourable aspirations checked, content themselves with a paltry £30 a year, and be subject to all the annoyances and expenses of an election? Which of them would refrain from doing a quiet stroke of business, just to oblige themselves and friends, and pocket a *douceur* of £40 or £50 as a compensation for their trouble in getting an office for a friend in need? Such corruption is daily practiced in the American Congress, not only with respect to the obtaining of office, but it is well known in the United States that no measure involving local or private interests will receive the concurrence of that body, unless some of its members be extravagantly bribed, thus



making up by corrupt means what they lose by their ineligibility to office.

One good effect, however, which the full recognition of the new principle in our legislature would have, would be to keep the lawyers out of the Assembly; for make it a rule that the Attorney and Solicitor Generals are to be excluded as well as others, and you may rely upon it, that the "constitutional lawyer" would forego the honour of representing that remarkably influential and independent borough—the metropolis of your county—for his chance of the Solicitorship; nor would the honourable members who remain behind, *not* to mourn his absence nor dwell with fondness on the remembrance of *his* intellectual achievements, be left to yawn and gape under the soporific and "long drawn out" eloquence of his taller brother, who, wrapped in the gown of the Attorney-General, might then devote all his leisure to cultivate the grand obscure in argument, and study the most approved *nisi prius* tricks for the edification of the "gentlemen of the jury."

7— APRIL 13, 1867.

An election was held in the above mentioned District, on the 17th April, 1867, to fill the seats vacated by Mr. W. E. Clarke's appointment to the collectorship of customs, and Mr. Whelan's acceptance of the office of Queen's Printer. The following card to the electors, not having then appeared in the Press, will be read with interest:—

Gentlemen:—I regret that I have not been able to visit you, and thank you, personally, for your support at the last election.

I have since been appointed to the office of Queen's Printer by accepting which my seat became vacant in the House of Assembly. I was nominated again, on Wednesday last, for re-election, and I hope to have the pleasure of seeing many

of you, on election day, the 17th inst., at St. Peters, Morell, and the Head of St. Peter's Bay.

Some of my opponents, who imagine they can succeed in their canvass against me by misrepresentation, have attempted to speculate in false statements regarding my health. It affords me great happiness to assure you that I enjoy as good health as I have done for many years, though I am suffering from a cold which wintry weather seldom fails to bring to me.

Of the candidates who are asking for your suffrages, I will give you my opinion. With respect to my friend, Mr. Anthony McCormack, I will say this—that no truer Liberal could be found anywhere. He is well qualified by education and intelligence to fill the office of representative of the people; and his knowledge of the local wants of the District, which is a most essential requisite, renders him particularly worthy of your confidence and support. I unite my interests with his in the approaching contest, and I will be glad to hear of all my friends giving him their support in conjunction with myself.

Mr. Wm. H. McEwen is another candidate. He represents himself as a Liberal, because he knows the District is essentially Liberal, and that no candidate professing Tory principles would have the least chance of being elected. Mr. Reilly recommends him in the *Herald*, pretty much for the same reason; and we may safely conclude, from his having done so, that Mr. Reilly and Mr. McEwen go hand in hand in the contest. Indeed, it is very well known throughout the District that Mr. McEwen and his particular friends are canvassing for Mr. Reilly, while the friends of the latter are doing their very utmost to serve Mr. McEwen's interests. Now, where is there a particle of proof to establish Mr. McEwen's pretension to the name of Liberal? He voted for me, I believe, once, or perhaps, twice, but it was because all his neighbors did the same, and because it was morally certain

that I would be elected, even if he labored incessantly, day and night, to defeat me. Besides, Mr. McEwen was deeply interested in getting some of the public money laid out on a by-road leading to his own land, and I was the only member who ever gave a favorable consideration to the matter, and succeeded, from time to time, in getting a small grant of money for the road, in the hope that, in the usual way of competition, the money would find its way into the pockets of some deserving persons, and the road would, in time, become useful to the general public. Now, you all know that when Mr. DesBrisay offered as a candidate, some years ago, Mr. McEwen worked very hard for him, and presented him at one of the polling divisions. Was Mr. DesBrisay a Liberal then? No, but a very determined Conservative, as he is yet, and we may well be sure that Mr. Wm. McEwen agreed with him in his political principles. Again, on another occasion, he was the warm supporter of the late Mr. Cox, in an election contest, and every one knows that Mr. Cox claimed to belong to the Conservative party, whilst it must be admitted, his great enterprise as a ship-owner and merchant, combined with many generous traits of character, endeared him to a large number of people in the District. But his politics were certainly of the Conservative stamp, and Mr. McEwen could not be a true Liberal while so actively supporting a Conservative. I am well acquainted with Mr. McEwen's opinions on the Land Question, for he did not hesitate to make them known to me some years ago. Mr. McEwen was a freeholder long before the Worrell estate was purchased, by means of which many of you have become very prosperous in your circumstances. He paid a high price—about three pounds per acre—for his land; and when the poorer settlers on the Worrell estate obtained their lands, at prices ranging from six shillings to twelve shillings and six pence per acre, with a long term to pay for it, and a total remission of back rents, he considered that old freeholders like him

were placed at a great disadvantage by having the standard value of land so materially lessened, as hundreds of excellent farms, quite as valuable as his, were bought at eight, ten and twelve shillings and six pence an acre, which actually made that the value of the land. And just because Mr. McEwen had this selfish interest in view, he was opposed to the purchase of the Worrell estate, and would, I feel confident, have resisted that most beneficial measure if he had been a member of the House of Assembly. If such politicians as he had their way, the Land question would remain unsettled till the end of time.

Now, as for Mr. Reilly, who has given a certificate of character to Mr. McEwen, I have no hesitation in saying that I regard him as my special opponent. He was actuated in the first contest by a burning desire to put me out of the representation of the District, having an eye to the Queen's Printership, which he thinks he may yet get if I am defeated. When he found, however, at the late general election, that there was very little hope of defeating me, he professed to be opposed only to Mr. Clarke, on some frivolous pretences which he trumped up. But Mr. Clarke was an old, well-tried and faithful Liberal, and it did not say much for Mr. Reilly's professed Liberalism to act thus, especially as Mr. Clarke had been long in the field before him. There is one circumstance, however, which should have an important influence on your minds: Mr. Reilly is, like myself, a resident of Charlottetown. Now, I believe that no country District can be fairly and faithfully represented by two town members. My experience extending over twenty years, as one of your members, does not give me sufficient knowledge of the local wants of the district to say that I could attend to them as well as one residing in the District, whom you are in the habit of meeting every day, and to whom your desires could be easily made known, and I do not think that Mr. Reilly could acquire the requisite knowledge of those matters any better than I have

done ; so that it appears to me that if we were both elected, the district would not be the better for the selection, so far as the representation of its local interests is concerned. Then, gentlemen, it will be for you to determine whether Mr. Reilly or myself should be the non-resident member. I feel confident that it is not the desire of a majority of you to have two town members ; and therefore the contest must be between Mr. Reilly and myself.

Mr. Reilly's canvassers, amongst other false and disreputable means to which they resort, publicly use the name of his Lordship the Bishop of Charlottetown to influence the election in Mr. Reilly's favour, representing that worthy prelate as being especially anxious for the return of their candidate, and threatening with the displeasure of His Lordship every one who should vote against Mr. Reilly. That a threat of this nature was used among the people on Fortune Road, I have abundant evidence to prove ; and I must say it is a most disgraceful thing to take such unwarrantable liberty with the name of the Venerable Bishop. Whatever His Lordship's private feelings may be—and it is probable he may entertain a friendly regard for Mr. Reilly, as he does for all the other candidates—he has too much good sense and prudence, and too much regard for his sacred office, to wish that his name should be publicly used in a political contest. He has made no public expression of his views concerning the election, in the church or elsewhere—he has not given any written certificate of character to Mr. Reilly, for if he had we may be sure it would be with the view of having it published ; and I cannot see that His Lordship can have any special preference for Mr. Reilly, on religious grounds, for McCormack and myself are Catholics as well as he. No one understands better than His Lordship the Bishop does that by embroiling himself in an election contest, where Catholics are divided in opinion, respecting the political merits of certain candidates, a spirit of contention would be aroused that would be attended with the

very worst consequences to the community. Every Liberal and enlightened clergyman knows—and His Lordship well represents the most unbounded liberality of sentiment and intelligence—that undue clerical influence is very distasteful to a free people and discouraging to public liberty, while it frequently fails to accomplish the object at which it aims. In this age of progress and liberal ideas, all men are justly jealous of their right to unshackled freedom of opinion respecting political affairs, and will not willingly part with that right, in mere deference to any authority. I am, therefore, convinced that His Lordship the Bishop has not authorized his name to be used in the election contest; and those who do use it are doing that which is not agreeable to His Lordship's feelings.

Another specimen of the falsehoods hatched and circulated to promote Mr. Reilly's interests is that Mr. Coles, the popular leader of the present Government, is represented as using his influence on behalf of Mr. Reilly. I have Mr. Coles' own word for saying that this is a most unmitigated untruth. He assured me that he had never, up to that time, spoken with Mr. Reilly on the subject of the election, and it could not, therefore, be supposed that he was in any way concerned about his election prospects. Thus can falsehoods be detected and exposed; and I sincerely hope, as I believe, that they will fail to accomplish the object of their invention.

Mr. Reilly's friends speak in loud terms about a numerous signed Requisition to him. I have some knowledge of such requisitions, and never had much faith in them. I know, by unquestionable evidence, that Mr. Reilly's requisition is a very spurious document. It bears, in very many cases, the names of persons who never authorized their names to be appended to it; it bears in many other cases, the names of boys who are not qualified to vote; and certainly boys will not be allowed on Wednesday next such a latitude as they had at the last election. The requisition also bears the names of persons who were deceived by false pretences into signing

it, for the purpose of swelling the list of names, and thus endeavoring to make it appear that Mr. Reilly is a very popular candidate. I trust and believe that the intelligent electors will not be deceived by this piece of deception, but that they will poll their votes with that independence of which they are so justly proud, and which cannot be affected by a dirty roll of paper, hawked through the District for weeks past, and covered with fraudulent and worthless names.

I send you this address because there is not time for holding public meetings, nor is the weather favorable for such gatherings. I confidently hope and believe that the minds of a large majority of the electors of the District are still free from false impressions—that they will give me, as they have done for many years, their generous support, and that Mr. Anthony McCormack, the true and steadfast Liberal, without guile or hypocrisy, will also receive their support.



## ELOQUENCE AS AN ART.

The following correspondence explains itself :

CHARLOTTETOWN, JANUARY 29, 1864.

DEAR SIR ;—

I am requested by the Committee of the "Catholic Young Men's Literary Institute" to ask if you would be willing to give up for publication the Lecture you delivered before that body on "Eloquence as an Art," on Wednesday evening last. The object of the Committee in asking this favour is to afford to those who had not the pleasure of hearing the Lecture an opportunity of reading it in print; and influenced by that motive, respectfully ask you to permit its publication in any way that may be most agreeable to yourself.

I am, Dear Sir,

Yours, very respectfully,

W. W. SULLIVAN,

Secretary to Institute.

Hon. Edward Whelan.

CHARLOTTETOWN, JANUARY 30, 1864.

DEAR SIR ;—

I beg to acknowledge the receipt of your favour of the 29th inst., kindly conveying to me the request of the Committee of the "C.Y.M.L. Institute," to have my Lecture on Eloquence, &c., printed for general persual. While I admit that the request may be easily complied with, I cannot but regret that the Lecture is not more worthy of the consideration thus given to it. It was prepared, without much previous study, in the scant leisure hours of two days previous to its delivery. It cannot, therefore, be otherwise than very imperfect. However, imperfect as it is, it may be the means of awakening pleasant recollections of Fatherland, and making Irishmen



rejoice at the greatness and glory which illustrate the literary annals of their country ; while all who admire true eloquence, no matter what their nationality may be, cannot fail to be pleased with the extracts I have given from the speeches of Grattan and Curran, should they take the trouble to read a small and unpretending Pamphlet.

With these considerations, the request of the Committee is cheerfully complied with ; and I beg you will convey to them and receive for yourself the assurance of the profound respect of

EDWARD WHELAN.

Mr. W. W. Sullivan, Sec'y, C. Y. M. L. Institute.

LADIES AND GENTLEMEN—

You, Mr. President, are quite familiar with the anecdote of the Roman General, who, having been sent to subdue a hostile nation, found no enemy to confront him ; but in order to convince his countrymen that he had really visited the land to which he had been ordered, he commanded his soldiers to fill their knapsacks with pebbles, which they found on the beach, and which were paraded as a poor substitute for the “ tributaries ” that should

“——Follow him to Rome,  
To grace in captive bonds his chariot wheels.”

And every one is acquainted with the less classical but no less forcible anecdote of a man, who, having a fine brick mansion to sell, went about exhibiting a detached brick as a specimen of the whole edifice. When you have heard this Lecture you can make your choice of either anecdote—either will apply to it. To attempt to compass in a few pages, for the reading of which only an hour is allotted, a satisfactory view of the extent and richness of the annals of Irish Eloquence, with illustrations from the same, would be no less absurd than the act of the Roman General, when he attempted to convey an idea of the physical resources of an enemy's

country by some knapsacks of pebbles. And if you hope to obtain, in the same compass and same space of time, a view of the magnificent monuments which have been reared by Irish genius to one of the most ennobling arts with which the Almighty has gifted mankind, so might you be able to estimate the value of the mansion of which a specimen brick was carried about, not in the hand, I suspect, but in the hat of the owner.

Before I proceed to speak of Irish Eloquence, it may be necessary to offer a few remarks on Eloquence in general. Like the sister arts of Poetry, Music, Painting and Statuary, Eloquence of the highest order must be born with its possessor. Genuine eloquence cannot be acquired by any extent of study. Hard and persevering study will make good speakers, as it may make tolerably fair painters, singers, rhymers and sculptors; but the genius which is to give immortality to a work in any department of art is alone the gift of the Almighty; and we should be, as I hope we are, humbly thankful that this, like all other gifts of Omnipotence, is confined to no privileged class. The peasant as well as the peer may possess it; and instances are not rare in the history of civilized nations, showing how the peasant has raised himself to the condition of the peer, by the possession of this divine power. It is not, perhaps, more than once in a generation, in any country, that a true orator, like a true poet, rises to startle and delight mankind. God, for his own wise purposes, has made the gift thus rare, because, perhaps, it is too precious to be lavished on the mass of mankind, and because, perchance, if too general, might be used for pernicious purposes. It is, however, the duty of those who may not possess the gift of eloquence to study it carefully, in order to arrive at a correct appreciation of the art, and to be able to apply the tests by which genuine Eloquence may be detected from the spurious article which is so often palmed upon the world for the genuine, as is also the case in other departments of art. We have false coinage in Eloquence as

we have in money, and it behoves us to be on our guard to be able to detect the ring of the true metal in either case.

Eloquence—when soaring to its highest altitudes—exercises immense influence in the affairs of life. Religious, moral, economical, and political questions are all vastly controlled by the breath of the orator. He who can exercise the rare gift in all its natural and majestic force may sometimes hold the destinies of empires and of individuals in his hands. His powers are enormous. His responsibility to Society and to his Creator is equally so. It is given to him to bless or curse the sphere in which he moves—to be the benefactor or scourge of his country. Ancient and modern history presents remarkable instances of the power and influence of the orator in deciding the fate of nations—in sometimes plunging them into the dark abyss of war, inundating them with oceans of blood, and destroying the land-marks of peace, arts and civilization. And, again, the inspired lips of the orator, whose eloquence is attuned to softer and gentler chords, may win glorious chaplets to decorate the brow of the country of his love, to make its ways the ways of pleasantness, and all its paths the paths of peace. Pulpit eloquence is always solemn and impressive. The sanctity of the place in which it is employed—the holiness of the day usually dedicated to its exercise—the alienation of the mind from earthly cares, and the contemplation of the miracles of divine love and mercy with which most Christians are occupied in listening to a good sermon—are things which give to the pulpit orator of even passable powers immense sway over the hearts of his hearers. But when the pulpit orator is one whose soul overflows with the divine afflatus—whose lips unroll the majestic periods—“the words that glow and thoughts that burn”—which tell—as no ordinary lips could tell—the long tale of man’s sinfulness and the fearful price paid for his redemption—when the slumbering emotions of the hearts are stirred to their innermost depths, and hope and fear are alternately

excited—then Eloquence asserts its power as a heaven-born art—then may its influence be witnessed on the hitherto obdurate heart of the sinner; or in the fulness, brightness and ecstasy of the visions which fill the lately troubled spirit that toileth patiently and reverently through a world, wherein human sympathy lightened not its travails, but which indulged in dim imaginings of that distant bourne where weariness finds rest, and patient tribulation, reward.

It is well, then, that we should comprehend the full extent of the tremendous power that Eloquence of the highest order can wield. And what constitutes Eloquence of the highest order? Not merely the learning of the schools—not the pedantry of the rhetorician—not the polish and grace of the courtier, or the craft of the statesman; but the great God-like gifts of Truth and Earnestness—the self-sacrifice of a pure and lofty spirit to the cause which enlists the oratorical power. The rhetoricians define Eloquence to be “the art of persuasion.” To induce persuasion in the minds of his hearers, the orator must first convince them that he is himself in earnest—that he is truthful, to the extent of his conceptions, of the truth; and that he is willing to sacrifice every earthly consideration for the sake of that truth. This earnestness; and truthfulness, and self-devotion, when combined with a lively imagination, a well-balanced judgment, a large experience of the world, and liberal acquirements in the domain of knowledge—can never fail to make the true orator, whose impress will live forever in the country, honoured by his achievements, and be gratefully preserved in the language he has enriched.

Minds so gifted and endowed are exceedingly rare, and it is only the pressure of great events which now and then forces them into notice. If asked who are the great orators of the present day, speaking the English language on both sides of the Atlantic, it would be difficult to mention the names of more than three or four that would answer the description,

I have given. The United States of America abound with ingenious debaters—Congress has them in abundance—the Lecture Room is crowded with them—the Pulpits groan beneath the rumble of their thunder; but the lightning of genuine Eloquence is scarcely ever visible. Since the time of Patrick Henry—who, by the way, was an Irish Orator of the purest water that first added lustre to the stars of the infant Republic—since Randolph, Clay, Calhoun, Webster and Channing—all now in the same shadowy land with Patrick Henry—the United States have not witnessed the rise of one great orator, unless we make an exception in favor of Edward Everett, whom I have had opportunities of listening to, and from all I have read as emanating from the other great men whose names I have mentioned, I do not believe he has ever come up to their standard. The Eloquence of our public men in the Colonies—and upon this point I must speak cautiously—is not certainly of a very inferior order, but it is not of the highest order—it will not give enduring fame to the history of the Colonies—it will not shed a ray of glory round their records such as the Eloquence of Curran, Grattan, Flood, O'Connell, Shiel gives to the annals of Ireland—such as the eloquence of Burke, Sheridan, Canning, and other great Irish Orators has given to the debates of the Imperial Parliament—such as the magnificent oratory of the great Lord Chatham, and the exquisitely polished periods of Lord Bolingbroke, gave to the Parliamentary Eloquence of England of a bygone generation.\* It is

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\* I should not like to convey the impression that our Colonial Legislatures have not been, or are not yet distinguished for eloquence of a high order. In the Parliament of Nova Scotia, few men, in any country, could surpass, and not many could equal, the late James B. Uniacke, when in the full vigor of his health and faculties, about twenty years ago. He had a fine, commanding figure, and a voice of singular power, melody and sweetness. The Hon. Mr. Howe, his contemporary, his rival, and latterly his friend and companion in political strife, was often equal to Mr.

a marvellous fact that in the British House of Commons at the present day—the most august assembly upon earth, in which there is more learning and genius and rank than in any other public body of which we have any knowledge—there is not one man who rises to the dignity of oratory except Mr. Gladstone, the Chancellor of the Exchequer. To the House of Lords the same remark will, to nearly the same extent,

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Uniacke in glorious bursts of eloquence, and generally his superior in wit and humor, in solid argument, and in matters of detail; but Uniacke was the orator *par excellence*. The Hon. S. G. W. Archibald, formerly Chief Justice in this Island, and in his latter years Master of the Rolls in Nova Scotia, who preceded Howe and Uniacke in his entrance into public life, bore a very high reputation for great oratorical power. I can only remember him when the “sere and yellow leaf” had fallen on his days, and when, calm as a glorious autumnal evening, he closed a useful and well spent life. The Hon. William Young and the Hon. J. W. Johnston should not be passed over in a note of this kind. The opportunity for oratorical displays on the part of the former is now passed by—the stateliness and dignity of the Bench checks the impulse to passionate and brilliant declamation, which was felt on the floor of the House, and which often enraptured Parliament and People. The ardour of Mr. Johnston’s eloquence has likewise passed away. He is not on the Bench, indeed, although I should be glad to see him there; but he has no “foeman” in the House, in the absence of Uniacke, Howe and Young, “worthy of his steel;” and the polished rapier, which he used with so much effect against such valiant foes, must e’en now rust in the scabbard. The Parliament and people of Nova Scotia are, however, justly proud of his genius, and will not soon part with the recollection of the great intellectual combats in which he was one of the most prominent figures. If he was not often the victor in his contests with Uniacke, Howe, and Young, he was never daunted by their triple strength; and to vanquish such a foe was an honor in which the three might not be ashamed to participate. I know so little of the public men of Canada and New Brunswick, that I cannot speak with accuracy as to their merits in the department of Eloquence. The two great names that occupy a high place in the Canadian annals of Eloquence are Papineau, in the last, and D’Arcy McGee in the present, generation. The one is a French descendant, and the other an Irishman; both claim Canada for their country; and Canada has certainly no reason to be ashamed of them.

apply. Lord Bougham and, perhaps, Lord Derby, are the only two peers whose names can be brought in competition with the Chathams or Bolingbrokes of a past age, or with the Macaulays and Lyndhursts of a later day. Still, there are great debators in both branches of the Imperial Legislature. Lord Russell cannot make so brilliant a speech as the late Lord Macaulay or as the late Lord Lyndhurst, but he is more practical than either—he is more of a business man—the nation will listen to him for his wisdom and sagacity—for his vast experience, his knowledge of the world—and will pardon the stutter and hesitancy of his manner for the plain truths which he inculcates, and which are more valuable to the nation than the brilliant corruscations which flashed from the lips of Macaulay or Lyndhurst at fitful intervals. In the House of Commons, I may point to Lord Palmerston as the greatest and most influential debater after Sir Robert Walpole that ever swayed the destinies of the British Empire. It is well known that he never made a speech that could be pronounced an eloquent one in the true sense of that term ; but the greatest orators that ever adorned the House of Commons—neither Pitt, Fox, Sheridan, nor Burke—exercised so much influence and for so long a period as Lord Palmerston. Either of these orators far transcended Palmerston in the higher modes of eloquence,—in fact, the veteran Premier could not for one moment compare with any of them in making a brilliant speech. Sheridan and Burke charmed and delighted Parliament and people by sudden bursts of great oratorical power ; but their influence, or I should rather say, the glamour which their genius, like a wizard's spell, spread over the nation, died away almost with the echoes of their voice ; while Palmerston's vigorous common sense, couched in unadorned homely Saxon phrase, sinks into the minds of the people who, like himself, are bent upon practical pursuits—who could not understand or appreciate the flowing periods, the attic

wit, the brilliant metaphor, the classic turn of thought with which the finished orator would embellish his discourse.

I have thus hastily sketched the true character of Eloquence and the condition in which we find it in two great branches of the human family. I have glanced at the United States, at the Colonies, and I have run my eye rapidly through the British Parliament. The sketch I know to be lamentably imperfect, but time will not allow me to make it better. I cannot, however, leave this branch of my subject without inviting your attention, for one moment, to the great and learned profession of the law in England. There is no profession in the world in which there is so much talent and learning centred as in that profession—it constantly recruits the Commons and Peerage of Great Britain, and is frequently giving valuable additions to our literature. In England its members are counted by thousands; and he who attains high rank in it, where the number of competitors is so great, must possess extraordinary powers. Parliamentary influence or great noble connections will sometimes procure a seat on the Bench for an active Barrister; but there is not, perhaps, an instance upon record, except a recent one, where we have seen that great genius as an orator; combined with high integrity and legal acumen, have effected that consummation so devoutly to be wished for by all who wear the long robe. You must perceive that I allude to the elevation of Mr. Shee. He was an Irish Barrister, and a Catholic one, without any Parliamentary influence,—he had no high connections in the Peerage, and he had no pre-eminent claim, upon the Ministry. But the Ministry—controlling the action of the Lord Chancellor—have, for the first time, since Catholic Emancipation, paid a graceful tribute to Irish genius in the high department of Eloquence by appointing Mr. Shee to a Judgeship, and this they did without considering his religion to be a disqualification. How the Orange bigots of Prince Edward Island must gnash their teeth in



bitterness of soul, when they reflect that a Catholic Judge has been deemed worthy of administering law to Protestant England! How they would fume and rage if a Catholic Barrister, supposing we had one of brilliant genius and character, were raised to the Bench in this Colony! But this is not the point I wish to observe here. Nearly all the English papers have heartily commended Mr. Shee's appointment—they praise the Ministry for this tardy act of justice; but they lament that in Mr. Shee's leaving the Bar he leaves no orator behind him! This is a splendid tribute to Irish genius in the department of Eloquence, to say that amongst the thousands of Englishmen and Scotchmen who fill the Inns of Court in England—who have access to the Parliament and to the halls of the Nobility—who have rank and wealth—and who are illustrating by their learning and talents the most laborious, most abstruse and, perhaps, most useful of all the professions—a Catholic Irish Orator in a Protestant country is considered the only man worthy of wearing the ermined robes.

But let us now turn to the country which rejoices in having given birth to the new Judge, and glance at a period when it might have been truly said she *was*

“ Great, glorious and free,

First flower of the Earth, and first gem of the Sea.”

The memorable year of 1782 was the golden era of Ireland's independence and prosperity. For nearly thirty years before that time, the Parliament of Ireland maintained a struggle, with more or less vigour, against the Parliament of England as to the right of the latter to make laws for the Government of Ireland. This assumed right was based upon a Statute passed in the reign of Henry the Seventh, commonly called Poyning's law, under which the trade and commerce of Ireland were greatly fettered. The result was, that the country was impoverished, and the Parliament of Ireland

was a mere slave to the English Minister. Irish resistance to English pretensions culminated shortly after the close of the American war. England was humbled by that war, as well as by the wars between herself and France and other European Powers. Her Army was withdrawn from Ireland, and then sprang up the most splendid organization ever witnessed in ancient or modern times—splendid because it was spontaneous, because it was an outburst of patriotism, because it was unsupported by the Crown, because it was always loyal to the Crown, and because the Crown was forced to rest upon it for the defence of its authority. The Army of Cornwallis, just returned from their defeat in America, spread themselves, to a great extent, though Ireland; and spread, likewise, the liberal opinions which they imbibed on this side of the Atlantic. The remnant of the army of Cornwallis became incorporated with the Volunteers of Ireland—they could not understand why Ireland should not aspire to freedom as well as America; and their enthusiasm, experience, and valour greatly served to increase the efficiency of the Volunteers. In the face of a great Army, thus improvised, while England was weak, she was not able to resist the just demands of the Irish Parliament, and reluctantly conceded legislative independence to Ireland in 1782, under which every impediment to trade and commerce was removed, and the country attained to a degree of prosperity such as she never before or since experienced. Arts and manufactures were liberally encouraged—the most splendid edifices were erected in every city—some of the costliest public buildings in the metropolis of the Kingdom, such as the Four Courts, the Rotunda, and the Custom House in Dublin, were built during the eighteen years which elapsed between the Rise and Fall of the Irish Nation. The wealthy Nobility spent their large revenues in Dublin, and every species of art was stimulated by generous patronage. Lord Clare, who was no friend to Ireland, and who was one

of those who helped to destroy her nationality, declared in one of his speeches, "that no nation on the habitable globe advanced in cultivation, commerce and manufactures with the same rapidity as Ireland from 1782 to 1800." Another author, alluding to the marvellous mental activity which was one of the happy results of legislative freedom in Ireland, says:—"Cities, and temples, and canals, and highways, are perishable, but the fragments of the ennobled mind of a nation live on through ages, when all else has perished. We can readily imagine, indeed, how the mind of Ireland was ennobled by the radiant action of her native parliament; how her youth prepared themselves for a distinguished manhood in the Senate, at the Bar, or in the walks of well-fostered Science. We can imagine her classic youth of the University, who, from drinking in the eloquence of Cicero or Demosthenes in the day, came to *hear* eloquence as inspiring, as lofty, and as pure, from the living lips of Grattan, Flood, Burgh, or Curran, in the evening. All that history relates of the proud and virtuous Cato was realized before his eyes in the inflexible Henry Flood; all that is in eloquence attributed to Demosthenes was realized to his ravished senses in the equally eloquent harangues of Grattan; and Cicero found an embodiment in the philosophic and transcendent Curran. This teaching of the Irish mind produced a race of scholars, philosophers, patriots, and orators, whose brilliant track in the field of time stands out a beacon light, inviting their admiring posterity to a vigorous emulation."

Sir Jonah Barrington, alluding to this period in his "Rise and Fall of the Irish Nation," says:—"The habits of commerce and the pursuits of avarice had not, at this period, absorbed the spirit or contracted the intellect of the Irish people. That vigorous, comprehensive and pathetic eloquence so peculiar to Ireland, which grasped at once the reason and the passions, still retained its ascendancy at the bar, and its pre-eminence in the Senate; and the Commons House of

Parliament, about the period of Lord Clare's first introduction into public notice, contained as much character, as much eloquence, and as much sincerity, as any popular assembly since the most brilliant era of the Roman republic."

A far higher authority than Sir Jonah Barrington depicts in more forcible and glowing language the greatness and prosperity of Ireland when the Volunteers, with arms in their hands, demanded Legislative independence and free trade. Henry Grattan, whose patriotism and genius were the chief instruments in effecting the Revolution of that time, thus bears testimony to the proud attitude of the Irish nation, contrasted with the weakness and prostration of England:—

"England now smarts under the lesson of the American war; the doctrine of Imperial legislation she feels to be pernicious; the revenues and monopolies annexed to it she has found to be untenable: she lost the power to enforce it; her enemies are a host pouring upon her from all quarters of the earth; her armies are dispersed; the sea is not hers; she has no minister, no ally, no admiral, none in whom she long confides, and no general whom she has not disgraced; the balance of her fate is in the hands of Ireland. 'You,' said the orator, addressing the Irish Parliament, on the 19th of April, 1780, in support of a motion claiming the Legislative independence of Ireland— 'You are not only the last connection of England, you are the only nation in Europe that is not her enemy. Besides, there does, of late, a certain damp and spurious supineness overcast her arms and councils, miraculous as that vigour which has lately inspirited yours;—for with you everything is the reverse: never was there a Parliament in Ireland so possessed of the confidence of the people: you are the greatest political assembly now sitting in the world: you are at the head of an immense army; nor do we only possess an unconquerable public force, which has touched all ranks of men like a visitation. Turn to the growth and spring of your country, and behold and admire

it ; where do you find a nation, who, upon whatever concerns the rights of mankind, expresses herself with more truth or force, perspicuity or justice ? not the set phrase of scholastic men, not the tame unreality of court addresses, not the vulgar raving of a rabble, but the genuine speech of liberty, and the unsophisticated oratory of a free nation.'”

Grattan's fame as an orator rests chiefly on his speeches in the Irish Parliament ; and on three events in that Parliament : 1st. His advocacy of free trade and a free Parliament ; 2nd. His support of the Catholic claims to a participation in the benefits of the Constitution ; and 3rd. His strenuous opposition to the Act of Union. For the first, his grateful country presented him with a magnificent gift of Fifty Thousand Pounds Sterling, which he truly said was no more than his deserts ; and for the second and third, all Irishmen, no matter whether Catholics or Protestants, who truly love their country and despise intolerance and prejudice, will forever venerate his memory. The year after the Act of Union, in 1801, Mr. Grattan was elected to a seat in the Imperial Parliament, which he held until 1820, where he signalized himself by unwavering devotion to the cause of the Catholics ; but his eloquence did not appear to possess that force, fire and majesty which characterised it in his own country. He certainly did not command in the British House of Commons anything like the influence which he exercised in the Irish House. He died in 1820, and though his health was enfeebled for several years before his death, that event was undoubtedly precipitated by his devotion to the Catholic cause. Contrary to the advice of his medical attendants, he left Ireland to attend Parliament, solely for the purpose of presenting a petition in favour of Catholic claims ; but he never survived the fatigue of the voyage. His death was regarded as a national calamity, and lamented by all ranks and conditions of men in the Empire. His remains were deposited in Westminster Abbey, at the earnest solicitation

of his English admirers, of whom Lord Brougham, who has paid an eloquent tribute to Grattan's memory, was one of the foremost.

Before giving a brief summary of Grattan's intellectual character, I shall give two or three specimens of that forcible, vehement, brilliant, and antithetical style of oratory, which was altogether original with him—which has baffled imitation, and which has never been excelled in any modern assembly, nor, perhaps, by the best orators of ancient times. The first extract I shall give will be from his speech in the House of Commons, on the 19th April, 1780, wherein he admonishes his countrymen in the Irish House to cast aside the yoke of the Imperial Parliament, and declare for Irish legislative independence:—

“Do not,” says he, “tolerate a power—the power of the British Parliament, over this land, which has no foundation in utility or necessity, or empire, or the laws of England, or the laws of Ireland, or the laws of nature, or the laws of God,—do not suffer it to have a duration in your mind.

“Do not tolerate that power which blasted you for a century, that power which shattered your loom, banished your manufactures, dishonoured your peerage, and stopped the growth of your people; do not, I say, be bribed by an export of woollen, or an import of sugar, and permit that power which has thus withered the land to remain in your country and have existence in your pusillanimity.

“Do not suffer the arrogance of England to imagine a surviving hope in the fears of Ireland; do not send the people to their own resolves for liberty, passing by the tribunals of justice and the High Court of Parliament; neither imagine that, by any formation of apology, you can palliate such a commission to your hearts, still less to your children, who will sting you with their curses in your grave for having interposed between them and their Maker—robbing them of an immense occasion, and losing an opportunity which you did not create, and can never restore.

“Hereafter, when these things shall be history, your age of thralldom and poverty, your sudden resurrection, commercial redress, and miraculous armament, shall the historian stop at liberty, and observe—that here the principal men amongst us fell into mimic trances of gratitude—they were awed by a weak ministry, and bribed by an empty Treasury—and when

Liberty was within their grasp, and the temple opened her folding doors, and the arms of the people changed, and the zeal of the nation urged and encouraged them on, that they fell down, and were prostrated at the threshold.

“I might, as a constituent, come to your bar, and demand my liberty. I do call upon you, by the laws of the land and their violation, by the instruction of eighteen counties, by the arms, inspiration, and providence of the present moment, to tell us the rule by which we shall go—assert the law of Ireland—declare the liberty of the land.

“I will not be answered by a public lie in the shape of an amendment ; neither speaking for the subject’s freedom, am I to hear of faction. I wish for nothing but to breathe, in this our Island, in common with my fellow subjects, the air of liberty. I have no ambition unless it be the ambition to break your chains, and contemplate your glory. I never will be satisfied so long as the meanest cottager in Ireland has a link of the British chain clanking to his rags ; he may be naked—he shall not be in iron ; and I do see the time is at hand, the spirit is gone forth, the declaration is planted ; and though great men should apostatize, yet the cause will live ; and though the public speaker should die, yet the immortal fire shall outlast the organ which conveyed it, and the breath of liberty, like the words of the holy man, will not die with the prophet, but survive him.”

The great error of Grattan’s public life consisted in not taking a leading part in the movement for Parliamentary Reform, as he alone was able to do, when that measure was pressed upon the attention of the Irish House of Commons by the Armed Volunteers, with Lord Charlemont and all the leading men of Ireland at their head. Although the Irish House achieved a brilliant victory over the English Ministry, when the latter was weak, and when a sudden glow of patriotism was diffused through the former by the Volunteers, still the Irish House was radically corrupt and venal, and in eighteen years fell a victim to the corruptions of Lord Castlereagh and the other minions of power. Grattan saw, when it was too late, the error he committed in taking a neutral position in the agitation for Parliamentary Reform. This neutrality was induced by two circumstances. His great services to the nation were, for a short time, under-

valued,—by one of those strange infatuations which will sometimes take possession of the public mind, the idol of public affection was hurled from his throne, and Henry Flood became the reigning deity. Grattan, though not jealous of Flood, still felt that he was injured by the undue preference given to the latter, and left his great rival to work out Parliamentary Reform as best he might. Flood was not equal to the task, though his popularity was great, and he possessed talents of a high order. Besides, Grattan held too high an opinion of the virtue and patriotism of his countrymen in the Irish Parliament. He regarded the majority of the Parliament as bold and as incorruptible as himself. He viewed them from the standpoint of his own excellence ; and in this he was greatly deceived. Had the Parliament been reformed, when the Convention of Armed Volunteers demanded it—when the British Ministry dreaded it, as the crisis of the peaceful revolution of 1782\*—when Parliamentary Reform could have been accomplished through the genius, energy and courage of Grattan, some of the private friendships of that great man would have remained unbroken—the Rebellion of 1798 might have been averted ; and certainly the Parliament of Ireland would have been purged of the venality which gnawed into its vitals,—no English Minister could purchase it, and no Union would have been effected.

\* The Right Hon. Charles James Fox, who was in the Government of England at the time, was greatly excited at the attitude presented by the Irish Volunteers in their demand for Parliamentary Reform. He knew that it was in *their* power to accomplish the object in view if the leaders of the people were thoroughly united. In writing to the Irish Viceroy of that day, he says :—“I want words to express to you how *critical*, in the genuine sense of the word, I conceive the present moment to be ; if the Volunteers will not dissolve in a reasonable time, Government, and even the name of it, must be at an end.”

I have not space for a detail of the events thus briefly



noticed. The Act of Union met with the unqualified opposition of Grattan on all occasions. In sickness or in health his courageous and eloquent voice was raised against it. His patriotism never shone more brightly than it did in his struggles against the Union. Neither the frown of the Minister, nor the insolence of Power, nor the infirmity of body, ever prevented him from denouncing the measure as suicidal to the liberties of his country; but, on the contrary, his elquence glowed and sparkled under ministerial opposition—his courage, in the possession of which quality no man was his superior, rose with the great occasion; and if apparently docile in the absence of a foe—gentle always to those who enjoyed his affections, simple as a child in the domestic circle, playful as a boy to those who knew him well and could appreciate the outpourings of an undefiled heart,—yet he was fierce as a lion, and more unconquerable than one, when the whole phalanx of the English and Irish Ministry assailed him. In one of the debates on the Union question he was very violently attacked by a member of the Irish Government, Mr. Chancellor Corry, and he replied in the following strain of invective, the most scathing and eloquent ever uttered:—

“Has the gentleman done? Has he completely done? He was unparliamentary from the beginning to the end of his speech. There was scarce a word that he uttered that was not a violation of the privileges of the House; but I did not call him to order—why? because the limited talents of some men render it impossible for them to be severe without being unparliamentary. But before I sit down I shall show him how to be severe and parliamentary at the same time. On any other occasion I should think myself justifiable in treating with silent contempt anything which might fall from that honorable member; but there are times when the insignificance of the accuser is lost in the magnitude of the accusation. I know the difficulty the honorable gentleman labored under when he attacked me, conscious that, on a comparative view of our characters, public and private, there is nothing he could say that would injure me. The public would not believe the charge. I despise the falsehood. If

such a charge were made by an honest man, I would answer it in the manner I shall do before I sit down. But I shall first reply to it when not made by an honest man.

“The right honorable gentlemen has called me ‘an unimpeached traitor.’ I ask, why not ‘traitor,’ unqualified by any epithet? I will tell him; it was because he dare not. It was the act of a coward, who raises his arm to strike, but has not the courage to give the blow. I will not call him villain, because it would be unparliamentary, and he is a privy councillor. I will not call him fool, because he happens to be Chancellor of the Exchequer. But I say he is one who has abused the privilege of parliament and freedom of debate to the uttering of language, which, if spoken out of the House, I should answer only with a blow. I care not how high his situation, how low his character, how contemptible his speech; whether a privy councillor or a parasite, my answer would be a blow. He has charged me with being connected with the rebels: the charge is utterly, totally, and meanly false. Does the honorable gentleman rely on the report of the House of Lords for the foundation of his assertion? If he does, I can prove to the committee there was a physical impossibility of that report being true. But I scorn to answer any man for my conduct, whether he be a political coxcomb, or whether he brought himself into power by a false glare of courage or not. I scorn to answer any wizard of the Castle throwing himself into fantastical airs. But if an honorable and independent man were to make a charge against me, I would say: ‘You charge me with having an intercourse with the rebels, and you found your charge upon what is said to have appeared before a committee of the Lords. Sir, the report of that committee is totally and egregiously irregular.’

“The right honorable member has told me I deserted a profession, where wealth and station were the reward of industry and talent. If I mistake not, that gentleman endeavored to obtain those rewards by the same means; but he soon deserted the occupation of a barrister for those of a parasite and pander. He fled from the labor of study to flatter at the table of the great. He found the lord’s parlor a better sphere for his exertions than the hall of the Four Courts; the house of a great man a more convenient way to power and to place; and that it was easier for a statesman of middling talents to sell his friends, than for a lawyer of no talents to sell his clients.

“For myself, whatever corporate or other bodies have said or done to me, I from the bottom of my heart forgive them. I feel I have done too

much for my country to be vexed at them. I would rather that they should not feel or acknowledge what I have done for them, and call me traitor, than have reason to say I sold them. I will always defend myself against the assassin: but with large bodies it is different. To the people I will bow: they may be my enemy—I never shall be theirs.

“At the emancipation of Ireland, in 1782, I took a leading part in the foundation of that constitution, which is now endeavored to be destroyed. Of that constitution I was the author; in that constitution I glory; and for it the honorable gentleman should bestow praise, not invent calumny. Notwithstanding my weak state of body, I come to give my last testimony against this Union, so fatal to the liberties and interests of my country. I come to make common cause with these honorable and virtuous gentlemen around me; to try and save the constitution; or, if not to save the constitution, at least to save our characters, and remove from our graves the foul disgrace of standing apart while a deadly blow is aimed at the independence of our country.

“The right honorable gentleman says I fled from the country after exciting rebellion, and that I have returned to raise another. No such thing. The charge is false. The civil war had not commenced when I left the kingdom; and I could not have returned without taking a part. On the one side there was the camp of the rebel; on the other, the camp of the minister, a greater traitor than that rebel. The stronghold of the constitution was nowhere to be found. I agree that the rebel who rises against the government should have suffered; but I missed on the scaffold the right honorable gentleman. Two desperate parties were in arms against the constitution. The right honorable gentleman belonged to one of those parties, and deserved death. I could not join the rebel—I could not join the government—I could not join torture—I could not join half-hanging—I could not join free quarter—I could take part with neither. I was therefore absent from a scene where I could not be active without self-reproach, nor indifferent with safety.

“Many honorable gentlemen thought differently from me: I respect their opinions, but I keep my own; and I think now, as I thought then, *that the treason of the minister against the liberties of the people was infinitely worse than the rebellion of the people against the minister.*

“I have returned, not as the right honorable member has said, to raise another storm—I have returned to discharge an honorable debt of gratitude to my country, that conferred a great reward for past services, which, I am proud to say, was not greater than my desert. I have returned to pro-

fect that constitution, of which I am the parent and the founder, from the assassination of such men as the honorable gentleman and his unworthy associates. They are corrupt—they are seditious—and they, at this very moment, are in a conspiracy against their country. I have returned to refute a libel, as false as it is malicious, given to the public under the appellation of a report of the committee of the Lords. Here I stand ready for impeachment or trial: I dare accusation. I defy the honorable gentleman; I defy the government; I defy their whole phalanx; let them come forth. I tell the ministers I will neither give them quarter nor take it. I am here to lay the shattered remains of my constitution on the floor of this House in defence of the liberties of my country.”

Another beautiful passage on the Union question I cannot forbear reading. Eloquence, poetry, passion, patriotism, are all combined in it:—

“The constitution may be *for a time* so lost: the character of the country cannot be lost. The ministers of the crown will, or may perhaps at length find that it is not so easy to put down for ever an ancient and respectable nation, by abilities, however great, and by power and by corruption, however irresistible; liberty may repair her golden beams, and with redoubled heat animate the country; the cry of loyalty will not long continue against the principles of liberty; loyalty is a noble, a judicious, and a capacious principle; but in these countries loyalty, distinct from liberty, is corruption, not loyalty.

“The cry of the connection will not, in the end, avail against the principles of liberty. Connection is a wise and a profound policy; but connection without an Irish Parliament is connection without its own principle, without analogy of condition, without the pride of honor that should attend it; is innovation, is peril, is subjugation—not connection.

“The cry of disaffection will not, in the end, avail against the principles of liberty.

“Identification is a solid and imperial maxim, necessary for the preservation of freedom, necessary for that of empire; but, without union of hearts—with a separate government, and without a separate parliament, identification is extinction, is dishonor, is conquest—not identification.

“Yet I do not give up the country: I see her in a swoon, but she is not dead: though in her tomb she lies helpless and motionless, still there is on her lips a spirit of life, and on her cheek a glow of beauty—

“Thou art not conquered; beauty’s ensign yet  
Is crimson in thy lips and in thy cheeks,  
And death’s pale flag is not advanced there.”

While a plank of the vessel sticks together, I will not leave her. Let the courtier present his flimsy sail, and carry the light bark of his faith with every new breath of wind : I will remain anchored here with fidelity to the fortunes of my country, faithful to her freedom, faithful to her fall."

Grattan's Philippic against his former friend Flood has been often quoted, as a masterly display of oratorical power. I do not believe that anything equal to it has been ever uttered ; certainly it would be difficult to find any composition in the English language so severe and cutting. The Irish House of Commons permitted Mr. Flood to make a most ungenerous attack on Mr. Grattan, in which the latter was denounced as " a mendicant patriot," who, having been provided for by the nation, sold his country to the Government " for prompt pay ;" the House could not, therefore, refuse to bear Mr. Grattan in reply, and he was only too glad to avail himself of the opportunity thus afforded, and which he had artfully provoked. I will read a short extract from his speech :—

" But it is not the slander of an evil tongue that can defame me. I maintain my reputation in public and in private life. No man, who has not a bad character, can ever say that I deceived ; no country can call me a cheat. But I will suppose such a public character. I will suppose such a man to have existence ; I will begin with his character in his political cradle, and I will follow him to the last state of political dissolution.

" I will suppose him, in the first stage of his life, to have been intemperate ; in the second, to have been corrupt ; and in the last, seditious : that, after an envenomed attack on the persons and measures of a succession of viceroys, and after much declamation against their illegalities and their profusion, he took office, and became a supporter of Government, when the profusion of ministers had greatly increased, and their crimes multiplied beyond example ; when your money bills were altered without reserve by the council ; when an embargo was laid on your export trade, and a war declared against the liberties of America. At such a critical moment I will suppose this gentleman to be corrupted by a great sinecure office to muzzle his declamation, to swallow his invectives, to give his assent and vote to the ministers, and to become a supporter of Government, its measures, its embargo, and its American war. I will suppose that he was

suspected by the government that had bought him, and in consequence thereof, that he thought proper to resort to the arts of a trimmer, the last sad refuge of disappointed ambition ; that, with respect to the constitution of his country, that part, for instance, which regarded the mutiny bill, when a clause of reference was introduced, whereby the articles of war, which were, or hereafter might be, passed in England, should be current in Ireland without the interference of her Parliament ; when such a clause was in view, I will suppose this gentleman to have absconded. But a year and a half after the bill had passed, then I will suppose this gentleman to have come forward, and to say, that your constitution had been destroyed by the perpetual bill. With regard to that part of the constitution that relates to the law of Poynings, I will suppose the gentleman to have made many a long, very long, disquisition before he took office, but, after he had received office, to have been as silent on that subject as before he had been loquacious. That, when money bills, under color of that law, were altered year after year, as in 1775 and 1776, and when the bills so altered were resumed and passed, I will suppose that gentleman to have absconded or acquiesced, and to have supported the minister who made the alteration ; but when he was dismissed from office, and a member introduced a bill to remedy this evil, I will suppose that this gentleman inveighed against the mischief, against the remedy, and against the person of the introducer, who did that duty which he himself for seven years had abandoned. With respect to that part of the constitution which is connected with the repeal of the 6th of George the First, when the adequacy of the repeal was debating in the House, I will suppose this gentleman to make no kind of objection ; that he never named, at that time, the word renunciation ; and that, on the division on that subject, he absconded ; but, when the office he had lost was given to another man, that then he came forward, and exclaimed against the measure ; nay, that he went into the public streets to canvass for sedition, that he became a rambling incendiary, and endeavored to excite a mutiny in the volunteers against an adjustment between Great Britain and Ireland, of liberty and repose, which he had not the virtue to make, and against an administration who had the virtue to free the country without buying the members.

“ With respect to commerce, I will suppose this gentleman to have supported an embargo which lay on the country for three years, and almost destroyed it ; and when an address in 1778, to open her trade, was propounded, to remain silent and inactive ; and with respect to that other part of her trade, which regarded the duty on sugar, when the merchants were examined in 1778 on the inadequate protecting duty, when the

inadequate duty was voted, when the act was recommitted, when another duty was proposed, when the bill returned with the inadequate duty was submitted, when the altered bill was adopted, on every one of those questions I will suppose the gentleman to abscond; but a year and a half after the mischief was done, he out of office, I will suppose him to come forth and to tell his country, that her trade had been destroyed by an inadequate duty on English sugar, as her constitution had been ruined by a perpetual mutiny bill. With relation to three-fourths of our fellow-subjects, the Catholics, when a bill was introduced to grant them rights of property and religion, I will suppose this gentleman to have come forth to give his negative to their pretensions. In the same manner I will suppose him to have opposed the institution of the Volunteers, to which we owe so much, and that he went to a meeting in his own country to prevent their establishment; that he himself kept out of their associations; that he was almost the only man in this House that was not in uniform; and that he never was a volunteer until he ceased to be a placeman, and until he became an incendiary.

“With regard to the liberties of America, which were inseparable from ours, I will suppose this gentleman to have been an enemy decided and unreserved; that he voted against her liberty; and voted, moreover, for an address to send 4,000 Irish troops to cut the throats of the Americans; that he called these butchers ‘armed negotiators,’ and stood with a metaphor in his mouth and a bribe in his pocket, a champion against the rights of America, the only hope of Ireland, and the only refuge of the liberties of mankind.

“Thus defective in every relationship, whether to constitution, commerce, toleration, I will suppose this man to have added much private improbity to public crimes; that his probity was like his patriotism, and his honor on a level with his oath. He loves to deliver panegyrics on himself. I will interrupt him, and say: Sir, you are much mistaken if you think that your talents have been as great as your life has been reprehensible; you began your parliamentary career with an acrimony and personality which could have been justified only by a supposition of virtue; after a rank and clamorous opposition you became on a sudden *silent*; you were silent for seven years; you were silent on the greatest questions, and you were silent for money! In 1773, while a negotiation was pending to sell your talents and your turbulence, you absconded from your duty in parliament, you forsook your law of Poynings, you forsook the questions of economy, and abandoned all the old themes of your former declamation; you were not at that period to be found in the House; you were seen, like

a guilty spirit, haunting the lobby of the House of Commons, watching the moment in which the question should be put, that you might vanish; you were descried with a criminal anxiety, retiring from the scenes of your past glory; or you were perceived coasting the upper benches of this House like a bird of prey, with an evil aspect and a sepulchral note, meditating to pounce on its quarry. These ways—they were not the ways of honor—you practised pending a negotiation which was to end either in your sale or your sedition; the former taking place, you supported the rankest measures that ever came before Parliament—the embargo of 1776, for instance. ‘O fatal embargo, that breach of law and ruin of commerce!’ You supported the unparalleled profusion and jobbing of Lord Harcourt’s scandalous ministry—the address to support the American war—the other address to send 4,000 men, whom you had yourself declared to be necessary for the defence of Ireland, to fight against the liberties of America, to which you had declared yourself a friend;—you, Sir, who delight to utter execrations against the American commissioners of 1778, on account of their hostility to America;—you, Sir, who manufacture stage thunder against Mr. Eden, for his anti-American principles;—you, Sir, whom it pleases to chant a hymn to the immortal Hampden;—you, Sir, approved of the tyranny exercised against America;—and you, Sir, voted 4,000 Irish troops to cut the throats of the Americans fighting for their freedom, fighting for your freedom, fighting for the great principle,—*liberty*; but you found at last (and this should be an eternal lesson to men of craft and cunning), that the King had only dishonored you; the Court had bought but would not trust you; and having voted for the worst measures, you remained for seven years the creature of *salary*, without the confidence of Government. Mortified at the discovery, and stung by disappointment, you betake yourself to the sad expedients of duplicity; you try the sorry game of a trimmer in your progress to the acts of an incendiary; you give no honest support to the Government or the people; you, at the most critical period of their existence, take no part, you sign no non-consumption agreement, you are no volunteer, you oppose no perpetual mutiny bill, no altered sugar bill; you declare that you lament that the declaration of right should have been brought forward; and observing, with regard to prince and people, the most impartial treachery and desertion, you justify the suspicion of your Sovereign by betraying the Government, as you had sold the people; until at last, by this hollow conduct, and for some other steps, the result of mortified ambition, being dismissed, and another person put in your place, you fly to the ranks of the volunteers, and canvass for mutiny; you announce that the country was ruined



by other men during that period in which she had been sold by you. Your logic is, that the repeal of a declaratory law is not the repeal of a law at all, and the effect of that logic is, an English act affecting to emancipate Ireland, by exercising over her the legislative authority of the British Parliament. Such has been your conduct, and at such conduct every order of your fellow-subjects have a right to exclaim! The merchant may say to you—the constitutionalist may say to you—the American may say to you—and I, now say, and say to your beard: Sir, you are not an honest man."

Flood made a feeble attempt at a reply to this speech, and then left the House. Grattan was already absent, and it was apprehended that a duel would ensue. Both members were, however, taken into custody, and bound over to keep the peace; and no evil results followed. The language used by both members, in this great contest, was, in the highest degree, unparliamentary—that is, considering what is or what is not "parliamentary," according to the interpretation at present put upon parliamentary precedents. If, in our apology for a Parliament, one member said against another anything half so severe as Flood said against Grattan, or Grattan said against Flood, there would be a tremendous uproar about "breach of privileges;" and the Sergeant-at-Arms would be seen flourishing his white stick over the offending member, at the dictation of an arbitrary and conceited majority, who would not be considered worthy to tie the latches of the shoes of either Grattan or Flood.

Mr. Grattan pays a high tribute to the memory of his rival, whom he survived, in the following paragraph, which occurs in a pamphlet addressed by him in reply to some publications that emanated from Lord Clare on the Union question:—

"Mr. Flood, my rival, as Lord Clare's pamphlet calls him, had faults; but he had great powers, great public effect; he persuaded the old, he inspired the young; put into his hand a distaff, and, like Hercules, he made sad work of it; but give him the thunderbolt and he had the arm of a Jupiter; he misjudged when he transferred himself to the English Parlia-

ment; he forgot that he was a tree of the forest, too old to be transplanted at fifty; and his seat in the British Parliament is a caution to the friends of union to stay at home, and make the country of their birth the seat of their action."

Mr. Grattan's own experience, as a member of the British Parliament, gave a sad verification to the truth of the remark contained in the last part of this quotation.

From what I have written, and from the extracts I have read, you can now form some estimate of Grattan's style of eloquence. His reported speeches have been long the theme of admiration with scholars, commentators and poets. They all agree in placing him in the first rank as a cultivator of that Art which he so nobly practised for the glory and liberty of his country. As a pure, disinterested, unselfish patriot, he had no superiors in any age or country;—for courage, for virtue in all its godlike shapes, he stands likewise unsurpassed. And as to his eloquence, it is not my own opinion I shall offer, but the opinions of others, to shew that he had scarcely a rival and no victor in ancient or modern times. "Of all the great Parliamentary orators," says one of his biographers, "whose speeches have been preserved, those of Grattan are most worthy of perusal by the reflective and the studious. The speeches of Pitt and Sheridan read in the study as so much rhetoric: Fox's orations are the massive remains of a wonderful debater: the purposes of the hour—the interests of his party—occupy too large a space in all his speeches, which, after all, were 'made to be spoken, and not to be read.' Burke had two distinct styles—one grave and didactic, as in his American speeches, which are spoken essays, when he wearied his hearers though he delighted his readers. In the other style he was diffuse, and essentially rhetorical. But Grattan blended two styles into one, and dazzled those who listened to him, while he spoke so as to instruct even posterity. He was never surpassed for the union of philosophical principles and oratorical

energy." Lord Brougham, who is a great authority on eloquence, says: "No orator of his age is his equal in the easy and copious flow of most profound, sagacious and liberal principles, enunciated in terse, and striking, but most appropriate language." Sir James McIntosh, a great scholar, a fine speaker, and no less celebrated in the walls of literature than Brougham, thus speaks of Grattan: "When the illustrious dead are gathered in one tomb, all national distinctions fade away; and not even the illustrious names of Burke and Wellington were more certainly historical than that of Grattan."

"More than any Irish patriot of his age, Grattan was cautious as to the means he employed. It was not enough to have glorious ends—he strenuously insisted throughout his life on the necessity of worthy means. His moral character stands out in prominent relief amidst the venality and selfishness of his contemporaries." The great reformer and philanthropist, Wilberforce, said of him:—"I never knew a man whose patriotism and love for his country seemed completely to extinguish all private interests, and to induce him to look invariably to the public good."

One short extract, full of eloquence, pathos and beauty, from the pen of the Rev. Sidney Smith, one of England's greatest ornaments in literature, and one of the truest friends that mankind ever had—and I shall conclude this imperfect sketch of Grattan. Alluding to the vile slanders against the people of Ireland by their English persecutors and oppressors, the Rev. Sydney Smith exclaims:

"Thank God that all is not profligacy and corruption in the history of that devoted people—and that the name of Irishman does not always carry with it the idea of the oppressor or the oppressed—the plunderer and the plundered—the tyrant or the slave. Great men hallow a whole people, and lift up all who live in their time. What Irishman does not feel proud that he has lived in the days of Grattan? Who has not turned to him for comfort from the false friends and open enemies of Ireland? Who did not remember him in the days of its burnings, and wastings, and murders? No Government ever dismayed him—the world could not bribe him—he thought only of Ireland—lived for no other object—dedicated to her his

beautiful fancy, his elegant wit, his manly courage, and all the splendour of his astonishing eloquence. He was so born and so gifted, that poetry, forensic skill, elegant literature, and all the highest attainments of human genius, were within his reach ; but he thought the noblest occupation of a man was to make other men happy and free ; and in that straight line he went on for fifty years, without one of his side-look, without one yielding thought, without one motive in his heart which he might not have laid open to the view of God and man. He is gone !—but there is not a single day of his honest life of which every good Irishman would not be more proud than of the whole political existence of his countrymen—the annual betrayers and deserters of their native land.”

George the Fourth visited Ireland in 1821. The Irish people, in one of their fits of madness to which a mercurial race is subject, abased their high spirit and almost worshipped the brainless and licentious despot. No English monarch ever received such an ovation in Ireland as

“ The fourth of the fools and the despots called George ; ”

and I venerate the memory of Byron for having lashed our countrymen for their servility on that occasion, as he does in his inspiring poem of the “ Irish Avatar,” in which he alludes to the genius of Grattan, as a great man who could not stoop to worship a worthless lump of clay like George the Fourth.

“ Ay roar in his train ! let thine orators lash  
 Their fanciful spirits to pamper his pride—  
 Not thus did thy Grattan indignantly flash  
 His soul o’er the freedom implored and denied.

Ever glorious Grattan, the best of the good !  
 So simple in heart, so sublime in the rest—  
 With all which Demosthenes wanted, endued,  
 And his rival or victor in all he possessed.

Ere Tully arose in the zenith of Rome,  
 Though unequalled, preceded, his task was begun ;  
 But Grattan sprang up like a god from the tomb,  
 Of ages the first, last, the saviour, the *One* !

With the skill of an Orpheus to soften the brute ;  
 With the fire of Prometheus to kindle mankind—  
 Even Tyranny, listening, sate melted or mute,  
 And Corruption shrunk scorched from the glance of his mind.”

## CURRAN.

I have left myself scarcely any time to speak of Curran, whose character I intended to sketch in connection with the subject of eloquence, of which he was as much a master in his own peculiar line as Grattan. Curran was no statesman like Grattan, nor did he ever distinguish himself in Parliament as an orator, though he always ranked himself on the popular side. His patriotism was as unselfish and incorruptible as that of any other man of his time ; and his courage prompted him to overleap every obstacle, and to treat even with scorn and derision the bayonets of the British soldiery presented to his breast, when the Law Courts were crammed with the armed myrmidons of the Castle, to overawe the eloquent advocate while vindicating the cause of truth, justice and mercy in the persons of the unfortunate victims of English misrule, placed upon their trials for high treason. Confronting the armed mercenaries on one occasion in the four Courts, while in the midst of a burst of passionate eloquence, Curran said : "You may assassinate, but you shall not intimidate me." The Law Courts during the prosecution of the State Trials, which grew out of the conspiracy of what was called the United Irishmen, and which precipitated the unfortunate rebellion of 1798—were the theatres of his great achievements. In fact, his whole public life centred in those trials. They left him no leisure for Parliamentary displays, even if he had the taste for Parliamentary duties. But his talents and inclination unfitted him for Parliament. He was not capable of grasping economic details, and dealing with dry acts of Parliament. But when an innocent man was doomed to legal assassination through the villainy and perjuries of a hired informer—where he saw

the liberties of his country cloven down through organized rascality hounded on by Government—where he saw the very fountains of justice poisoned at their source—there was Curran unsurpassed for boldness, eloquence, integrity and patriotism. But his speeches on such occasions, says his biographer, “will for ever remain less as models of eloquence than as examples of patriotism and undying exhortations to justice and liberty.” Yet where, in all the range of printed oratory, can we look for more eloquent and spirit-stirring passages than some of his speeches on the State Trials will supply? Several of the speeches delivered on those trials were suppressed by the Government. Those which are preserved to us cannot be inferior to any that are lost. Though Curran never wrote his speeches before delivery, and took very meagre notes of what he had to say, they read throughout like the most finished compositions, perfect and compact in all their parts. For the great speech in defence of Hamilton Rowan which has been always admired, he had only a few disjointed catch words, such as “Liberty of the Press,” “Volunteers,” and “Catholic Emancipation,” and on these topics he poured out a flood of eloquence “unapproached,” says a high authority, “by anything in Cicero or Erskine.” I must advise you to read that speech wherever you can find it, and, indeed, to read all Curran’s speeches on the State Trials; but as we all cannot have the benefit of their perusal, I must solicit your patience, while I read one short passage, which, though often recited at Debating Societies, will never lose its freshness and relish any more than if it were the finest poem in our language.

“This paper, gentlemen, insists upon the necessity of emancipating the Catholics of Ireland, and that is charged as part of the libel. If they had waited another year. If they had kept this prosecution impending for another year, how much would remain for a jury to decide upon, I should be at a loss to discover. It seems as if the progress of public information was eating away the ground of the prosecu-

tion. Since the commencement of the prosecution, this part of the libel has unluckily received the sanction of the legislature. In that interval our Catholic brethren have obtained that admission, which, it seems, it was a libel to propose; in what way to account for this, I am really at a loss. Have any alarms been occasioned by the emancipation of our Catholic brethren? has the bigoted malignity of any individuals been crushed? or has the stability of the government, or that of the country been weakened; or is one million of subjects stronger than four millions? Do you think that the benefit they received should be poisoned by the sting of vengeance? If you think so, you must say to them—‘You have demanded emancipation, and you have got it; but we abhor your persons, we are outraged at your success, and we will stigmatise by a criminal prosecution the adviser of that relief which you have obtained from the voice of your country.’ I ask you, do you think as honest men, anxious for the public tranquility, conscious that there are wounds not yet completely cicatrized, that you ought to speak this language at this time, to men who are too much disposed to think that in this very emancipation they have been saved from their own parliament by the humanity of their Sovereign? Or do you wish to prepare them for the revocation of these improvident concessions? Do you think it wise or humane at this moment to insult them, by sticking up in a pillory the man who dared to stand forth as their advocate? I put it to your oaths; do you think that a blessing of that kind, that a victory obtained by justice over bigotry and oppression, should have a stigma cast upon it by an ignominious sentence upon men bold and honest enough to propose that measure? to propose the redeeming of religion from the abuses of the church, the reclaiming of three millions of men from bondage, and giving liberty to all who had a right to demand it; giving, I say, in the so much censured words of this paper, “UNIVERSAL EMANCIPATION!” I speak in the spirit of the British law, which makes liberty commensurate with and inseparable from British soil; which proclaims even to the stranger and the sojourner, the moment he sets his foot upon British earth, that the ground on which he treads is holy, and consecrated by the genius of UNIVERSAL EMANCIPATION. No matter in what language his doom may have been pronounced; no matter what complexion, incompatible with freedom, an Indian or an African sun may have burnt upon him; no matter in what disastrous battle his liberty may have been cloven down; no matter with what solemnities he may have been devoted upon the altar of slavery: the first moment he touches the sacred soil of Britain, the altar and the god sink together in the dust; his soul walks abroad in her own majesty; his body swells beyond the measure of his chains, that burst from

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around him ; and he stands redeemed, regenerated, and disenthralled by the irresistible genius of UNIVERSAL EMANCIPATION."

The following short passage on the liberty of the press is far superior to the eloquent and often admired remarks of Sir James McIntosh, on the same subject, in the famous libel case at the suit of Napoleon Bonaparte. Curran's tribute to the liberty of the press—the great bulwark of all other liberty—has never been surpassed for eloquence, spirit, grace and beauty of composition, as well as for the lessons of wisdom which it imparts to rulers and ruled in every land :—

"What then remains? The liberty of the press *only*—that sacred palladium, which no influence, no power, no minister, no government, which nothing, but the depravity, or folly, or corruption of a jury, can ever destroy. And what calamities are the people saved from, by having public communication left open to them? I will tell you, gentlemen, what they are saved from and what the government is saved from; I will tell you also to what both are exposed by shutting up that communication. In one case, sedition speaks aloud and walks abroad; the demagogue goes forth—the public eye is upon him—he frets his busy hour upon the stage; but soon either weariness, or bribe, or punishment, or disappointment, bears him down, or drives him off, and he appears no more. In the other case, how does the work of sedition go forward? Night after night the muffled rebel steals forth in the dark, and casts another and another brand upon the pile, to which, when the hour of fatal maturity shall arrive, he will apply the torch. If you doubt of the horrid consequence of suppressing the effusion even of individual discontent, look to those enslaved countries where the protection of despotism is supposed to be secured by such restraints. Even the person of the despot there is never in safety. Neither the fears of the despot, nor the machinations of the slave, have any slumber—the one anticipating the moment of peril, the other watching the opportunity of aggression. The fatal crisis is equally a surprise upon both: the decisive instant is precipitated without warning—by folly on the one side or by frenzy on the other; and there is no notice of the treason, till the traitor acts. In those unfortunate countries—one cannot read it without horror—there are officers whose province it is to have the water which is to be drunk by their rulers sealed up in bottles, lest some wretched miscreant should throw poison into the draught.

"But, gentlemen, if you wish for a nearer and more interesting example,



you have it in the history of your own revolution. You have it at that memorable period when the monarch found a servile acquiescence in the ministers of the folly—when the liberty of the press was trodden underfoot—when venal sheriffs returned packed juries, to carry into effect those fatal conspiracies of the few against the many—when the devoted benches of public justice were filled by some of those foundlings of fortune, who, overwhelmed in the torrent of corruption at an early period, lay at the bottom, like drowned bodies, while soundness or sanity remained in them; but, at length, becoming buoyant by putrefaction, they rose as they rotted, and floated to the surface of the polluted stream, where they were drifted along, the objects of terror and contagion, and abomination.

“In that awful moment of a nation’s travail, of the last gasp of tyranny, and the first breath of freedom, how pregnant is the example! The press, extinguished, the people enslaved, and the prince undone. As the advocate of society, therefore—of peace—of domestic liberty—and the lasting union of the two countries—I conjure you to guard the liberty of the press, that great sentinel of the state, that grand detector of public imposture; guard it, because, when it sinks, there sinks with it, in one common grave the liberty of the subject, and the security of the crown.”

There is another speech I should like you all to read—it is especially worthy of the consideration of every one who has an interest in seeing villainy exposed, truth and justice vindicated—for the young barrister it is a model upon which too much study cannot be employed—and for mankind it is something to make them proud by the reflection that the human intellect is able to achieve such triumphs as it exhibits. Forensic eloquence never attained loftier heights than it did in Curran’s speech on the trial of Peter Finnerty. A man named Orr was convicted of high treason on the most outrageous perjured evidence. The Jury, after the verdict, sent in a written instrument, declaring that several of their body had been made drunk, and they know not what they did when they agreed to a verdict of guilty. The Vice-regal Court was petitioned, under these circumstances, to exercise the prerogative of mercy on behalf of Orr, and for a time delayed his punishment. But the vampires of the Castle thirsted for the blood of the innocent man, and he was

executed. Peter Finnerty, printer of a paper called the *Press*, published a strong remonstrance against the Government for this act of cruelty, and he was prosecuted for libel. On the trial the Government made no attempt to deny the facts of the case ;—it was clearly proved that Orr was judicially murdered, and his murderer was an infamous wretch of an informer, who was afterwards hung himself, named Jemmy O'Brien ; but the Government rested its case on the ground that publications such as Finnerty's were calculated to bring the Administration into contempt. Thank God we live in a time when such a plea would be of no avail. When a Government gets into contempt by its own folly, or treachery or tyranny, all the world now recognizes the propriety and necessity of an honest and independent Press exposing it. Curran got his brief in Finnerty's case only a few minutes before it was called on ; he had no time for preparation ; but the speech delivered by him on that occasion was the ablest ever made by any advocate. He himself preferred it to all his other efforts ; and although authors often greatly err in their opinions of their own works, as, for example, Milton, when he preferred *Paradise regained* to *Paradise Lost*, Curran's preference in this case has been justified by the judgment of contemporaries and critics. One author says, speaking of this speech : “ His account of the duties of a public writer deserves to be the very Bible of the Press, it heroically directs and so wisely justifies them, and his narrative of Orr's fate goes on so tenderly, so gently, so grandly,—that one hardly knows whether to admire its sagacity, pause upon its lavish beauties, or weep over its sorrows. It is the lament of an angel.”

No other country in the world has suffered so much from the infamy of the Informer as Ireland did during the troubled period of what is commonly called the Rebellion of '98, but which, as Grattan truly described, was not so much the rebellion of the people against the Government as the rebellion of the Government against the people.

The Informer was the chief instrument of Government in all its prosecutions against the unhappy victims of misrule ; he was, in most cases, the shadow of the hangman, for when he made his appearance in the witness box, the hangman was considered to be close at hand. It is not possible to conceive that amongst the demons of the infernal regions there was such a concentration of villainy, ruffianism and cold-blooded cruelty, as the Government Informer presented in his own person, and Curran has depicted his hideous character in colors which can never perish :—

“ The traverser has charged the Government with the encouragement of informers. This, gentlemen, is another small fact that you are to deny at the hazard of your souls and upon the solemnity of your oaths. You are, upon your oaths, to say to the sister country, that the Government of Ireland uses no such abominable instrument of destruction as informers. Let me ask you honestly, what do you feel, when in the face of this audience you are called upon to give a verdict that every man of us, and every man of you know, by the testimony of your own eyes, to be utterly and absolutely false? I speak not now of the public proclamation for informers, with a promise of secrecy, and of extravagant reward. I speak not of the fate of those horrid wretches who have been so often transferred from the table to the dock, and from the dock to the pillory ; I speak of what your eyes have seen, day after day, during the course of this commission, from the box where you are now sitting, the number of horrid miscreants, who acknowledge upon their oaths that they had come from the seat of Government, from the very chambers of the Castle, where they had been worked upon, by fear of death and the hope of compensation, to give evidence against their fellows ; that the wholesome and merciful councils of this Government are holden over these catacombs of living death, where the wretch that is buried a man lies till his heart has time to fester and dissolve, and is then dug up a witness.

“ Is this a picture created by a hag-ridden fancy, or is it a fact? Have you not seen him, after his resurrection from that region of death and corruption, make his appearance upon the table, the living image of life and of death, and

the supreme arbiter of both? Have you not marked when he entered how the stormy wave of the multitude retired at his approach? Have you not seen how the human heart bowed to the supremacy of his power, in the undissembled homage of deferential horror? how his glance, like the lightning of heaven, seemed to rive the body of the accused, and mark it for the grave, while his voice warned the devoted wretch of woe and death,—a death which no innocence can escape, no art allude, no force resist, no antidote prevent. There was an antidote—a juror's oath; but even that adamant chain, that bound the integrity of man to the throne of eternal justice, is solved and molten in the breath that issues from the informer's mouth; conscience swings from her moorings, and the appalled and affrighted juror consults his own safety in the surrender of his victim.

‘Et quæ sibi quisque timevat,  
Unius in miseri exitium conversa tubere.’

“Informers are worshipped in the temple of justice, even as the devil has been worshipped by Pagans and savages,—even so, in this wicked country, is the informer an object of judicial idolatry—even so is he soothed by the music of human groans,—even so is he placated and incensed by the fumes and by the blood of human sacrifices.

“Give me leave to put another point to you—what is the reason that you deliberate—that you condescend to listen to me with such attention? Why are you so anxious, if, even from me anything should fall tendering to enlighten you on the present awful occasion? It is because, bound by the sacred obligations of an oath, your heart will not allow you to forfeit it. Have you any doubt that it is the object of O'Brien to take down the prisoner for the reward that follows? Have you not seen with what more than instinctive keenness this blood-hound has pursued his victim? how he has kept him in view from place to place until he haunts him through the avenues of the court to where the unhappy man stands now, hopeless of all succour, but that which your verdict shall afford. I have heard of assassination by sword, by pistol and by dagger, but here is a wretch who would dip the Evangelists in blood; if he thinks he has not sworn his victim to death, he is ready to swear, without mercy and without end; but oh! do not, I conjure you, suffer him to

take an oath ; the hand of a murderer should not pollute the purity of the Gospel ; if he will swear let it be on the *knife*, the proper symbol of his profession."

I must now close, but it is with some reluctance, the very imperfect sketch of Curran. Another night will come, I hope, when I shall again have the honor of speaking to you on Irish eloquence, and it is not likely the name of Curran will be allowed to pass in silence. He must be a cold Irishman who is not proud of him,—proud of his great name—proud of the monuments which he has given to the forensic eloquence of his country, more enduring than brass or marble.

" His life was full of labor, daring, patriotism and love. He shrunk from no toil, and feared no peril for country and fame and passion. He was no pedant,—good by rule or vicious by calculation. He strove, because he felt it noble and holy and joyous to be strong, and he knew that strength comes from striving. He attained enormous power—power of impassioned eloquence, and he used that power to comfort the afflicted, to guard the orphan, to rescue his friend, and avenge his country. A companion unrivalled in sympathy and wit ; and an orator whose thoughts went forth like ministers of nature, with robes of light and swords in their hands ; a patriot who battled best when the flag was trampled down, and a genuine, earnest man, breathing of his climate, his country, and his time. His countrymen should study what he was and did, and his country guard his fame."

The study of the actions of great men is one of the most ennobling of pursuits. Few can hope to be great or noble by intellect or wordly rank, but all may be good, all may be useful members of society, according to their opportunities, and this goodness and usefulness may be stimulated and encouraged by learning how other men triumphed over difficulties—how they won honour, and fame, and riches by self sacrifices, by devotion to the interests of mankind, and by a proper use of the great powers with which God had endowed them. Longfellow, the American poet, puts this thought in very beautiful lines :—

“Lives of great men all remind us  
 We can make our lives sublime,  
 And, departing, leave behind us  
 Foot-prints on the sands of time.”

The Irish people—and it is one of the most beautiful traits in their character—are peculiarly tenacious in cherishing the memory of their great men—no matter whether they were distinguished on the battle field, in the Senate, or in the walks of Literature. The “dim, religious light” which fame sheds upon the achievements of their poets, orators and warriors, of a bygone age, is far more precious to them than the glare and grandeur of the present hour; and the farther the object of their adoration is removed from them by the lapse of time, the more fervently their affections entwine it, and the more romantic are the visions which bathe it in the attractive hues of beauty and excellence. This propensity of the Irish mind, to recall and dwell with fondness on departed glory, is finely illustrated in Moore’s melody, “Let Erin remember the days of old,” which she is never likely to forget.

“When her Kings, with standard of green unfurled,  
 Led the Red Branch Knights to danger,  
 Ere the emerald gem of the western world  
 Was set in the crown of a stranger.”

And then the poet recalls the tradition about Loch Neagh, which was supposed to have been originally a fountain, but by a sudden overflow, inundated the surrounding country, burying under its limpid waves round towers and other monuments of ancient art:—

“On Loch Neagh’s banks, as the fisherman strays,  
 When the clear, cold eve is declining,  
 He sees the round towers of other days  
 In the waves beneath him shining.

Thus will memory often, in dreams sublime,  
 Catch a glimpse of the days that are over,  
 And, sighing, look down through the waves of time  
 For the long faded glories they cover.”

I have been looking down "through the waves of time" for the monuments of an art far grander than that which gave round towers to Ireland, but I am afraid that you will say that my time has not been much better employed than that of the fisherman on the banks of Loch Neagh.







