

The Examiner.

CHARLOTTETOWN, P. E. I., OCTOBER 17, 1859. THE GOVERNMENT vs. THE LEGISLATIVE COUNCIL.

This leading article in the last Islander shows us that the Legislative Council continues to be the principal object of hatred, and the source of much painful consideration for the future, with the Government of this Island. There is abundant evidence of their deep disappointment and disgust at the non-interference by the Colonial Office in the dispute which was got up last session between the Legislative Council and the Executive, with regard to the manner in which the latter formed their administration.

The captious conduct of the Council during the last Session, in rejecting the Post Office Amendment Bill, furnishes the Government with evidence of the absolute necessity which exists for the reconstruction of that body; while the dismay which was caused among the Liberal leaders a few weeks since, by the announcement that the Lieutenant Governor had received instructions to dissolve the Council, tells of the great importance which they attached to the existence of that body, as at present constituted.

The Address to the Queen, concocted by Captain Swabey last Session, and assented to by nearly every member of the Council, and which was transmitted by Sir Dominick Daly, should convince the Colonial Ministry that it is absolutely unreasonable to expect that that harmony can possibly exist between the present Council and the Assembly, which is absolutely necessary for the public interests; and that in order that the Government of the Colony may be carried on in accordance with the wishes of the majority of the people, as expressed through their Representatives, the Legislative Council must either undergo a radical change, or be reconstructed.

This indicates nothing, to say the least of it, but a sadly disappointed spirit, and an extravagant estimate of the extent of the power which the Government enjoy. For our own part, we should be glad if the Tories would put their threat in execution, and attempt to dissolve the Council. We should have no occasion thereafter to complain of the want of spirit and combination on the part of the Liberals; for if any thing would serve better than another to arouse a strong public opinion, and to create an opposition that would crush the Government before many months, it would be a tyrannical and unconstitutional proceeding like that which the Colonial Secretary suggests. He vouchsafes only three reasons, or what may be called reasons, to warrant the step proposed. First—that in appointments to the Council by the late Government, the Royal Instructions were not adhered to, which require that "freeholders" should be the persons selected for seats in that body; and that Col. Swabey—who is said to be the leader of the Opposition in the Council, and as such comes in for a full measure of abuse—is especially disqualified, as he has not thought proper to invest his money in lands in this Island. The Islander makes a general charge of disobedience to the Royal Instructions, in reference to property qualification; but Col. Swabey's case is the only one that could be selected for animadversion. Now, it must be borne in mind that the gentleman named was appointed to the Council by the old Family Compact Government—not by the Liberals—and that the present Government is nothing but a dim reflection of the old one. He was appointed, too, because, not being a Proprietor, he was expected to be able to give a more impartial consideration to questions affecting proprietary rights and interests than any other gentleman that could be selected. While Col. Swabey offered no opposition to the party now in power, the propriety of his appointment was never questioned by any of them; and indeed every one of them was prepared to swear that, on account of his standing in society, his education and his well known abilities, he was the most eligible person that could be selected. The mere circumstance of his not owning a few dirty acres of unprofitable land was very properly lost sight of in the fact, that there are few men, if any, who each leaves more money in the place annually than Col. Swabey, encouraging thereby every branch of industry. If this gentleman did not oppose the Government, and would become, once more, the advocate of proprietary claims and pretensions, the circumstance of his not being a "principal freeholder" would be paraded by those who now abuse him as a proof of his disinterestedness in advocating the proprietary cause, and his best title to a seat in the Upper House. It is certainly amusing to hear a set of fellows growling at the gallant Colonel because he did not choose to invest his money in lands, while every body knows that his annual income, which he spends freely even amongst some of those who blackguard him, is sufficient to buy up the "real estates" of a score of his enemies.

The second argument for a dissolution of the Council is based on the fact of its having rejected a trumpety Post Office Bill, brought down to the Legislature by the Government last Session. Now, one of the complaints most strongly and frequently urged by the Tories against the Council while the Liberals were in office, was, that the upper branch of the Legislature was a mere echo of the lower one, in so readily accepting as it did the measures which emanated from the latter. But when the upper branch ceases to be an echo, those who once said it should be destroyed because it was so, now clamorously declare that it should be destroyed because it is not so. With regard to the Council's rejection of the Post Office Amendment Bill, we could easily shew, by reference to the Journals, that many measures introduced by the late Liberal Government were likewise rejected by the same Council, although they were the nominees of the party who introduced the measures.

The other argument used in support of the proposition to reconstruct the Council, has reference to the complaint made by that body against the mode pursued by the Government in conducting the public affairs. A year ago the Council was abused most vehemently because it had the presumption to hold political opinions in accordance with those held

by the Government of the day. Now it must be abused and annihilated because it will not pin its faith to the Government of the present day. Why, the most arrant despot in the world would not propose so arbitrary a proceeding, and attempt to justify it on such atrocious grounds. After another general election, when public opinion shall have asserted its independence, and liberal principles resume their wonted ascendancy in the House of Assembly, we have little doubt that the party in power will ignore the right of that branch of the Legislature to interfere with their possession of office. We cannot see why the Government, if they can possibly help themselves, should be less tolerant of a hostile majority in the lower House than in the upper one.

As the Islander seems to entertain a great respect for the Royal Instructions, we submit for the careful perusal of the official editor the following extract from those Instructions. And as it is not in the power of the Government to remove even one Councillor, we should like to know where they are going to get their authority to dispose of a dozen; for Her Majesty's Colonial Minister has already told them that he will leave the local authorities and the upper Chamber to settle their differences the best way they can—

"Eighth.—You are not to suspend any of the members of either of our said Councils without good and sufficient cause; nor without the consent of the majority of the members of our said respective Councils, signified in Council, after due examination of the charge against such Councillor, and his answer thereto; and in case of the suspension of any of them, you are to cause your reasons for so doing, together with the charges and proofs against such Councillor, and his answer thereto, to be duly entered upon the Council Books, and forthwith to transmit copies thereof to us, through one of our Principal Secretaries of State. Nevertheless, if it should happen that you should have reasons for suspending any Legislative or Executive Councillor, not fit to be communicated to the said respective Councils, you may in that case suspend such person without their consent; but you are thereupon immediately to send to us, through one of our Principal Secretaries of State, an account of your proceedings therein, with your reasons at large for such suspension."

MORE OF THE SPOILS:

In the list of appointments published in our last, the name of John McNeill, Esq., as Acting Master of the Normal School, in the place of Mr. Monk, and the following appointments have been made since, making in all one hundred Magistrates and over three hundred and twenty appointments. This is the work of a party who exclaimed, at the last election, against the Liberals for appointing about as many Magistrates in eight years as they have done in less than six months.

- Isaac Thompson, Lot 34, to be a Justice of the Peace, William Hayden, Morell, do do, Peter McNutt, Darnley, Commissioner of Small Debts, Charles McEachern, Lot 47, do do, Thomas Hunt, Commissioner for Prison Discipline, Prince County. Mr. Angus MacRae, Point Prim, Inspector of Fish, John Furness, jun., Vernon River, do do, John McDonald, (John's son) Wharfing, South Pinette, Andrew Miller, Harbour Master, Murray Harbour, do do, Wharfing, Musk River Wharf, Thomas Perkins, do, Souris, Alexander Anderson, Commissioner for taking acknowledgments to Deeds at Bedouque, John Robinson, Rustico; Preventive Officer, Thomas Williams, North Rustico, do do, Edmund Wallace, Cassumpee, do do, Archibald Ellison Wharfing, at the Wharf at Princetown.

We observe by the paper miscalled the Protestant, of Saturday last, that the Rev. G. Sutherland has written a long letter, in several parts of which our name figures; but having no leisure and no taste for the perusal of the dreary platitudes which that gentleman is accustomed to write, we have not even read the letter through, and shall therefore say nothing more about it for the present.

We have, however, read a short article from the pen, we suppose, of the stupid looking fellow who officiates as editor, and who, as he thinks he waxes in grace and piety by superintending so sanctified a paper, increases the stock of his impertinence and vanity, and develops his innate propensity to lying. But we have neither time nor space at present to notice in detail the jumble of falsehood and nonsense with which he eked out an editorial for the last No. He will rejoice to learn, therefore, that he is not to be pilloried for another week.

We call the attention of our readers to an advertisement in this day's number, announcing the extension to this Island of Gunnison & Co's Colonial and United States Express, and Fuller's Trans-Atlantic and American Express. Both lines have been in operation from hence for some weeks past, under the management of B. Davies, Esq.—a gentleman possessing the confidence of the community, and well fitted for discharging the duties of the office.

It is scarcely necessary to point out the advantages that are to be derived by availing ourselves of this conveyance, as a quick and safe mode of transit. Under recent arrangements, the Companies are enabled to forward parcels and merchandise to any of the various cities of the United States—to any part of the British North American Provinces—across the Atlantic, to England, and from thence to the continent of Europe.

We take the liberty to congratulate our friend and the Company on the establishment of the line, and to offer a few remarks on the insufficiency of our postal arrangements with Canada and the United States, with the view of embracing the facilities of the day, in consequence of a refusal on the part of our Government to allow the proprietors of the Express to make up a special mail for the two last named countries, although we understand the application offered to guarantee the safety of the carriage of the special mail, by placing it under charge of the Companies' officers from the Island to its destination, and at the same time it pointed out the advantage of gaining a great saving of time. Now, we think there is a little of the spirit of the "dog in the manger" in this refusal to accommodate the public on the part of the Government, for it appears that the Post Office Department will neither forward the mails by this conveyance nor allow the Express to carry letters; so the mercantile community cannot be balked, and hundreds of letters are sent on by private persons semi-weekly. In order to prove the statement made relative to the incompleteness of our postal arrangements, it is necessary to refer to the action taken by the late Government, in respect to this highly important matter.

Sometime before the late Postmaster General resigned, in consequence of a change in the Administration, he represented to the Government the cause of the mails to the United States and to Canada taking such an extraordinary time to travel to these countries, at the same time pointing out how the evil could be remedied, which was, by embracing the advantages that modern improvements offer, in sending the mail on the road taken by all travellers, viz: Steam Boat and Railway routes, instead of following as the mail route the old and only road of twenty years ago, over the hills across the land from Shediac to St. John, and from St. John to Boston by teamsters. Arrangements were immediately entered into on the part of the Postmaster General of this Island with the Postmaster General of New Brunswick and Boston, for carrying the proposition into effect, and it was agreed that the mails from this Island should, for the future, be sent by the passenger route from St. John per Steamer for Boston, and from Boston to Montreal by railway conveyance. Preparatory to this step,

which was to have been carried into operation on the opening of the navigation, the mails were sent on in separate bags, addressed to St. John, Boston, and Montreal, instead of being done up in a clumsy package as formerly, and as we understand is now practised. We regret to add, in conclusion, that this wise and advantageous arrangement was abandoned on the restoration of the old party to power. Perhaps Mr. Colonial Secretary, acting editor of the Islander, will explain the reason why, if he can.—Com.

Passengers.

In the Steamer from Shediac, on the 20th inst.—Messrs. W. McGill, Harper, Wilson, Elder, Purchase, Evans, McCreedy, Keltice, Ramsay, Sears, Prince, Beaton, Stackpole, Strong, Beas, Ferguson, Mrs. Keltice, Mrs. Duchemin, Mrs. Strace, Mrs. McLeod. In do. from Pictou, on the 21st inst.—Messrs. Clark, Burders, Robson, Besset, Young, Knight, Barver, Stephens, McDonald, Christmas, Rev. Mr. Sutherland, Mrs. Narraway, Miss Morrison.

Married.

At St. Dunstan's Church, by the Rev. Thomas Phelan, P. P., JAMES MCCARTHY, Esq., of this City, to MARGAERET, third daughter of Dennis Reddin, Esq. At Charlottetown, by the Rev. D. Fitzgerald, Mr. James Edmund Lear, R. N., to Miss Maria Williams, North Devon House. At the Parish Church, Georgetown, on the 3d instant, by the Rev. R. T. Roach, B. A., Mr. John McDonald, to Miss Elizabeth Power, both of Nova Scotia.

Deceased.

At the South Shore, on the 2d instant, Margaret Quilly, aged 18 years. Also at the South Shore, on the 14th instant, Mrs. Anastasia Murphy, aged 46 years, leaving a large family to lament their loss.

PORT OF CHARLOTTETOWN.

ENTERED.

Oct. 7.—Schr. Mary Jane, Young, Halifax; sh. Mary, Arbuckle, do.; Brig. James Henry, Ryan, Sydney; coal Schr. Martha Maria, Clark, Boston; goods. S—Quid Nuno, Huling, Boston; goods. Daily, LeBlanc, do.; do. Lively Lass, Robertson, Pictou; coal. Challenge, LeBlanc, Harbour (Grace, N. F.); bal. Brig. Afton, Atwater, Boston; goods. Schr. Bee, Ogden, Bay Verte; deal. 10—Mary, LeBlanc, Miramichi; boards. Atwell, Baker, Halifax; goods. Mount Vernon, Bonroit, Boston; do. 11—Mars, Dixon, Shediac; lumber. Caroline, Aylward, St. John's, N. F.; sh. Steamer Westmorland, Evans, Pictou. Brig. Dolphin, Malone, Labrador; herring. Henry, Squarbridge, Boston; bal. 12—Schr. Neptune, Depay, Beatoche; lumber. Trial, LeBlanc, Bras d'Or Cape; limestone. CLEARED. Oct. 7.—Schr. Cecilia, Jenkins, Boston; produce. S—Arabacca, Brundage, Bay Verte; codfish. J. McE., Hudson, St. John, N. B.; produce. Brig. Brothers, McTae, Tatamagouche; bal. 10—Schr. Bee, Ogden, Bay Verte; bal. Steamer Westmorland, Evans, Shediac. Schr. Morning Star, Crisp, New York; produce. Lively Lass, Robertson, Pictou; bal. Sarah, Roberts, Halifax; produce. 12—Dore, Landy, Halifax; bal. Mary Ann, Glasgow, White Head, N. S.; produce. 13—Mary, Arbuckle, Halifax; produce. Mars, Dixon, Shediac; do.

Ship News.

Arrivals in Europe from hence.

Liverpool, Sept. 17—Eliza. 18th—Neslor. Plymouth, Sept. 10—Bathesda. 20th—Mota. Falmouth, Sept. 22—Arcena. Gravesend, Sept. 21—Arctarrex. Liverpool, Sept. 14—Sailed—Isabel. Deal, Sept. 23—Sailed—W. Douce. Sailed from Bedouque, on Monday, the 3d instant, Schr. 'Penelope,' Hobbs, master; and on Monday, the 10th instant, Brig 'Sappho,' McLeod, master, both for Liverpool, with Timber, Deals, and Oats, by Hon. James C. Pope. The Surveying Schooner 'Gulnare,' Commander Hancock, four and a half days from Quebec, arrived here on Wednesday morning, 12th inst., at 5 o'clock. We learn that on Sunday last, while passing near Gaspe, they fell in with a snow storm, which lasted for several hours—the whole of the high land of Percé was covered with snow. Pictou, Oct. 6.

The American fishing schooner 'Nawadaba,' Spiney, of Gloucester, put in here yesterday for repairs, having been run into off the East Point of P. E. Island, on Monday, 31 inst., by the Lavinia of Southport, cutting down her quarter and carrying away her mainmast and shrouds. The Lavinia also lost bowsprit, lead, and head gear, and it was supposed would either put in here or run to the Strait of Canso for repairs. The Nawadaba had been in the Bay two weeks, and has about 60 barrels of fish.

Holloway's Pills.—Millions rely on them. In every quarter of the Globe—among all nations—civilized and savage, these Pills are used with wonderful and unvarying success. They are advertised in every printed language, and wherever commerce has penetrated, they are in continual demand as the only medicine really efficacious.

Perry Davis' Vegetable Pain Killer possesses virtue, which not only removes pain instantly, but regulates the stomach, gives strength, tone and vigor to the system. It is one of those medicines which is worth more than gold. Sold by druggists generally throughout the United States and Canada.

New Advertisements.

To A. H. BOSWALL, Esquire, Surgeon on board the brig "Prince Edward," from Prince Edward Island to Auckland, New Zealand.

SIR,—We, the passengers on board the brig "Prince Edward," now about to separate, in justice to you cannot do so without assuring you, as we now do, how very grateful we feel for the skill and attention you have at all times displayed when your services as a medical practitioner were called into requisition, and how much also we esteem you as an agreeable and obliging fellow passenger.

We have also much pleasure in acknowledging and testifying that you have been particularly attentive to, and eminently successful in the cases entrusted to your care and management; and we beg to assure you, you have our earnest prayer for your health and happiness—both here and hereafter. In conclusion we bid you, most affectionately, farewell. [Here follow the signatures of the owners, master and passengers.]

On board the brig "Prince Edward," off Auckland, New Zealand, May 10, 1859.

[REPLY.]

To the Captain and Passengers on board the brig "Prince Edward."

GENTLEMEN,—I feel particularly obliged to you for the kind address you have been pleased to present me. Believe me, gentlemen, it affords me great pleasure to find that my professional services as Medical-officer on board the brig "Prince Edward," have met with such unqualified approbation on your part; and for the kind wishes you have expressed with regard to my happiness, I beg you will accept my sincere thanks; and wishing you in return, all health and happiness, I remain, Gentlemen, yours very truly,

A. H. BOSWALL, M. D. Brig "Prince Edward," Auckland Harbour, New Zealand, May 12, 1859.

American and European EXPRESSES!

EXPRESSES made up twice a week to all parts of the Provinces of New Brunswick, Nova Scotia, and to the principal cities in Canada and the United States, at the AGENCY OFFICE, corner of Water and Queen Streets, opposite the Bank.

Mr. B. DAVIES informs the public that he is acting Agent for Gunnison & Co's Colonial and American Express, as well as for Fuller's North American and Trans-Atlantic Express.

The arrangements on both lines being completed, Parcels and Merchandise of every description can be forwarded to all parts of the Provinces, the United States, and to Europe. The Expresses forward Goods consigned to their care, addressed to Canada and the United States, in much less time than is taken up in transporting thither letters by Her Majesty's Mails. Ch. Town, Oct. 17, 1859. 3m.

Ayer's Cathartic Pills.

Prices Current.

CHARLOTTETOWN MARKETS, OCTOBER 15, 1859.

Table with columns for Provisions, Poultry, Fish, Lumber, and Grain. Items include Beef, Mutton, Lamb, Pork, Butter, Cheese, Pearl Barley, Lard, Flour, Oatmeal, Eggs, Potatoes, Turnips, Carrots, Peas, Wheat, Barley, Oats, Turkeys, Geese, Fowls, Ducks, Partridges, Codfish, Salmon, Herrings, Mackerel, Boards, Do. (spruce), Do. (pine), Shingles, Timothy seed, Cloverseed, Wool, Hay, Straw, Hemp, Tallow, Apples, Cranberries, Calf-skins, Hides, Sheep & Lamb skins.

New Advertisements.

SALE OF LAND, Dwelling Houses, valuable Stands for Business in Charlottetown, Georgetown and elsewhere.

THE following valuable PROPERTIES will, unless previously disposed of by Private Contract, be submitted for Sale at PUBLIC AUCTION, on WEDNESDAY, the 16th day of NOVEMBER next, at the hour of 12 o'clock, noon, at the COLONIAL BUILDING, Charlottetown, or on the Premises (where the same are situated in Charlottetown or Common), according to announcement to be made at the Colonial Building, at the day and hour above appointed, viz:—

THAT commodious DWELLING HOUSE, Stables and Premises, with a large Red WAREHOUSE on Great George-street, now the residence of DENNIS REDDIN, Esq., and comprising Town Lot 46, and one-half of Town Lot 47, in the 1st hundred of Town Lots in Charlottetown.

WATER LOT opposite Town Lot 16, and part of Lot 17, in the 1st hundred of Town Lots in Charlottetown, fronting 105 feet on Water-street, and thence to the Channel of Hillsborough River, with the HOUSES and BUILDINGS thereon, and extensive WHARF attached thereto.

Also, TOWN LOT 65, in 3rd hundred in Charlottetown, with the DWELLING HOUSE, &c., thereon, at present occupied as a Dwelling House by D. O'MEARA REDDIN, Esq.

Also, part of TOWN LOT 11, in the 2d hundred of Town Lots in Charlottetown, fronting 45 feet and upwards on Queen-street, by 84 feet back, on which are situated the STORE occupied by PIERCE GAUL, Esq., and another Store lately occupied by Mr. Joseph McLaughlin.

Also, part of TOWN LOT 42, in 1st hundred of Town Lots in Charlottetown, fronting 27 feet on Queen-street, by 84 feet back, with the valuable DWELLING HOUSE and Place of Business thereon, occupied by Mr. JAMES ROMANS.

Also, another part of the same TOWN LOT fronting on King-street, with the Buildings thereon, occupied by Mr. Barney McCarey.

Also, parts of TOWN LOTS Nos. 73 and 74, in 3rd hundred of Town Lots in Charlottetown, fronting on Pownall-street, nearly opposite the residence of R. B. STEWART, Esq.

Also, the Northern half part of TOWN LOT No. 76, in the 2d hundred in Charlottetown, fronting 84 feet on Sydney-street, under lease for a long term to the Right Rev. Bernard Dona d McDonald, at an annual Rent of £15.

Also, part of TOWN LOTS 74 and 75, in the 2d hundred of Town Lots in Charlottetown, with the DWELLING HOUSES, &c., thereon, now occupied by Messrs John Eden, Michael Duffy and Jas. Kelly, fronting — feet on Dorchester street, by — feet back, and adjoining the Premises of Messrs. Duncan, Mason & Co.

Also, TOWN LOTS 26 and 27, in the 1st hundred in Charlottetown, near Mr. Heald's Shipyard.

PASTURE LOT No. 297, in Charlottetown Royalty, in possession of Mrs. Croker.

Also, all that very valuable Property, containing Seven (7) acres of LAND, in Charlottetown, part of COMMON LOTS Nos. 22 and 23, in Charlottetown Common, having extensive fronts on the Malpeque and Spring Park Roads, and Easton Street, and crossing the Northern extremity of Pownall and Queen-street, with the BUILDINGS and HOUSES thereon.

Also, WATER LOTS Nos. 8 and 9, and TOWN LOT No. 4, 4th Range, Letter A, in Georgetown, with the HOUSES, &c., thereon.

For the sale of the above property, the purchaser, on paying down 20 per cent of the purchase money, will be allowed 3 years time for payment of the balance, with interest on Mortgage, of the premises.

For other conditions and terms of Sale, and particulars of the several Properties, application may be made to the Subscribers, (Trustees for Sale, and under Deed, dated the 15th September, instant,) and who are also prepared, meantime, to treat with any parties who may desire to purchase any of the above by private contract.

Dated at Charlottetown, the 14th day of October, A. D. 1859.

FREDERICK BRECKEN, JOSEPH HENSLEY, A. MITCHELL.

SWABEY & ROBERTS

Expect daily by the "Gazelle," 300 GALLONS unsweetened LONDON GIN, the first ever imported here, which they will sell as pure as imported, at 12s. per gallon. ALSO—PORT WINE, SHERRY, CHAMPAGNE, CASS BRANDY, OLD TOM, WHISKEY, Bottled Ale & PORTER. TEA and other GROCERIES, all of the best quality that can be procured for Cash in London. October 14.

Hides, Sheepskins, and Leather.

SIX PENCE per lb., CASH, paid for GREEN HIDES. Prime SOLE LEATHER at 1s. 9d. per pound. Highest price paid for SHEEPSKINS at the CITY TANNERY, West end of Grafton Street. Oct. 17, 1859. Isl. & Mon.

NOTICE.

THE Subscriber, having for the present closed his business as Tanner and Currier, hereby notifies all persons having claims against him to furnish their accounts for settlement; and those who are indebted to him by Notes of Hand or Book Account are requested to come forward and settle the same immediately. All accounts that may remain unsettled after the FIRST OF DECEMBER, will be placed in the hands of an Attorney for collection. HENRY C. TROWAN. Charlottetown, Oct. 17, 1859. Mon. 3w

Caution.

ELIZABETH HICKEY, my wife, having left her home without just cause: I hereby caution all persons against crediting her on my account, as I will not be responsible for debts of her contracting after this date. JOHN HICKEY. Indian River, Oct. 17, 1859. 3w