

by with the people of Nova Scotia who have been dragged into the Union against their wishes. As far as my knowledge goes, I believe the people of this Island are unwilling to join the Union on any terms. The \$800,000 would not compensate us for the disadvantages to which we would be subjected by entering confederation. I believe that if the grievances connected with the land tenure were far worse than they are, the people would submit to them rather than join themselves to Canada. We may, however, express our regret that the people of Nova Scotia have been forced into a union which they did not desire. There is a strong link connecting us with the people of Nova Scotia, and it is lamentable to contemplate the position they are in at present; but I have no doubt that they will yet be allowed to secede from the Dominion, and again assume the proud position they formerly occupied.

Mr. McNeill.—It is true, Mr. Chairman, that the people of the lower provinces entered the union without sufficiently considering the subject, and numbers of the people of this Island thought it would be a benefit. It was a new thing which the people did not understand; we had suffered a good deal from the rent system, and some were under the impression that confederation might be a panacea for that evil. About the time it was first brought to our notice, however, a great many public meetings were held through the country, (for what purpose it is not necessary now to state,) but this matter, among others, was thoroughly discussed. The people of this Island when they take a matter into consideration are quite capable of judging for themselves, and they declared against confederation for this reason, that if they joined it instead of having the management of their own affairs, they would be taxed by a Parliament over which they would have no control, and these taxes would be appropriated without their consent. There was another reason also, they watched the proceedings of the delegates who met at Quebec, and they found there was very little sympathy or respect for Prince Edward Island. Even the talented T. D'Arcy McGee, whose untimely death we have been lately deploring, could not refrain from indulging in a little burlesque on our Island by saying that they would send one of their steamers and tow it up into one of their lakes. But while we rejoice that we have escaped the evils of confederation, we deplore the fact that our sister province Nova Scotia was not so fortunate. She was sold in confederation by her unprincipled representatives, but her brave and intelligent people unwillingly tamely to submit to such treatment, are at present engaged in a great contest for the recovery of their former rights and privileges. They have just reason to rebel, and it is my opinion that they will eventually regain their constitution and forsake their undesirable alliance with Canada.

The Americans were many years trying to gain their independence, and Nova Scotia may also be a considerable time before she gets free, and it is not improbable that another American war may be brought on before the question is settled. Nova Scotia is an injured province, she has been forced into union against the wishes of five-sixths of her inhabitants. The British Government may not however be blameable in this matter, for after the Quebec Conference the delegates went home and stated that all the people were in favor of Confederation. The Lieutenant Governor's of the different provinces received their instructions to carry out this matter, (I was going to say by fair means or foul) and a pressure was brought to bear which should not have been in a free colony. I think it would be no more than right for this Legislature to pass a resolution sympathizing with Nova Scotia in the struggle in which she is now engaged, and expressing a hope that she will succeed in her efforts, for if she can be forced into confederation against her will, we may be also. It appears that the New Brunswickers are also beginning to be dissatisfied with their condition, but as they voluntarily entered it they must put up with the consequence.

Hon. LEADER OF THE GOVERNMENT.—I think, Mr. Chairman, this would be an appropriate time to speak of the state of our Legislative Library. Many of the books are missing and others in a dilapidated condition, and I think it is time the Committee appointed to look after the Library had met, and devised some plan of preventing such a state of things. The Legislature has been very liberal to persons wishing to have access to the Library for the purpose of gaining information from any books there; but I do not think it is intended that they should carry the books away with them. Law books especially are very scarce, which I suppose is on account of our law students being so numerous.

Hon. LEADER OF THE OPPOSITION.—I fully agree, Mr. Chairman, with a good many of the remarks of the hon. Leader of the Government in reference to the manner in which the Legislative Library is managed or mismanaged. I do not believe the Joint Committee of the present Legislature appointed to look after the Library have ever met, and I have great doubts if the one appointed by the late House did. Several magazines are taken for the Library, but members of the Legislature can seldom find one there. Strangers should be satisfied with being allowed to sit there and read. It is contrary to all rule for them to take books away. I have often come across a book belonging to the Legislative Library in a private library, and I have given the Librarian a hint where it might be found.

Several other members expressed their disapprobation of the way in which the Library was at present managed, and hoped that for the future more stringent rules and regulations would be enforced respecting it.

Several other Despatches were read after which the Committee rose, reported progress and obtained leave to sit again.

BALESTON, Reporter.

Hon. LEADER OF THE OPPOSITION.—Mr. Speaker, I heard the hon. Leader of the Government calling upon Committee to present their Reports. A Committee was appointed early in the Session to report upon the rights claimed by some parties to the seaweed which comes ashore in front of their farms. I was in the Legislative Library one day, and heard several persons examined by a Committee of the Legislative Council, who had been appointed to investigate this subject, but as the matter has not been gone into earlier by the Committee appointed by the hon. House, I hope the further consideration of the question will be allowed to lay over for this Session.

Hon. Mr. HENDERSON.—Mr. Speaker, if laymen had been appointed on this Committee, the Report would probably have been in long ago, but I hope that the hon. member of the legal profession, who has now drawn attention to this subject, will not allow the matter to be lost sight of.

Hon. ATTORNEY GENERAL.—Mr. Speaker, I may say that the Committee has not been idle, for a meeting was held to-day, and a Report agreed upon, which only requires to be put into shape by the hon. and learned member for the city. But I warn hon. members not to expect much alteration in the Law this year.

House adjourned until ten o'clock to-morrow.

R. GORDON, Reporter.

Afternoon Session.

On motion of the hon. Attorney General, the Bill for appropriating certain moneys, therein mentioned, for the service of the year 1868, was read a third time and passed.

A message was received from the Legislative Council, desiring a further conference on the Bill to amend the Act relating to Education.

Hon. Mr. Henderson, as Chairman of the Committee appointed to report on the Petitions of certain inhabitants of Lots thirty-three and thirty-four, relating to seaweed, presented a Report, which was adopted.

The debate on the Bill to place ten thousand pounds at the disposal of the Government for the purpose of purchasing lands, was resumed.

Mr. McNeill.—Mr. Speaker, it has been said by some that it would be dangerous to give so much money into the hands of the Government to purchase land, without making any restriction as to price. It has also been said that it would be departing from the principle involved in the Minute of Council forwarded to the Colonial Secretary, regarding a compulsory measure; but it was never stated that no estates were to be purchased until a compulsory Bill was passed. It was only for those proprietors who would not sell their lands on any terms that a compulsory measure was intended. The hon. Leader of the Opposition gave us a very temperate speech on the subject, and he rambling over the history of the Land Question so far that I hardly need refer to it again; but, his remarks respecting a Court of Escheat, I cannot agree with. It is well known that we were robbed of our birthright when we were severed from Nova Scotia. The lands of that Colony were escheated, and had we been connected with them we would have participated in the same advantages. But, though the people have complained, yet we never

could regain what we have lost. We never could obtain a Court of Escheat, and proprietors were allowed to retain lands which were liable to forfeiture. Although it may not be considered the best method of settling the Land Question, yet I believe a Court of Escheat might yet be established. Mr. Howe, one of the Land Commissioners, stated that it could. It is well to know this, for it is a system which may yet have to be resorted to. But, Sir, the hon. Leader of the Opposition seems to think that the rent system cannot be abolished.

Hon. LEADER OF THE OPPOSITION.—I stated that the only method of abolishing the rent system was by purchasing the lands on equitable terms.

Mr. McNeill.—I infer from that he thinks a compulsory law could not be passed. I am of opinion that the present state of things cannot exist much longer, for, although the British Government may not be induced to pass a compulsory measure now; yet if the proprietors continue to hold out, and retard the progress of the country, by perpetuating the rent system, I am satisfied that they will yet be compelled to accede to equitable terms. It is the duty of the Government to throw every obstacle in their way, so that they will see it to be to their advantage to yield to popular opinion, and allow the question to be settled. Although there is now no Tenant Union in the Colony, yet the people are determined never to rest until they are free from the galling yoke of proprietary bondage. I consider the present Government have not had the same opportunities for purchasing land or destroying the rent system as the other party had. When the Award was refused, then was the time the people had fulfilled their part of the contract, and the proprietors should have been forced to fulfil theirs. It is no use saying that the Award was not what it should be. Nova Scotia is engaged in a great struggle, and I hope she will come out of it with the same constitution that she had before. We sympathize with the Nova Scotians, and I believe they sympathize with us in our struggle to get free from rent paying. The Tenant Union has been mentioned, and it has been said that those connected with that organization should make an apology for their conduct; but, although some of them got into trouble, and a large number of the people are yet under ban, this, I believe, will only tend to bind them closer together, and I hope that instead of making an apology, there are some thousands in Queen's County who will not bow the knee to Bial.

Hon. Mr. McADAM.—It has been made manifest to my mind, Mr. Speaker, that the greatest enemies of the Tenantry of Prince Edward Island have been the escheat agitators. Two hundred thousand acres of the land might have been escheated, if the extreme escheators had been willing to act on the principle that half a loaf is better than no bread. I do not send the people will take warning by the past, and not send extreme agitators and redomantade politicians to this House to legislate for them; if they do so, with the exhortations that such characters will settle the Land Question, their hopes will end in despair. The British Government recognizes the right of the proprietors to the land, and how can we deprive them of it without committing spoliation and robbery. Is it right that a man should be deprived of his rights at the caprice of individuals who are not capable of taking a calm, dispassionate view of the subject? There has been a great deal of agitation on this subject, but the sooner it dies out of remembrance the better. As regards the observation, that we were deprived of our patrimony when we separated from Nova Scotia, I would ask the hon. member who made that statement, would he be satisfied were he in the position of Nova Scotia now? Any person acquainted with the Land Question must be satisfied that we must either purchase the land from the proprietors or remain leaseholders. The Bill before you is to give the Government power to purchase land; and, although I am anxious as any person to see the land free, yet I should like to see some limitation put upon the Government in regard to their action in the purchase of land, for, whatever price they shall pay, that will be the price of land in the Colony. I hope, however, that the Government will make a good use of that money, and if they do, they shall have my hearty concurrence in applying it for the purpose intended.

Hon. Mr. HENDERSON.—Mr. Speaker, there is something strange about the arguments used by members on the Government side of the House in favor of this Bill, if we contrast them with the arguments made use of in regard to the Fifteen Years' Purchase Bill, yet this is a step in the direction of the obnoxious Fifteen Years' Purchase Bill. The price paid for lands under this Bill will be taken as the standard price of lands of the same class.

Hon. LEADER OF THE GOVERNMENT.—There is not a word said about price in the Bill.

Hon. Mr. HENDERSON.—I am aware of that fact, but it places unlimited power in the hands of the Government. But it appears that the Opposition wish to give a fair chance to the Government to try anything which they think may be a step in the right direction, when they do not oppose this Bill. I understood the hon. member from Cavendish to say that the late Government had a better opportunity of purchasing the land than the present party, but I cannot understand on what basis he made his conclusion. Was it not the cry that the late Government were not the proper persons to settle the Land Question? and as the present party have neither agents nor proprietors among them, they have an advantage which, according to the opinions of certain persons, the late Government were deprived of. I cannot understand how such conclusions are arrived at, unless the Land Question changes as parties change. It is strange to see persons forget the opinions they formerly enunciated, and say the very opposite. Although I deem it my duty to make a few remarks, concerning the apparent anomaly, that there seems to be such a difference between former opinions and those now expressed, yet I do not intend to oppose this Bill. It may be instructive to notice the fact that the Conservative party, who have been denounced as proprietary sympathizers, do not wish to put any obstructions in the way of this Bill.

Mr. CAMERON.—I am very happy, Mr. Speaker in giving this Bill my hearty support, for I consider it necessary if, during the recess, the Government should find it feasible to purchase an estate at a price which would be advantageous to the country, but higher than that allowed by the Land Purchase Bill, to give them power to do so. It is not the intention of the Government to give an unreasonable price for land, but only to purchase if they can procure it at a fair and equitable rate. Compulsory legislation has been referred to, and I cannot see that there would be any injustice in resorting to such means for the abolition of proprietary rule in this Island. This method has been used for the settlement of the Land Question in Canada, and for the abolition of slavery in the West Indies, and why should it not be tried here? I think it is the duty of the Government to never cease agitating this matter until it is finally settled.

The Bill was read a third time and passed.

The hon. Leader of the Opposition suggested the propriety of going into Committee on the Contingent Accounts, as it was rumored that several hon. members were going to leave to-morrow, and it would be well to have this matter settled previous to their departure.

Hon. Mr. Howland, as Chairman of the Committee on Contingent Accounts, stated that it was impossible to get all the accounts in as yet, and, therefore, the Report was not ready.

On motion of the hon. Leader of the Government, the House then resolved itself into a Committee of the whole, on the further consideration of Despatches.

Mr. Reilly in the Chair.

After a short time the Committee rose.

BALESTON, Reporter.

On motion of the hon. Attorney General, that the enclosed Bill intituled "An Act to empower the Government of Prince Edward Island to expend ten thousand pounds in the purchase of Lands in the said Island," be read the third time,

Hon. LEADER OF THE OPPOSITION said: Mr. Speaker, before you put the question I must congratulate the Government on the great contrast which exists between their proceedings to-day, and that expressed in the Minute of Council which was sent home during the recess of the Legislature to the Imperial Government,

relative to the introduction of a Bill to compel the proprietors to sell their lands to the Government whether they were willing or not. This is now certainly a procedure that is the reverse of their former reasoning; and, as the great Napoleon has said, there is but one step between the sublime and the ridiculous. What step the Government, in this instance, have taken; for they sent home a lengthy document to the Imperial Government, wherein they complained of the grievances which this Colony has labored under in consequence of the way in which the land of this Island was granted away by George the Third, wherein it was also stated that there was no remedy for the removal of these but by the passing of a coercive measure, whereby the Government of this Colony might be able to compel the proprietors to sell their lands at such prices as might be considered fair and reasonable. In answer to this they received an answer from the Colonial Minister, wherein he states that he cannot allow such a departure from the principles laid down by his predecessors, and that the memorial set forth no reasons which could induce him to endorse their opinions on this subject, and the Government, I presume, considering that the reasons of the Duke of Buckingham and Chandos were stronger than those set forth in their memorial, have seen fit to change their policy, and to pursue one of a very different nature, for, by this Bill, they show that the highest price set upon the land by the Fifteen Years' Purchase Bill, which was seven shillings and six pence an acre, was not high enough, and accordingly, have brought in a Bill which admits that the Government should have a credit to enable them to pay any price they may think proper for the land. This Bill, now before this hon. House, is brought forward in consequence of the correspondence that took place during the recess of the Legislature with the Colonial Office. Though they sent home a manifesto equal in bulk to a message of the President of the United States, containing information which, I may say, dated from the year one up to the present time, in which they argued their cause from every point they could to induce the Home Government to sanction their introducing a coercive measure, yet, notwithstanding its great length, it had very little weight with the Colonial Minister. The only effect it had with the Duke was, that he approved of their going, cap in hand, to sue for permission to introduce a measure into the Legislature of this Colony. Of course he would, because it was natural that he would approve of a course which enlarged the powers of the Colonial Office, which it narrowed up the powers of this Colony. We know, Sir, that in other British Colonies where they have a free Constitution, they can introduce any measure into the Legislature they think proper, without asking permission from Home. I think the members of the Government must have been reading the history of Ireland, and, in doing so, have been captivated by the charms of Poining's Law, which was passed in the reign of Henry the Seventh, and which continued in force until the reign of George the Third. One of the principles of this law was, that the Legislature in Ireland could not be called together, or Bill introduced, without the previous consent of the Government in England, and the dues on all bills had to be sent across the channel before they could be laid on the table of the House of Commons in Ireland; and, in so far as I have read history, the principles of this celebrated Law of Poining are now universally condemned. Commentators have come to the conclusion that it placed Ireland in such a position that it would be a farce to say that her Legislature was independent, when they could not introduce any measure without the previous permission of the Government in England, and I am surprised that the hon. member for Belfast, (Mr. Davies), who is so opposed to any measure embracing a principle over two hundred years old, that he should now, after having enjoyed Responsible Government so long, have given his sanction to such a principle. It does appear, too, that his views, a few months ago, were different from what they were yesterday. I think it would have been better, even if the Government thought a compulsory measure would not be agreed to at home, if they thought such a Bill was required to have tabled it, and stood or fallen by it. But now a precedent has been established, and we may yet find that other Governments may act upon it also, unless there is a very strong expression of disapproval of such a course given now by the members of this hon. House against such a mode of procedure, while I am opposed to compulsory legislation, yet, if the Government have faith in the measure, they should have introduced it here without first enquiring if it would be agreed to at the Colonial Office. It looks to me that they have made some pledges to the country which they find themselves unable to redeem, and that they took this way of getting out of the difficulty, and in this way have taken the most effectual way to send it to the tomb of all capules, where room can be found for all bad men and bad measures. Certainly the Colonial Minister paid a poor compliment to the wisdom of the Government when he said: "The views of former Secretaries of State upon this subject, and the grounds upon which such views were based, have been so clearly explained in prior correspondence, that it appears to me unnecessary to do more now than to state that I find no special reason assigned in the Minute of Council which, in my opinion, would justify, on the ground of public policy, the proposed direct appropriation of private property." The Colonial Minister must have looked upon this measure in the nature of one for the confiscating of property. Without reading this motion through, I must congratulate hon. members on the change that has come over them. Last year they threw cold water on the Fifteen Years' Purchase Bill, and said that the property of the proprietors was not worth that much, and yet the hon. member (Mr. Davies) has now risen from seven shillings an acre to any price the Government may choose to give. This is further than the Tory party has ever gone; but now I suppose there will be some hope of settling the question to the entire satisfaction of the proprietors. Whether it will be to the tenants or not I will leave hon. members on the Government side of the House to say. The other day the hon. member for Belfast (Mr. Davies) gave us a history of the acquisition of this Island by Great Britain, and led us to believe that it was acquired with the Province of Nova Scotia, and that our sympathies should be with the people of that Province. In that statement the hon. members was a little in error. Nova Scotia was acquired by Great Britain in the reign of Queen Anne, and for fifty years after this Island belonged to the Kingdom of France, and was held with Canada and Cape Breton, and did not fall into the hands of Great Britain until the Treaty of Paris in 1763, which was effected in consequence of the fall of Louisbourg; and, therefore, I say no argument can be drawn from those circumstances to show that we are in the same position as Nova Scotia. The hon. member said also that this Island and Nova Scotia belonged to the King of France as his private property, and that he gave it as a present to George the Third, and that the King of England did not, in the first instance, hold this Island for the benefit of Great Britain. Now we know that when Nova Scotia, Canada, and this Island became, by the Treaty of Paris, the territory of Great Britain, it was in the same way as other Colonies, and that when countries are thus conceded, it is always in the name of the Sovereign, but in this case the country was ceded, not for the personal benefit of the King, but of the nation. Of course the treaty was signed by the King of Great Britain and France, but for and on behalf of the people, and not for the Monarch's own benefit; and however unfortunate it was for this Island that it should have been divided into 67 Townships, and that 56 of these should have been granted away, yet there was nothing unconstitutional in such grants, and we know that large tracts of land have been granted by the Crown in the same way, but they were not the acts of George the Third, but those of the King in Council, acting upon the advice of his Ministers. I entertain strong opinions on this question myself, for I know that in consequence of the manner in which the lands have been granted away, it has been a bone of contention from the time of our first Parliament in 1767 up to the present day, and all political parties have been attempting to remedy this evil. About the year 1830 the Escheat party was established, and might have succeeded in escheating nine Townships had they not been so grasping, but they let

the golden opportunity go by, and the Imperial Government did not then or since sanction the establishment of a court to enforce the conditions of the original grants. You know, Sir, that by the original grants which were issued in 1767, certain conditions were to be complied with, which were not fulfilled, and that, by the Proclamation of the Prince Regent in 1818, the condition in the original grants which required that within a certain time these Townships should be settled each with 100 German Protestants, the time was extended ten years, and the privilege given of settling them with any class of people, and, therefore, if they had not been too grasping, and the Escheators in earnest, they could have escheated nine, if not ten, townships, for, in referring to the census taken in 1827, Lot 3 had but 48 people residing on it; on Lot 4, 92; on Lot 7, 59; on Lot 8, 39; on Lot 9, 26; on Lot 10, 42; on Lot 30, 95; Lot 44 had but 12; Lot 47, 64; Lot 59, only 4; and Lot 67 had not one, although, I suppose, it is as well settled to-day as any Township on the Island, although, in 1827, it had not one settler upon it, and had the Escheators in 1830 laid hold of the substance instead of grasping at the shadow, all of these Townships would have been escheated. Now I believe there is but one way of settling the question, and that is by some equitable arrangement, for the British Government, even if John Bright was in power, would not sanction a compulsory measure. I am convinced of this from a speech which Mr. Bright delivered lately in the House of Commons on the Irish question, and we know he is looked upon as radical enough. He was giving his advice, and said that the proper way would be for the British Government to buy out the proprietors, and that he would not advocate that any proprietor should be compelled to sell, and I am sure that statesman would not do more for this Island than he would for Ireland, where a large proportion of the tenants hold very small quantities of land, and many of them have no leases at all, and, in consequence, have no inducement to make any improvements. There are 250,000 tenants in Ireland, none of whom hold over 15 acres, and over 400,000 whose largest holdings do not exceed 25 acres. But I will read you, Sir, what Mr. Bright said: "Let the House not imagine that I am proposing to take anybody's land by compulsion. I am proposing to buy in cases where men are going to sell, and to transfer only in cases where men are willing and able to buy. There would be many thousands of such cases in a few years. I would pay to every landlord every shilling he could fairly demand in the market for the estate which he proposed to sell. I hope every gentleman opposite will acquit me now of any desire for confiscation. We will not have any other misunderstanding upon that point." It is utterly futile for people to suppose that a compulsory Bill, similar in principle to that proposed would be sanctioned at Home, even if John Bright was Prime Minister. The only way will be to go forward in a fair, straightforward manner, and give the real marketable value of the lands. I have not got up for the purpose of opposing the Bill now before the House. I intend to support it, for instead of that I think the Bill should occasion joy, although, in supporting it, some hon. members may feel that they are performing the sad office of attending the funeral of the compulsory measure.

Hon. ATTORNEY GENERAL.—Mr. Speaker, I do not object to the course taken by the hon. member who has just spoken for he has treated the subject with moderation, but still I think his statements are not in strict accordance with the facts of the case; nor do I agree with him when he says that it is a departure from the policy of the Government, or in opposition to the despatch or Minute of Council, for if the learned Leader of the Opposition will look into that document he will find that it states that negotiations were pending with Lord Melville and others of the proprietors, and that Minute does not state that the Government had come to the conclusion that unless a compulsory measure was passed that no settlement of the question could be arrived at; nor did the Government say that if an opportunity for purchasing an estate offered, that they were not going to avail themselves of the advantage which would result from purchasing. On the contrary, the memorial set forth that Mr. Cunard's estates had been acquired for seven shillings and six pence an acre, and the Government did not see why other estates, which were no

(Continued in Examiner.)

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