

One thousand eight hundred and thirty-two, which has been reserved for the signification of His Majesty's pleasure, and transmitted, entitled as follows, viz:—

No. 332.—“An Act to confirm and render valid certain Marriages heretofore solemnized within this Island, and also to declare by whom and in what manner Marriages shall be celebrated in future, and to provide for the public Registry of the same.”

Which Act having been referred to the Committee of the Lords of His Majesty's Most Honourable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations—the said Lords of the Committee have reported as their opinion to His Majesty, that the said Act should receive His Majesty's special confirmation: His Majesty was thereupon this day pleased, by and with the advice of His Privy Council, to declare His special confirmation of the said Act; and the same is hereby specially confirmed, ratified and finally enacted accordingly: Whereof the Governor, Lieutenant Governor, or Commander in Chief of His Majesty's Island of Prince Edward for the time being, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

C. GREVILLE.

[COPY.]

No. 4.

DOWNING STREET, 19th January, 1835.

SIR,

I have the honour to transmit to you, herewith, two Orders of His Majesty in Council, dated the 20th ultimo, disallowing Acts Nos. 330 and 337, passed by the Legislature of Prince Edward Island in the year 1832, and the extracts from a Report of the Lords of the Committee of Council for Trade and Foreign Plantations, explaining the grounds upon which His Majesty was advised by their Lordships to disallow the same.

I have, &c.

(Signe )

ABERDEEN.

Lieutenant Governor, Sir A. W. YOUNG.

AT THE COURT AT ST. JAMES'S, THE 20th DEC. 1834.

PRESENT:

THE KING'S MOST EXCELLENT MAJESTY;

<i>Lord Chancellor,</i>	<i>Viscount Lowther,</i>
<i>Lord President,</i>	<i>Lord Maryborough,</i>
<i>Lord Privy Seal,</i>	<i>Sir Robert Peel, Bart.</i>
<i>Duke of Wellington,</i>	<i>Mr. Goulburn,</i>
<i>Marquis of Winchester,</i>	<i>Sir George Murray,</i>
<i>Lord Chamberlain,</i>	<i>Mr. Yates Peel,</i>
<i>Earl of Aberdeen,</i>	<i>Mr. Planta.</i>
<i>Lord Granville Somerset,</i>	

WHEREAS the Governor of His Majesty's Island of Prince Edward, with the Council and Assembly of the said Island, did pass an Act in the year 1832, which has been transmitted, entitled as follows, viz:

No. 330.—“An Act to require Landlords and Claimants of Rents to put the Titles by which they claim upon Record, in the proper Office of Record in this Island.”

Which Act having been referred to the Committee of the Lords of His Majesty's Most Honourable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations; the said Lords of the Committee have reported as their opinion to His Majesty, that the said Act should not receive His Majesty's Royal confirmation. His Majesty was thereupon this day pleased, by and with the advice of His Privy Council, to declare his disallowance of the said Act, and the same is hereby disallowed accordingly: Whereof the Governor, Lieutenant Governor, or Commander in Chief of His Majesty's Island of Prince Edward for the time being, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

C. GREVILLE.

Extract from a Report of the Lords of the Committee of Council for Trade, upon an Act passed by the Legislature of Prince Edward Island, in the year 1832, (No. 330)—dated 8th Dec. 1833.

“The Lords of the Committee have this day had the said Act under consideration.

“This Act requires that in every case where the Landlord has a derivative Title, to enforce payment of Rent, he must register the whole of his Title, although it may have been repeatedly acknowledged by the Tenant by the payment of Rent, and sanctions the claim of the Tenant under such circumstances to contest his Landlord's Title: whereas the Law of this Kingdom, and general convenience and justice, alike require, that the Tenant should not be permitted to question the Title of the Landlord from whom he has taken the tenement.

“Very little advantage could arise to the Tenant from the proposed Registration of the Landlord's Title: whereas the Landlord might be seriously aggrieved by the necessity of conforming to the many minute regulations to which this Act would subject him.

“For the reasons above stated, the Lords of the Committee are humbly of opinion, that this Act should be disallowed by Your Majesty.”

AT THE COURT AT ST. JAMES'S, THE 20th DEC. 1834.

PRESENT:

THE KING'S MOST EXCELLENT MAJESTY;

<i>Lord Chancellor,</i>	<i>Viscount Lowther,</i>
<i>Lord President,</i>	<i>Lord Maryborough,</i>
<i>Lord Privy Seal,</i>	<i>Sir Robert Peel, Bart.</i>
<i>Duke of Wellington,</i>	<i>Mr. Goulburn,</i>
<i>Marquis of Winchester,</i>	<i>Sir George Murray,</i>
<i>Lord Chamberlain,</i>	<i>Mr. Yates Peel,</i>
<i>Earl of Aberdeen,</i>	<i>Mr. Planta.</i>
<i>Lord Granville Somerset,</i>	

WHEREAS the Governor of His Majesty's Island of Prince Edward, with the Council and Assembly of the said Island, did pass an Act in the year 1832, which has been transmitted, entitled as follows, viz:

No. 337.—“An Act to encourage the settlement and improvement of Lands in this Island, and to regulate the proceedings of a Court of Escheats therein.”

Which Act having been referred to the Committee of the Lords of His Majesty's Most Honourable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations, the said Lords of the Committee have reported as their opinion to His Majesty, that the said Act should not receive His Majesty's Royal confirmation. His Majesty was thereupon this day pleased, by and with the advice of His Privy Council, to declare his disallowance of the said Act, and the same is hereby disallowed accordingly:—Whereof the Governor, Lieutenant Governor, or Commander in Chief of His Majesty's Island of Prince Edward for the time being, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

C. GREVILLE.

Extract from a Report of the Lords of the Committee of Council for Trade, upon an Act passed by the Legislature of Prince Edward Island, in the year 1832, (No. 337)—dated 6th of December, 1834:

“The Lords of the Committee have this day had the said Act under their consideration.

“This Act proceeds on the supposition that Lands forfeited to the Crown for the breach of a condition contained in the original Grant, are the subject of Escheat.

“Without the aid of any positive Law, the Crown might take advantage of any such conditions, and by the enactment of such a Law as the present, your Majesty would be fettered in the exercise of your Prerogative, either of enforcing or remitting such Forfeitures, as the merit of each particular case might require.

“For the reasons above stated, the Lords of the Committee are humbly of opinion, that this Act should be disallowed.”